

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

February 19, 2018
Workshop/Regular Meeting – 5:30 PM/7:00 PM
CITY HALL, 200 PATRIOT COURT
HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Travis Bailey – Mayor, Ward 1

Ed Passalugo – Mayor Pro Tem, Ward 3

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Steve Fortenberry – Council Member, Ward 3

Alex Snider – Council Member At-Large

CITY STAFF

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

Lydia Lopez, City Secretary	Jim Devlin, Police Chief
Lee Garcia, Finance Director	Lance Bracco, Fire Chief
Waynette Ditto, Library Director	Katie Allgood, Managing Director
Tracy Lankford, Community Dev. Director	Tuck Saunders, Assistant Police Chief
Kevin Reinke, Utilities 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 **19th day of February, 2018, at 5:30 PM** in **Hewitt City Hall, Council Workshop Room, 200 Patriot Court**, 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
 - b. Briefing and discussion concerning upcoming events:
 - Earth Day Celebration – April 21, 2018
 - Citizens Police Academy – February 20, 2018 – April 24, 2018
 - Household Hazardous Waste Day – May 5, 2018
 - Nacho Day (Greater Hewitt Chamber Event) – May 12, 2018
 - c. Briefing and discussion concerning Financial Statements ending January 31, 2018.
 - d. Briefing and discussion concerning facility maintenance.
 - e. Briefing and discussion concerning Emergency Medical Services.
 - f. Briefing and discussion concerning vacancies and appointments.
 - g. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - Police Academy Reimbursement Contract
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 1:00 AM/PM on February 16, 2018.

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

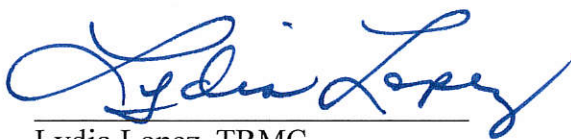
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **19th day of February, 2018, at 7:00 PM in the City Council Chambers at Hewitt City Hall, 200 Patriot Court, 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 and Regular Meeting of February 5, 2018.
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. Authorize the City Manager to negotiate and execute a consent to assignment for East Texas Medical Center (ETMC) Emergency Medical Services Contract to Paramedics Plus.
6. Consideration and action on a resolution concerning the Adjustments Due to Water Leaks policy of the City of Hewitt.
7. 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 1:00 AM/PM on February 16, 2018.

CITY OF HEWITT



Lydia Lopez, TRMC
City Secretary

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HEWITT TEXAS

COUNCIL WORKSHOP AGENDA ITEM #2.a

HEWITT TEXAS II

CITY ENGINEER'S REPORT

February 16, 2018

2015 Bond Projects:

Lift Station No. 5 Removal

Working on easement signatures, will discuss further at meeting.

IH - 35 Waterline

- Phase 2; Sun Valley to Flat Rock Trailers
 - Plans to be submitted to TxDOT for permitting shortly, pending Lift Station No. 5 issues.
- Phase 3; South side of Castleman Creek to Glenleigh Dr.
 - Will begin design in the coming months.

Sun Valley Rd.; Waterline Bores.

We have received approval from TxDOT and I will be finishing up contract documents and getting this project ready for advertisement.

Alamo Lift Station (Lift Station No. 7)

Kevin and I met with the City of Waco and have supplied them with all the remainder information, regarding lot count swaps. Currently Waco has our draft inter-local agreement and is preparing to finalize the document.

Drainage

209/213 Cross Country Drainage Improvements

Working on final draft of the plans.

Old Temple Rd; Phase 2

Contractor has completed placing the cement stabilized base on the southern third of the project and is waiting on the cure time to expire. At that point they will begin the paving of the southern third and then move to the middle section.

FM 2113 (Spring Valley Rd.)

Awaiting utility conflict analysis from TxDOT.

HEWITT TEXAS

CITY ENGINEER'S REPORT

February 16, 2018

Ritchie Road Improvements; (From Warren Dr. to Park Place Dr.)

60% plans have been submitted to all parties and we are to review the road portion.

Hewitt Dr. and Panther Way

I have received TxDOT's information and will be putting a plan set together on this within the coming months.

Stormwater Ordinance

We are working on preparing a new stormwater ordinance to gain compliance with the City's existing Municipal Separate Storm Sewer (MS4) plan. The Council will be seeing this in a future council meeting.

By:



Miles W. Whitney P.E.
Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #2.c

The Financial Statements ending January 31, 2018, were sent electronically on Wednesday, February 14, 2018, for Council review. Finance Director Lee Garcia will be available to respond to any questions or comments.

HEWITT TEXAS

COUNCIL WORKSHOP AGENDA ITEM #2f.

CITY OF HEWITT: COUNCIL, BOARDS, AND COMMISSIONS

City Hall 666-6171 (Fax 666-6014); Community Services 666-2447; Utility Billing 666-3151 (after hrs emergency 666-6272); Police Adm. 666-1661; Drug Tips 666-3333; Animal Control 666-6272; Library 666-2442; Park Reservations 666-6173; Municipal Court 666-1208; Chamber of Commerce 666-1200. City of Hewitt web site: www.cityofhewitt.com; Email: citysecretary@cityofhewitt.com

City Council 2 Yr Term - May	Board of Adjustment 2 Yr Term - April	Planning & Zoning Commission 3 Yr Term - June	Parks & Beautification Committee 2 Yr Term - December	Library Board of Directors 2 Yr Term - December
1st & 3rd Mon 7 pm	3rd Thurs 7 pm	1st Tues. 7 pm	2nd Thurs 7 pm	Quarterly as needed
Mayor Travis Bailey Ward 1 (05-2019) 412 Oklahoma Avenue 666-1492	Chairman (04-2018) Jim Winton 1136 Heatherwood 857-9436	(06-2019) Kurt Krakowian 804 Pebble Creek Cr. 855-1139	(12-2018) Jerry Snider 108 Brenda Drive 307-0613	President (12-2018) Eric Ames 249 Fieldcrest Dr. 710-1576
Wilbert (Walky) Wachtendorf Ward 1 (05-2018) 328 Travis Lane 666-3759	(04-2018) Bradley T. Turner 600 Yukon Pass 723-4912	(06-2019) Bobby Wolske 109 Devonshire 366-4743	(12-2019) Kathy Krakowian 804 Pebble Creek Cr. 424-7192	(12-2019) Gayle H. Shipp 704 Cheyenne Trail 495-1044
Bill Fuller Ward 2 (05-2018) 218 Chelsea/PO Box 568 666-3304	(04-2019) Douglas Bergen 264 Earle Rd. 666-0855	(06-2019) Walter H. Peterson 500 Moss Hill Rd. 757-5128	(12-2019) VACANT	(12-2018) Karen Copeland 616 Crestwood Dr. 717-4906
James Vidrine Ward 2 (05-2019) 504 Rowan Oak 666-2115	(04-2019) Charles Howard 155 Ellis Farm Rd. 732-4746	(06-2017) Jonathan Denton Dulus 332 Bowie Ln. 855-4013	(12-2019) Fred Bridger 613 Durango Circle 749-8810	Secretary (12-2018) Lydia Dasher 520 Angel Fire Dr. 666-9623
Mayor Pro Tem Ed Passalugo Ward 3 (05-2019) 137 E. Chapman Rd. 420-1926	(04-2019) R. Don Vardeman 432 S First St. 666-2670	(06-2017) Charlie Turner 209 Laredo 666-0087	(12-2018) Davis D. Thigpen 606 Madison Dr. 749-9500	(12-2018) Beth Oakley 708 Angel Fire Drive 644-3594
Steve Fortenberry Ward 3 (05-2018) 701 Oakmont Drive 744-1697	Alternate (04-2018) Jim Pless 803 Attaway 855-7762	(06-2017) Michael Lee Hix 336 Bowie Lane 723-5071	(12-2018) Veronica Molina 1201 Radisson (434) 531-2014	(12-2019) VACANT
Alex Snider At Large (05-2019) 1017 Wind Hill (281) 734-7622	Alternate (04-2019) VACANT	(06-2017) John J. Baker 317 Bonham Drive 235-0464	(12-2018) VACANT	Vice President (12-2019) Sally Goldman 132 Texas 666-2436

Updated: 02/07/2018



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 19, 2018

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop and Regular Meeting of February 5, 2018.

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 WORKSHOP/REGULAR MEETING HEWITT CITY HALL – 200 PATRIOT COURT February 5, 2018– 5:30 PM/7:00 PM

Members present: Mayor Travis Bailey (presiding), Mayor Pro Tem Ed Passalugo, Council Members Wilbert “Walky” Wachtendorf, Bill Fuller, James Vidrine, Alex Snider (arrived at 6:19 PM) and Steve Fortenberry

Staff present: City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco, Managing Director Katie Allgood, Finance Director Lee Garcia, Utilities Director Kevin Reinke, Library Director Waynette Ditto, Community Development Director Tracy Lankford, Parks & Media Coordinator Cassie Muske, and City Secretary Lydia Lopez

WORKSHOP – 5:30 PM

1. Mayor Travis Bailey called the meeting to order at 5:30 PM.
2. City Manager update on municipal business:
 - a. Report from City Engineer
 - b. Briefing and discussion concerning upcoming events:
 - o Citizens Police Academy – February 20, 2018 – April 24, 2018
 - o Household Hazardous Waste Day – May 5, 2018
 - NOTE:** Council Member Wilbert “Walky” Wachtendorf recognized Mayor Travis Bailey for his hard work and dedication in planning the 31st Annual Really Big Fishing Event for Very Special People held at the Extraco Event Center on Saturday, February 3, 2018.
 - c. Briefing and discussion concerning gift from the Friends of the Library.
 - d. Briefing and discussion concerning Recycling Program.
 - e. Briefing and discussion concerning Water Leak Adjustment Policy.
 - f. Briefing and discussion concerning Emergency Medical Services RFP.
 - g. Briefing and discussion concerning Financial Statements ending December 31, 2017.
 - h. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - i. The Council interviewed prospective Parks & Beautification Committee member Jerry Snider.
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.**
5. Close Executive Session. **(NOT HELD)**
6. Adjourn. *A motion was made by Mayor Pro Tem Ed Passalugo and second by Council Member Bill Fuller to adjourn the Workshop at 6:52 PM.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Travis Bailey called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Travis Bailey asked Managing Director Katie Allgood to lead the Pledge of Allegiance.
3. **SPECIAL PRESENTATION TO THE HEWITT PUBLIC LIBRARY.** Mayor Pro Tem Ed Passalugo presented a check in the amount of \$5,000 to the Library donated from the Corner Store Valero Country Run.
4. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF JANUARY 15, 2018.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Ed Passalugo 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.* Barry Johnson, 4008 Trice, Waco, TX, announced his candidacy for District Attorney. No one else appeared.
6. **PUBLIC HEARING ON STORM WATER MITIGATION.** Mayor Travis Bailey opened the hearing and asked if there was anyone present who wished to speak regarding storm water mitigation. No one appeared. Public hearing was closed.
7. **CONSIDER APPOINTMENT OF ASSOCIATE MUNICIPAL COURT JUDGE.** *A motion was made by Mayor Pro Tem Ed Passalugo and second by Council Member Bill Fuller to approve the appointment of Thomas C. West as Associate Municipal Court Judge; all seven in favor, motion passed.*
8. **CONSIDER APPOINTMENT TO THE PARKS & BEAUTIFICATION COMMITTEE.** *A motion was by Mayor Pro Tem Ed Passalugo and second by Council Member Bill Fuller to approve the appointment of Jerry Snider; all seven in favor, motion passed.*
9. **ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED PARKS & BEAUTIFICATION COMMITTEE MEMBER.** Mayor Travis Bailey administered the oath of office to Jerry Snider.

10. **AUTHORIZE CHANGE ORDER NUMBER 3 TO THE 2017 OLD TEMPLE ROAD STREET IMPROVEMENTS PROJECT WITH HOLY CONTRACTORS, LLC IN AN AMOUNT NOT TO EXCEED 10,664.96.** *A motion was by Mayor Pro Tem Ed Passalugo and second by Council Member Alex Snider to approve; all seven in favor, motion passed.*
11. **AUTHORIZE SUBMITTAL OF ASSISTANCE TO FIREFIGHTERS GRANT (AFG) APPLICATION THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR SELF-CONTAINED BREATHING APPARATUS UNITS (SCBAS) AND RELATED EQUIPMENT.** *A motion was by Mayor Pro Tem Ed Passalugo and second by Council Member Steve Fortenberry to approve; all seven in favor, motion passed.*
12. **CONSIDERATION AND ACTION ON A RESOLUTION IN SUPPORT OF THE SUBMISSION OF A JUSTICE ASSISTANCE GRANT APPLICATION FOR THE CITY OF HEWITT POLICE DEPARTMENT CELLEBRITE UFED TOUCH2 UPGRADE AND TRAINING PROJECT.** *A motion was by Mayor Pro Tem Ed Passalugo and second by Council Member Bill Fuller to approve; all seven in favor, motion passed.*
13. **CONSIDERATION AND ACTION ON A RESOLUTION ORDERING A GENERAL ELECTION FOR THE CITY OF HEWITT ON SATURDAY, MAY 5, 2018, TO BE HELD AS A JOINT ELECTION WITH MCLENNAN COUNTY; AUTHORIZING A CONTRACT FOR ELECTION SERVICES; DESIGNATING POLLING PLACES AND PROVIDING FOR OTHER MATTERS RELATING TO THE GENERAL ELECTION.** *A motion was by Council Member Alex Snider and second by Mayor Pro Tem Ed Passalugo to approve; all seven in favor, motion passed.*
14. **CONSIDERATION AND ACTION ON A RESOLUTION AUTHORIZING WALKER PARTNERS, LLC TO COORDINATE ACQUISITION OF LAND FOR THE RITCHIE ROAD PROJECT.** *A motion was by Council Member Alex Snider and second by Council Member Bill Fuller to approve; all seven in favor, motion passed.*
15. **ADJOURN.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Ed Passalugo to adjourn the regular meeting at 7:36 PM; all seven in favor, motion passed.*

Approved: February 19, 2018

Lydia Lopez, City Secretary

Travis Bailey, Mayor

HEWITT TEXAS

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 19, 2018

AGENDA ITEM #: 5

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Authorize the City Manager to negotiate and execute a consent to assignment for East Texas Medical Center (ETMC) Emergency Medical Services Contract to Paramedics Plus.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City of Hewitt and partner cities have received a request by East Texas Medical Center (ETMC) to assign the current emergency medical services (ambulance service) contract to Paramedics Plus. For the past few months, ETMC has been in the process of being acquired by Paramedics Plus. The assignment of the contract would allow Paramedics Plus to continue to operate within the contractual obligations currently held by ETMC. Staff recommends approval of this item contingent upon final acquisition of ETMC by Paramedics Plus, Paramedics Plus obtaining its state license, acquisition of a performance bond by Paramedics Plus, and evidence of appropriate insurance coverage. All partner cities have been asked to jointly consent to the assignment.

Note: This item is not related to the current Request for Proposals (RFP) currently under consideration for emergency medical services.

ATTACHMENTS:

Consent to Assignment

CONSENT TO ASSIGNMENT

This Consent to Assignment (this "Consent") is entered into on [____], 2018 by and among the Cities of Bellmead, Beverly Hills, Hewitt, Lacy-Lakeview, Robinson, Waco and Woodway (collectively, "Participating Cities"), East Texas Medical Center, d/b/a East Texas Medical Center Emergency Medical Service ("ETMC EMS"), and Paramedics Logistics Texas, LLC, d/b/a Paramedics Plus ("PP Texas").

Participating Cities and ETMC EMS, as applicable, were or are parties to the Agreement for Emergency Medical Services dated February 18, 2003, the Agreement for Emergency Medical Services dated March 22, 2007 and the Agreement for Emergency Medical Services dated March 6, 2012, each as amended, supplemented and/or novated (collectively, the "Agreements").

ETMC EMS wishes to transfer and assign substantially all of its assets, including the Agreements, to PP Texas. Pursuant to Section 17.6 of the Agreements, the assignment of the Agreements from ETMC EMS to PP Texas must be approved by Participating Cities.

IT IS, THEREFORE AGREED as follows:

1. Subject to the conditions set forth in Section 2 of this Consent, the assignment of the Agreements from ETMC EMS to PP Texas is APPROVED.
2. The assignment of the Agreements from ETMC EMS to PP Texas is contingent upon the following: (1) PP Texas obtaining an Emergency Medical Services Provider License from the Texas Department of State Health Services; and (2) closing of the sale of certain assets from ETMC EMS to PP Texas or any of its direct or indirect affiliates. In the event that either of these two conditions is not met, the assignment will be of no effect and the Agreements will remain between ETMC EMS and Participating Cities.
3. Upon satisfaction of the conditions set forth in Section 2 of this Consent: all of the rights, duties and obligations of ETMC EMS under the Agreements will be assigned to PP Texas; PP Texas accepts and agrees to perform all of the rights, duties and obligations of ETMC EMS under the Agreements; and ETMC EMS will be released from any further obligation under the Agreements.

[Signature page follows.]

EMS Administrative Agency

East Texas Medical Center d/b/a ETMC
EMS

By:

Chairman

By:

ELMER G. ELLIS, Chairman

Paramedics Logistics Texas, LLC
d/b/a Paramedics Plus

By:

Michael Odrich, President

City of Hewitt

By:

Title:



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 19, 2018

AGENDA ITEM #: 6

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consideration and action on a resolution concerning the Adjustments Due to Water Leaks policy of the City of Hewitt.

STAFF RECOMMENDATION/ITEM SUMMARY:

Since 2007, the City of Hewitt has adhered to the same policy related to billing adjustments due to water leaks. In certain specific circumstances, the City Utility Billing Department may authorize a one-time billing adjustment for underground leaks or broken pipes. Prior to the City's investment in the automated meter reading system, the City only collected once-a-month readings taken by employees. Then, the City could only determine how much water was used on a monthly basis. In contrast, now the current system continuously monitors customer water usage and typically collects usage data in fifteen (15) minute increments. Clearly, the increased volume of data has improved our ability to better analyze and understand a customer's actual usage to the point where it may often be determined precisely when a customer experiences a leak.

The proposed policy takes into account the ability to more closely determine the actual time in which a leak began and make adjustments off of that time. In other words, rather than adjusting off an entire month's worth of leak, the change would only allow for adjustment based on when the leak actually began as determined by the best, and most accurate, data we have. If approved, the new policy would be implemented immediately.

ATTACHMENTS:

Draft Resolution

RESOLUTION NO. 2018-4

CITY OF HEWITT WATER POLICY FOR ADJUSTMENTS DUE TO WATER LEAKS

The City Council has determined that supplying water to the customer is a costly process and water loss through system breaks may result in increased water rates to all customers. Therefore, any adjustment to an individual customer account shall be made only in extreme situations. It is the intent of the City Council that any adjustment is totally within the discretionary authority of the City Manager and/or City Council. Nothing in this policy shall be deemed that any adjustment is mandatory.

Problems under or inside a structure on private piping or fixtures including toilets, faucets, faulty hot water heaters, water softeners, open fixtures, sprinkler heads, etc., as well as yard sprinkler systems, are the responsibility of the customer and do not qualify for an adjustment.

Adjustments for leaks caused by the City of Hewitt Water System on the customer's side of the meter will be granted at 100% of the leak as determined by the City's automated meter reading system or, if unavailable, 100% of water use determined to be above the normal water usage.

Adjustments may be made for underground leaks or broken pipes, if caused by unusual conditions. Yard sprinkler systems do not qualify for adjustment. Unusual conditions shall not include weather conditions, shifting ground or an act of God. The City Manager or his designee will be the sole authority in determining unusual conditions. Any adjustment granted may be less than, but no more than 50% of the amount of leaked water. A request for an adjustment must be made within thirty days of the billing date.

Requirements:

- A. The City must be made aware of the leak.
- B. Leak must be repaired in a timely manner. Proof of the date the leak was observed and the date it was fixed must be submitted to the City.
- C. Receipt of plumbing repairs is required or if a customer made repairs, a visual verification by the city is necessary.
- D. The credit will be for water only.
- E. In no situation can the credit reduce the bill to less than the minimum charge for any single month or the average bill for the previous three months.
- F. If the account has already been disconnected due to non-payment or a service order has been issued, full payment must be received before utility services can be reinstated.

In determining the amount of water consumed (volume of the leak) the City's Automated Meter system (AMI) data and records will be utilized. If AMI data is unavailable or incomplete, "normal" usage may be determined by comparison with the previous month's consumption, the month after, or the consumption used during the same period of the previous year, taking into consideration any abnormal weather conditions. Adjustments will be granted at up to 50% of the excess amount above the "normal" water usage if data is not available on the city's AMI system.

Proration may be used by obtaining a new reading and projecting a monthly usage based on a thirty (30) day period. In the event a full year's history is not available, then the normal usage is determined by the average monthly consumption usage.

Only one adjustment per year (12 previous months) may be allowed on any account. On circumstances where the leak occurred affecting two (2) months' consumption, an extension may be granted to the consecutive month affected. The extension under these circumstances may be considered as one adjustment.

Under no circumstances will the payment due be withheld or extended due to an investigation. Customers will be notified to pay when the bill is due. Large bills may be considered for payment over time (except when the service disconnect process has begun). The payment will be determined considering the amount of the bill and the customer's payment history.

PASSED AND ADOPTED this 19th day of February, 2018.

CITY OF HEWITT

Travis Bailey, Mayor

ATTEST:

Lydia Lopez, City Secretary