

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

August 20, 2018

Workshop/Regular Meeting – 6:30 PM/7:00 PM

CITY HALL, 200 PATRIOT COURT

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Steve Fortenberry – Mayor Pro Tem, Ward 3

Travis Bailey – Council Member, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Vacant – 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

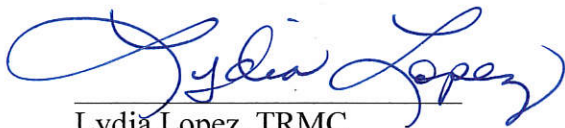
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Workshop** meeting of the governing body of the City of Hewitt will be held on the **20th day of August, 2018, at 6:30 PM** in **Hewitt City Hall, City Council Chambers, 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:
 - Hewitt Dog Days – September 29, 2018
 - c. Briefing and discussion concerning financial reports.
 - d. Briefing and discussion concerning drainage utility fee structure.
 - e. Briefing and discussion concerning proposed FY 2018-2019 Annual Budget, tax rate and fee schedule.
 - f. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. Briefing and discussion of August 3 letter as requested by Mayor Ed Passalugo.
4. Review of the regular meeting agenda.
5. Adjourn.

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 3:30 AM/PM on August 17, 2018.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

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 **20th day of August, 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 Special Called Meeting of July 30, 2018, and the Special Called Meeting of August 13, 2018.
4. Special presentation to the Heart of Texas 100 Club.
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.*
6. Conduct second public hearing on the 2018 tax rate.
7. Motion to announce that August 27, 2018, at 7:00 p.m. at the Hewitt City Hall, 200 Patriot Court, as the date, time and place to vote on the 2018 tax rate.
8. Consider a resolution authorizing the City Manager to negotiate and execute an Interlocal Agreement with the City of Waco for wastewater services and related matters, including the exchange of wastewater flows, the upsizing of the existing Warren Road Lift Station (and payment of \$32,000.00 to the City of Waco for said upsizing), and the maintenance of the Creekside Sewer Line.
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 3:30 AM/PM on August 17, 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.



COUNCIL WORKSHOP AGENDA ITEM #2.a

HEWITT TEXAS II

CITY ENGINEER'S REPORT

August 16, 2018

2015 Bond Projects:

Lift Station No. 5 Removal

Easements have been received.

IH - 35 Waterline

- Phase 2; Sun Valley to Flat Rock Trailers
 - Plans have been sent and we have received one comment back from TxDOT and it will be addressed shortly. We will be advertising this project for bids shortly.

Sun Valley Rd.; Waterline

City's crews are stock piling materials to begin their portion.

2018 Street Improvements; Slurry Seal

City's crews have finished their portion of the project and awaiting the return of the contractor.

Alamo Lift Station (Lift Station No. 7)

Within your packet you find the DRAFT Inter Local Agreement with Waco for the Council's consideration. This same Inter Local Agreement is to go before Waco's Council on August 21st.

Drainage

209/213 Cross Country Drainage Improvements

Contractor has only final punch list items to complete.

Old Temple Rd; Phase 2

Working on final items remaining.

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

Waco is to open bids on August 17th.

HEWITT TEXAS

CITY ENGINEER'S REPORT

August 16, 2018

Sierra Slope / Angel Fire Intersection Repair

Contractor has completed this project, will hold a final walk through shortly.

Plant No. 1; Chemical Disinfectant Building; (Community Services)

Working towards finalizing these plans and specifications to send to TCEQ for project approval.

Street Condition Report

Will discuss as needed.

By:



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

Note: All dates are approximate and subject to change.

HEWITT TEXAS

COUNCIL WORKSHOP AGENDA ITEM #2.d



MEMORANDUM

FROM: Katie Allgood, Managing Director of Administration
TO: Mayor and City Council
DATE: August 17, 2018
RE: Changes to Drainage Rate Structure

Mayor and Council,

Recently, City Staff was approached by The Icon at Hewitt regarding our Drainage Fee structure for multifamily residents. After conducting research and comparing our current rate structure to that of other cities, we are recommending some changes to the way Drainage Fees are calculated for both commercial and multifamily customers.

Additionally, every year during the budget process City Staff studies the current Drainage Utility Fees. This is done to ensure that our rates are sufficient for funding the necessary expenses related to drainage maintenance and improvements. We are recommending a small monthly increase to the residential flat rate.

Copies of the current monthly rates and proposed rates are attached. A short presentation will be conducted at the Workshop Meeting to explain these proposed changes in depth and allow for discussion.

Thank you,

Katie Allgood

Current Monthly Rates (FY 17/18)

Residential

❖ 1 – 10,000 SQ FT	\$4.35
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Commercial

❖ 1 – 10,000 SQ FT	\$10.08
❖ 10,001 – 20,000 SQ FT	\$29.65
❖ 20,001 – 40,000 SQ FT	\$48.05
❖ 40,001 – 60,000 SQ FT	\$94.55
❖ 60,001 – 100,000 SQ FT	\$148.80
❖ 100,001 – 150,000 SQ FT	\$228.63
❖ 150,001+ SQ FT	\$359.60

Proposed Monthly Rates (FY 18/19)

Residential

❖ 1 – 10,000 SQ FT	\$4.72
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Commercial & Multifamily

❖ Impervious Surface	\$0.002250 per SQ FT
❖ Gravel Surface	\$0.001125 per SQ FT

HEWITT TEXAS

COUNCIL WORKSHOP AGENDA ITEM #2.e



MEMORANDUM

To: MAYOR AND CITY COUNCIL
From: Lee Garcia, Finance Director
Date: August 20, 2018
Subject: Proposed Master Fee Changes

	<u>FY 17 18</u>	<u>FY 18 19</u>	
Hot Tub/Spa Fee	100.00	50.00	Page 1
Swimming Pool Fee	50.00	100.00	Page 2
Application for appeal to BOA	300.00	500.00	Page 3
Network Nodes	-	various	Page 4
Library Color Copies	1.00	1.25	Page 5
Proctor Exam Fee	-	15.00	Page 5
Drainage – Residential	4.35	4.72	Page 7
Trash Administrative Fee	1.50	2.15	Page 8
Wastewater Tap Fee	500.00	750.00	Page 11

Master Fee Schedule

*** Proposed**



HEWITT MASTER FEE SCHEDULE

Table of Contents

Department	Pages
Permit Fees	1-4
Police, Administration, & Library Fees	5
Park Fees	6
Drainage Fees	7
Solid Waste Fees	8
Water Fees	9
Wastewater Fees	11

PERMIT FEES

New Construction

New Construction Building Permit	\$0.22 sq. ft. under roof (per floor) min \$320
Electrical Permit	\$0.06 sq. ft. under roof (per floor)
Plumbing Permit	\$0.06 sq. ft. under roof (per floor)
Mechanical Permit	\$0.06 sq. ft. under roof (per floor)

General Permits

Alcohol Permit	\$60
Carport Permit	\$50, \$0.20 per sq. ft.
Commercial Accessory Building	\$75 min, \$9 per \$1,000
Commercial Building Permit – Temporary 72 hr.	\$50
Commercial Occupancy Inspection	\$50
Deck Permit	\$30
Demolition Permit	\$100
Estate Sale/Auction	\$50
Fence Permit	\$35
Flat Work Permit	\$40 min, \$0.02 per sq. ft.
Foundation Repair	\$30
Garage Sales	\$15
Gas Permit	\$24, \$6 per appliance
Hot Tub/Spa	\$50
Land Clearing Filling or Grading Permit	\$240
Lawn Sprinkler System Permit	\$25 base, \$1 per head/\$10 backflow
Mobile Home Move-In Permit	\$35

Moving a Building Permit	\$100
Patio Cover	\$35 min, \$0.10 per sq. ft.
Re-Inspect Fee	\$25 1 st time; \$10 increase cumulative after
Remodeling Permit	\$125 min, \$9 per \$1,000
Residential Accessory Building Permit	\$40 for 120 sq. ft. more + \$0.08 per sq. ft.
Roof Permit	\$35
Sign Permit	
Up to 72 sq. ft.	\$44
Up to 300 sq. ft.	\$75
Up to 600 sq. ft.	\$100
Swimming Pool Permit (above/inground)	\$100/\$150
Temporary On-Site Storage Containers	\$10 first 15 days + \$25 next 16 days + \$50 for >30 days/year
Window Replacement Fee	\$25/\$25 Re-Inspect Fee

Electrical

Electrical Permit	\$24
Up to 400 Amp	\$11
Over 400 Amp	\$24
3 Phase Circuits	\$7
220 Circuits	\$6
110 Circuits	\$5
Equipment Motors	
½ hp – 50 hp	\$11
Over 50 hp	\$24
Transformers	
Up to 50 KVA	\$11
Over 50 KVA	\$24
Elevators	\$54
Signs	\$24
Temporary Service	
Carnivals or Similar	\$54

Mechanical

Mechanical Permit	\$24
Up to 250,000 BTU	\$17
250,000 – 500,000 BTU	\$34
Each Ad. 50,000 Over 500,000 BTU	\$5
Refrigerated Air Systems	
Up to 5 Tons	\$17

Over 5 Tons	\$34
Each Ad. Ton Over	\$5
Ventilation Systems	
Installation Blower or fan to duct system for each building	\$24

Plumbing

Plumbing Permit	\$24
Per Fixture, Traps, etc.	\$6
Sewer/Water	\$8
Vacuum Breakers	\$8
Backflow Device	\$24
Roof Drain Permit	\$24
Discharge Line	\$8
Roof Drain	\$6

Planning & Zoning

Application for Abandonment of Public Right of Way	\$300
Application for Amendment of the Zoning Ordinance	\$300
Application for Appeal to Board of Adjustment	\$500
Application for Preliminary Plat	\$150 + \$2 per acre
Application for Final Plat, Amended Plat, Administrative Plat	\$200
Application for Final Plat and Re-Plat with Infrastructure	\$200 + \$27 per lot
Application for Platting or Re-Platting with Variance Request	\$250 + \$2 per lot
Plat/Plan Review other than Original Review (Staff)	\$50 per hour, one hour minimum
Plat/Plan Review other than Original Review (Engineer)	\$150 per hour, one hour minimum

Fire Protection

Fire Protection Systems	\$55
Per Head	\$0.25
Underground Main	\$50
Fire Pump	\$30
Stand Pipe System	\$55

Per Outlet	\$5
Fire Alarm System	\$55
Per Device	\$1
Hood and Duct System	\$30
Per Nozzle	\$2.50
Commercial Paint Spray	\$30
Other Fire Suppression System	\$30
Per Head	\$55

Network Nodes, Node Support Poles & Transfer Facilities

Network Nodes-Application Fee	Lesser of: actual cost or \$500 for up to 5 Network Nodes, and \$250 for each additional Network Node on a permit (up to 30, per Sec 284.152(b))
Network Nodes-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI adjustment
Node Support Poles-Application Fee	\$1,000 for each pole
Node Support Poles-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI Adjustment
Transfer Facilities-Application Fee	\$500 for an application including up to 5 Network Nodes, and \$250 for each additional Network Node on a permit
Transfer Facilities-Monthly Rental Rate	\$500 monthly for each Network Node site
For all other applicants	\$200.00

Police Department Fees

Accident Reports	\$6
Animal Registration	\$10 first 2 pets; \$2 each additional
Animal Reclaim/Disposal Fee	\$75

Administration Fees

Returned Check Fee	\$35
NSF Electronic Draft Fee	\$35
Copies of Public Information	
Standard – 8.5x11	\$0.10 per page
Oversize – 11x17	\$0.50 per page
Postage/Shipping	Actual Cost
Other Media	
Audio Cassette	\$1 each
CD/RW or CD/R	\$1 each
Other Charges	Actual Cost

Public Library Fees

Book	\$0.25 per day
DVD, Play-a-way, Audiobooks, VHS	\$1 per day
Tex-Share ILL	\$1 per day + \$5 processing fee + any fee by lending library
Lost Book	Cost of book + \$5 processing fee
Damaged Books	Cost of damage is calculated by the amount of damage divided by cost of book + \$5 processing fee
Barcode Replacement	\$1
Media Case Replacement	\$5
Hanging Bag	\$1
3D Printing	\$0.10 per gram
Paper Copy – Black & White	\$0.15
Paper Copy – Color	\$1.25
Large format Printing	Estimate per item: L x W x .035 x 40%
Proctor Exam Fee	\$15/hr (waived for Hewitt Residents)
Lost Library Card Replacement	\$1
Return Check Fee	\$35

PARK FEES

Creekside Amphitheatre-Warren Park

Private	\$150 per hour (4 hour min)
Deposit for Private	\$400 – refundable
Wedding Package- Friday-Sunday Amphitheatre ONLY	\$1500 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package- Monday-Thursday Amphitheatre ONLY	\$1200 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package- Friday-Sunday Amphitheatre & Pavilion	\$1800 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package- Monday-Thursday Amphitheatre & Pavilion	\$1440 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package- Friday-Sunday Entire Park	\$2500 (10am – 11pm) + rehearsal (\$200/additional hour)
Wedding Package- Monday-Thursday Entire Park	\$2000 (10am – 11pm) + rehearsal (\$200/additional hour)
Deposit	\$600 - refundable

Food Truck Permits

No Event	\$50/day (up to 12 hours)
Event	\$125/day (up to 12 hours)
Water Spigot Deposit	\$50 - refundable

Field Rental

Playing Field (practice)	\$30/practice (2 hour block)
Playing Field (game)	\$75/game (4 hour block)
Practice Field	First Come, First Serve

Pavilion Rental

Park Pavilion – Either Park – Up to 150 People	\$35 per hour (minimum 2 hours)
Park Pavilion – Either Park – Over 150 People	\$50 per hour (minimum 2 hours)
Water Key	\$50 deposit – refundable upon return of key

DRAINAGE FEES

Residential	\$4.72
Commercial	
Per Squart Foot of Impervious Surface	\$0.00225
Per Square Foot of Gravel Surface	\$0.00113

SOLID WASTE

Trash Administrative Fee

Administrative Fee – Per Unit	\$2.15 per unit
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Trash – Pick Up

Residential	
Collection	\$15.76
Additional Polycart	\$4.67
Commercial	
Collection	\$16.41
Additional Polycart	\$4.67
Dumpster Overload Fee – Per cubic yard,	\$25
Market Rate as Determined by Republic Services	

Trash – Front Load Containers*

Size	1x	2x	3x	4x	5x	6x
2 Yard	\$84.17	\$149.59	\$215.08	\$280.44	\$345.85	\$47.56
3 Yard	\$94.68	\$165.65	\$240.25	\$313.04	\$385.86	\$47.56
4 Yard	\$102.05	\$180.97	\$262.40	\$342.59	\$422.74	\$55.49
6 Yard	\$123.06	\$217.98	\$312.91	\$407.82	\$502.78	\$63.43
8 Yard	\$145.61	\$255.33	\$379.26	\$474.69	\$584.35	\$63.43
Casters	\$32.86					
Locks	\$13.16					

*Tax at 8.25% applies to all fees

Trash – Roll Off Containers*

Size	Type	Delivery	Rent Day	Rate/Load	Container
20 Yard	Open Top	\$131.50	\$3.80	\$452.61	\$262.99
30 Yard	Open Top	\$131.50	\$3.80	\$530.46	\$262.99
40 Yard	Open Top	\$131.50	\$3.80	\$573.71	\$262.99
42 Yard	Compactor	\$131.50	\$3.80	\$622.47	\$262.99

*Tax at 8.25% applies to all fees

WATER FEES

Deposits – Residential/Commercial	\$50 - \$160 Credit Based
Initial Connection Fee	\$20
Delinquent Fees	10% of balance
Collection Services	25% of final balance
Non-Pay Reconnect	\$50 before 4pm
After Hours Non-Emergency Service Call	\$40 after 4pm
Meter Accuracy Check (Reread)	\$20
Meters up to 1" – Meter Testing Deposit	\$50
Meters 1" + up to 2" – Meter Testing Deposit	\$250
Meters larger than 2" – Meter Testing Deposit	Base Fee – Quoted on per cost basis
Tampering with Meter without City Permission	\$300 per event

WATER RATES

Residential, Commercial & Builders – Base Rate	1 st 3,000 Gal
5/8"	\$30
1"	\$63
1.5"	\$190
2"	\$190
3"	\$380
4"	\$380
6"	\$570
Volume Rate	Per 1,000 Gal
3,001 – 7,000 Gal	\$4.85
7,001 – 12,000 Gal	\$5.40
12,001+ Gal	\$5.85

Bulk Water Rates

Deposit	\$900
Set Fee & Move Fee	\$100
Base Rate for 3" Meter	\$380 per month + consumption *
Consumption Rate	\$6.40 per 1,000 gallons *
One Day Fee	\$35 per day for 5,000 gallons or less + \$6.40 per 1,000 gallons over 5,000 gallons

All Bulk Water will be sold in 1,000 gallon increments.

Water Taps & Meter Set

Prior to the connection of any water line onto a city water main, the party requesting such connection shall pay the city the water service installation and meter fees for labor and materials as follows:

All Water Taps	\$1,000 Base Fee – Quoted on per cost basis
5/8" x 3/4" meter set	\$300 + cost of meter box if needed
3/4" x 3/4" meter set	\$300 + cost of meter box if needed
1" or larger service or meter set	Base Fee – Quoted on per cost basis

Wastewater Rates
Option #1 – Standard Wastewater Rates

Residential Base Rate – 1 st 5,000 Gal	\$26.50
Residential Volume Rate (Per 1,000)	\$4.50
Industrial Institution or Commercial Base Charge – 1 st 20,000 Gallons	\$57.25
Industrial Institution or Commercial Volume Rate (Per 1,000)	\$4.50

Wastewater Rates
Option #2 – Winter Average Rates

Single Family Residential Base Rate	\$18 (no minimum gallons)
Single Family Residential Volume Rate (Per 1,000)	\$2.80 (no maximum gallons)

Wastewater Rates
Option #3 – Flat Rate

Single Family Residential Flat Rate	\$36.50
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Wastewater Taps & Service Connection Fees**

All Wastewater Taps	\$750 Base Fee – Quoted on per cost basis
4" Tap	\$750 Base Fee – Quoted on per cost basis
6" Tap	\$750 Base Fee – Quoted on per cost basis
8" or Larger Lateral	\$750 Base Fee – Quoted on per cost basis

***In addition, service lines that require the cutting or boring of paved streets or alley will be subject to a minimum charge of \$750 Base Fee – Quoted on per cost basis. The decision of a bore or utility cut will be made by Utility Director.*

Master Fee Schedule

*** Current**



HEWITT MASTER FEE SCHEDULE

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New Construction

New Construction Building Permit

New Construction Building Permit	\$0.22 sq. ft. under roof (per floor) min \$320
Electrical Permit	\$0.06 sq. ft. under roof (per floor)
Plumbing Permit	\$0.06 sq. ft. under roof (per floor)
Mechanical Permit	\$0.06 sq. ft. under roof (per floor)

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Alcohol Permit	\$60
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Commercial Accessory Building	\$75 min, \$9 per \$1,000
Commercial Building Permit – Temporary 72 hr.	\$50
Commercial Occupancy Inspection	\$50
Deck Permit	\$30
Demolition Permit	\$100
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Land Clearing Filling or Grading Permit	\$240
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Mobile Home Move-In Permit	\$35
Moving a Building Permit	\$100
Patio Cover	\$35 min, \$0.10 per sq. ft.

Re-Inspect Fee	\$25 1 st time; \$10 increase cumulative after
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Roof Permit	\$35
Sign Permit	
Up to 72 sq. ft.	\$44
Up to 300 sq. ft.	\$75
Up to 600 sq. ft.	\$100
Swimming Pool Permit (above/inground)	\$50/\$150
Temporary On-Site Storage Containers	\$10 first 15 days + \$25 next 16 days + \$50 for >30 days/year
Window Replacement Fee	\$25/\$25 Re-Inspect Fee

Electrical

Electrical Permit	\$24
Up to 400 Amp	\$11
Over 400 Amp	\$24
3 Phase Circuits	\$7
220 Circuits	\$6
110 Circuits	\$5
Equipment Motors	
½ hp – 50 hp	\$11
Over 50 hp	\$24
Transformers	
Up to 50 KVA	\$11
Over 50 KVA	\$24
Elevators	\$54
Signs	\$24
Temporary Service	
Carnivals or Similar	\$54

Mechanical

Mechanical Permit	\$24
Up to 250,000 BTU	\$17
250,000 – 500,000 BTU	\$34
Each Ad. 50,000 Over 500,000 BTU	\$5
Refrigerated Air Systems	
Up to 5 Tons	\$17
Over 5 Tons	\$34
Each Ad. Ton Over	\$5
Ventilation Systems	

Installation Blower or fan to duct system for each building	\$24
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Plumbing

Plumbing Permit	\$24
Per Fixture, Traps, etc.	\$6
Sewer/Water	\$8
Vacuum Breakers	\$8
Backflow Device	\$24
Roof Drain Permit	\$24
Discharge Line	\$8
Roof Drain	\$6

Planning & Zoning

Application for Abandonment of Public Right of Way	\$300
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Fire Protection

Fire Protection Systems	\$55
Per Head	\$0.25
Underground Main	\$50
Fire Pump	\$30
Stand Pipe System	\$55
Per Outlet	\$5
Fire Alarm System	\$55
Per Device	\$1
Hood and Duct System	\$30

Per Nozzle	\$2.50
Commercial Paint Spray	\$30
Other Fire Suppression System	\$30
Per Head	\$55

Police Department Fees

Administration

Accident Reports	\$6
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Animal Control

Animal Registration	\$10 first 2 pets; \$2 each additional
Animal Reclaim/Disposal Fee	\$75

Administration Fees – Non Department

Returned Check Fee	\$35
NSF Electronic Draft Fee	\$35
Copies of Public Information	
Standard – 8.5x11	\$0.10 per page
Oversize – 11x17	\$0.50 per page
Postage/Shipping	Actual Cost
Other Media	
Audio Cassette	\$1 each
CD/RW or CD/R	\$1 each
Other Charges	Actual Cost

Public Library Fees

Material Fees - Overdue

Book	\$0.25 per day
DVD, Play-a-way, Audiobooks, VHS	\$1 per day
Tex-Share ILL	\$1 per day + \$5 processing fee + any fee by lending library
Lost Book	Cost of book + \$5 processing fee

Material Fees - Damaged

Damaged Books	Cost of damage is calculated by the amount of damage divided by cost of book + \$5 processing fee
Barcode Replacement	\$1

Media Case Replacement	\$5
Hanging Bag	\$1

Printing Fees

3D Printing	\$0.10 per gram
Paper Copy – Black & White	\$0.15
Paper Copy – Color	\$1
Large format Printing	Estimate per item: L x W x .035 x 40%

Other Fees

Lost Library Card Replacement	\$1
Return Check Fee	\$35

Facility Rental Fees

Amphitheatre

Private	\$150 per hour (4 hour min)
Deposit for Private	\$400 – refundable
Wedding Package Amphitheatre Only Friday – Sunday	\$1500 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package Amphitheatre Only Monday – Thursday	\$1200 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package Amphitheatre & Pavilion Friday – Sunday	\$1800 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package Amphitheatre & Pavilion Monday – Thursday	\$1440 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package Entire Park Friday – Sunday	\$2500 (10am – 11pm) + rehearsal (\$200/additional hour)
Wedding Package Entire Park Monday – Thursday	\$2000 (10am – 11pm) + rehearsal (\$200/additional hour)
Deposit	\$600 - refundable

Food Truck Permits

No Event	\$50/day (up to 12 hours)
Event	\$125/day (up to 12 hours)

Water Spigot Deposit	\$50 - refundable
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Fields

Playing Field (practice)	\$30/practice (2 hour block)
Playing Field (game)	\$75/game (4 hour block)
Practice Field	First Come, First Serve

Park Facility

Park Pavilion – Hewitt/Warren Park – Up to 150 People	\$35 per hour (minimum 2 hours)
Park Pavilion – Hewitt/Warren Park – Over 150 People	\$50 per hour (minimum 2 hours)
Water Key	\$50 deposit – refundable upon return of key

Customer Monthly Fees

Water Rates

Residential, Commercial & Builders – Base Rate	1 st 3,000 Gal
5/8"	\$30
1"	\$63
1.5"	\$190
2"	\$190
3"	\$380
4"	\$380
6"	\$570
Volume Rate	Per 1,000 Gal
3,001 – 7,000 Gal	\$4.85
7,001 – 12,000 Gal	\$5.40
12,001+ Gal	\$5.85

Bulk Water Rates

Deposit	\$900
Set Fee & Move Fee	\$100
Base Rate for 3" Meter	\$380 per month + consumption
Consumption Rate	\$6.40 per 1,000 gallons
One Day Fee	\$35 per day for 5,000 gallons or less + \$6.40 per 1,000 gallons over 5,000 gallons

All Bulk Water will be sold in 1,000 gallon increments.

Wastewater Rates**#1 – Standard Wastewater Rates**

Residential Base Rate – 1 st 5,000 Gal	\$26.50
Residential Volume Rate (Per 1,000)	\$4.50
Industrial Institution or Commercial Base Charge – 1 st 20,000 Gallons	\$57.25
Industrial Institution or Commercial Volume Rate (Per 1,000)	\$4.50

Wastewater Rates**#2 – Winter Average Rates**

Single Family Residential Base Rate	\$18 (no minimum gallons)
Single Family Residential Volume Rate (Per 1,000)	\$2.80 (no maximum gallons)

Wastewater Rates**#3 – Flat Rate**

Single Family Residential Flat Rate	\$36.50
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Drainage Fees

Residential	\$4.35
Commercial	
1 – 10,000	\$10.08
10,001 – 20,000	\$29.65
20,001 – 40,000	\$48.05
40,001 – 60,000	\$94.55
60,001 – 100,000	\$148.80
100,001 – 150,000	\$228.63
150,001 +	\$359.60

Trash Administrative Fee

Administrative Fee – Per Unit	\$1.50 per unit
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Trash – Pick Up

Residential	
Collection	\$15.76
Additional Polycart	\$4.67
Commercial	
Collection	\$16.41
Additional Polycart	\$4.67

Dumpster Overload Fee – Per cubic yard,	\$25
Market Rate as Determined by Republic Services	

Trash – Front Load Containers*

Size	1x	2x	3x	4x	5x	6x
2 Yard	\$84.17	\$149.59	\$215.08	\$280.44	\$345.85	\$47.56
3 Yard	\$94.68	\$165.65	\$240.25	\$313.04	\$385.86	\$47.56
4 Yard	\$102.05	\$180.97	\$262.40	\$342.59	\$422.74	\$55.49
6 Yard	\$123.06	\$217.98	\$312.91	\$407.82	\$502.78	\$63.43
8 Yard	\$145.61	\$255.33	\$379.26	\$474.69	\$584.35	\$63.43
Casters	\$32.86					
Locks	\$13.16					

*Tax at 8.25% applies to all fees

Trash – Roll Off Containers*

Size	Type	Delivery	Rent Day	Rate/Load	Container
20 Yard	Open Top	\$131.50	\$3.80	\$452.61	\$262.99
30 Yard	Open Top	\$131.50	\$3.80	\$530.46	\$262.99
40 Yard	Open Top	\$131.50	\$3.80	\$573.71	\$262.99
42 Yard	Compactor	\$131.50	\$3.80	\$622.47	\$262.99

*Tax at 8.25% applies to all fees

Utility Fees

Deposits – Residential/Commercial	\$50 - \$160 Credit Based
Initial Connection Fee	\$20
Delinquent Fees	10% of balance
Collection Services	25% of final balance
Non-Pay Reconnect	\$50 before 4pm
After Hours Non-Emergency Service Call	\$40 after 4pm
Meter Accuracy Check (Reread)	\$20
Meters up to 1" – Meter Testing Deposit	\$50
Meters greater than 1" up to 2" – Meter Testing Deposit	\$250
Meters larger than 2" – Meter Testing Deposit	Base Fee – Quoted on per cost basis

Tampering Fees

Tampering with Meter without City Permission	\$300 per event
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Water Taps & Meter Set**

Prior to the connection of any water line onto a city water main, the party requesting such connection shall pay the city the water service installation and meter fees for labor and materials as follows:

All Water Taps	\$1,000 Base Fee – Quoted on per cost basis
5/8" x 3/4" meter set	\$300 + cost of meter box if needed
3/4" x 3/4" meter set	\$300 + cost of meter box if needed
1" or larger service or meter set	Base Fee – Quoted on per cost basis

Wastewater Taps & Service Connection Fees**

All Wastewater Taps	\$500 Base Fee – Quoted on per cost basis
4" Tap	\$500 Base Fee – Quoted on per cost basis
6" Tap	\$500 Base Fee – Quoted on per cost basis
8" or Larger Lateral	\$500 Base Fee – Quoted on per cost basis

****In addition, service lines that require the cutting or boring of paved streets or alley will be subject to a minimum charge of \$500 Base Fee – Quoted on per cost basis. The decision of a bore or utility cut will be made by Community Services.**

HEWITT TEXAS

COUNCIL WORKSHOP AGENDA ITEM #3.

Ed Passalugo-Mayor City of Hewitt
137 East Chapman Rd, Hewitt TX 76643
254-227-0439 Pазzy23125@grandecom.net



August 3, 2018

Adam

Hewitt City Manager

200 Patriot Court

Hewitt, Texas, 76643

Dear Adam,

I would like to express my appreciation and congratulate you on achieving a balanced Budget Proposal for the 2018-2019 Upcoming Budget Year for the city of Hewitt. I know it has been a hard process getting all the information updated and presented to the Council.

On another note, in light of a number of factors (increasing real property values, ongoing and projected growth, current debt levels, etc.), I would like to see the City put together a 3 year forecast of Revenue, Capital Projects, Expenses, Future Payroll Needs and Debt Reduction. These projections can give the Council and our Citizens a forward outlook on what future tax rates will likely be needed to have a balanced budget, keeping in mind that any future tax rate has to both be affordable to our citizens and take care of the needs of our employees.

In closing, I want to work with you for an appropriate date and time for an agenda item for a future Council Meeting so that the Council could discuss the 3 year forecast with each other, you and your team. I look forward to hearing from you on these items.

Thank you.

Sincerely,

Ed Passalugo-Mayor City of Hewitt



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 20, 2018

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Special Called Meeting of July 30, 2018, and Special Called Meeting of August 13, 2018.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

MINUTES OF A CITY COUNCIL SPECIAL CALLED WORKSHOP/MEETING HEWITT CITY HALL – 200 PATRIOT COURT July 30, 2018 – 6:30/7:00 PM

Members present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Steve Fortenberry, Council Members, Wilbert “Walky” Wachtendorf, and Travis Bailey

Members absent: Council Members Bill Fuller and James Vidrine

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, Library Director Waynette Ditto, Community Development Director Tracy Lankford, Finance Director Lee Garcia, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

SPECIAL CALLED WORKSHOP – 6:30 PM

1. Mayor Ed Passalugo called the meeting to order at 6:30 PM.
2. City Manager’s update on municipal business:
 - a. Report from City Engineer
 - b. Briefing and discussion concerning upcoming event:
 - o National Night Out, Saturday, August 4, 2018, 6-9 PM, Warren Park
 - c. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - o Flintrock Traffic issues
 - o Chief Lance Bracco expressed appreciation to Atmos Energy for donating funds to purchase smoke detectors to give away at National Night Out.
 - o City Manager Adam Miles announced that on August 1, 2018, American Medical Response (AMR) will begin providing emergency medical services in Hewitt.
3. Review of the regular meeting agenda. (Not Held)
4. *A motion was made by Council Member Travis Bailey and second by Council Member Steve Fortenberry to convene the Executive Session at 6:49 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/Adjourn. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to close the executive session and adjourn the workshop at 6:58 PM, all four in favor, motion passed.*

SPECIAL CALLED MEETING - 7:00 PM

1. **CALL TO ORDER.** Mayor Ed Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Ed Passalugo led the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF JULY 16, 2018, AND SPECIAL CALLED MEETING OF JULY 23, 2018.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to approve the minutes as submitted but allow for corrections; all four in favor, motion passed.*
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.*

Matthew Mevis, 167 Topaz Circle, expressed concern about citizens allowing leadership to operate without clear direction, to continue with ballot propositions that were rejected, suggested the Council be part of the solution to problems, and constant comments from law enforcement personnel regarding morale in the Police Department with all the chaos currently in the newspaper and in open records requests. He shared a personal story about his daughter being hit by a car on Hewitt Drive in September of 2015 and expressed his appreciation to Sgt. Jason Naylor for saving his daughter’s life. Mr. Mevis asked Council to consider taking care of employees in their budget deliberations.

Ann Schiltz, 1220 Dendron, President of the Friends of the Library, appeared in support of the Library and announced that the group is making plans for the 35th Anniversary of the Library System and the 10th Anniversary of the Friends of the Library. She asked the Council to continue to support the needs of the Library in their budget deliberations.

Erica Bruce, 717 Fieldstone, restated previous comments against the discriminating, demeaning and intimidating actions towards women on city staff by Mayor Passalugo, Council Member Vidrine and Kurt Krakowian. She also referenced additional complaints, costs involved to investigate the issues, and lack of transparency. Ms. Bruce again called for Mayor Ed Passalugo’s resignation. She commended city staff for presenting a balanced budget with no tax increase.

Betty Orton, 912 Steamboat Circle, suggested staff and Council work together to resolve issues and recommended Council consider Charter revisions concerning term limits for Council members and to place the City Secretary under the authority of the Council. No one else appeared.

5. **CONSIDERATION AND ACTION ON SETTING DATE OF AUGUST 13, 2018, FOR A PUBLIC HEARING ON THE FISCAL YEAR 2018-2019 PROPOSED ANNUAL BUDGET.** *Motion was made by Council Member Wilbert “Walky” Wachtendorf to approve setting the date of August 13, 2018, for a public hearing on the Fiscal Year 2018-2019 Proposed Annual Budget and second by Council member Steve Fortenberry. Council Member Steve Fortenberry expressed support regarding request to increase the tax rate .01 cents to provide funding for additional requests. Council Member Wilbert “Walky” Wachtendorf raised a point of order. Mayor asked for those in favor; all voted in favor, motion passed.*
6. **VOTE TO PLACE ADOPTION OF THE PROPOSED 2018 TAX RATE ON A FUTURE AGENDA AND TO SET DATES FOR TWO PUBLIC HEARINGS.** *Motion was made by Council Member Wilbert “Walky” Wachtendorf to vote to place adoption of a tax rate of \$.549677 cents per \$100 valuation, equaling \$.232274 cents for the debt service and \$.317403 cents for maintenance and operations, as an action item for the August 27, 2018, council meeting to be held at 7 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas and to set two public hearings, as required by law, to be held on Monday, August 13, 2018, at 7:00 p.m. and Monday, August 20, 2018, at 7:00 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas, and second by Council Member Travis Bailey; all voted in favor, motion passed.*
7. **CONSIDERATION AND ACTION CONCERNING APPOINTMENT TO THE MCLENNAN COUNTY 9-1-1 EMERGENCY ASSISTANCE DISTRICT.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to appoint Bret Crook, City of Woodway Public Safety Director; all voted in favor, motion passed.*
8. **CONSIDERATION AND ACTION ON A RESOLUTION ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF FILLING A VACANCY – COUNCIL MEMBER, AT-LARGE, TO BE HELD ON NOVEMBER 6, 2018, IN CONJUNCTION WITH THE JOINT GENERAL ELECTION.** *A motion was made by Council Member Steve Fortenberry and second by Council Member Wilbert “Walky” Wachtendorf to approve; all voted in favor, motion passed.*
9. **ADJOURN.** *A motion was made by Council Member Travis Bailey and second by Council Member Wilbert “Walky” Wachtendorf, all voted in favor, meeting was adjourned.*

Approved: August 20, 2018

Lydia Lopez, City Secretary

Ed Passalugo, Mayor

HEWITT TEXAS

MINUTES OF A CITY COUNCIL SPECIAL CALLED MEETING HEWITT CITY HALL – 200 PATRIOT COURT August 13, 2018 – 7:00 PM

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

Staff present:, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco, Managing Director Katie Allgood, Library Director Waynette Ditto, Finance Director Lee Garcia, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

Staff absent: City Attorney Charlie Buenger, City Engineer Miles Whitney and Community Development Director Tracy Lankford

1. Mayor Ed Passalugo called the meeting to order at 7:00 PM.
2. Pledge of Allegiance to the U.S. Flag - Mayor Ed Passalugo asked Police Chief Jim Devlin to lead the Pledge of Allegiance.
3. **CONDUCT PUBLIC HEARING ON THE FISCAL YEAR 2018-2019 PROPOSED BUDGET.**
Mayor Ed Passalugo asked for those speaking in favor.
Betty Orton, 912 Steamboat Circle, requested explanation on the drainage fee increase, recommended more funds be placed in reserve, focus on paying debt down, and requested that no further bonds or certificates of obligation be issued until debt is paid. Mayor Ed Passalugo asked for those speaking against. No one appeared. **Public hearing closed.**
4. **CONDUCT THE FIRST OF TWO PUBLIC HEARINGS ON 2018 TAX RATE.**
Mayor Ed Passalugo asked for those wishing to speak in favor.
Michael Bancale, 909 Stoneridge Drive, appeared to request clarification on what the tax rate increase was for, expressed concern with the city’s debt, supports employees and recommended they be paid fair and equitable to the market. Mr. Bancale asked for more fiscal responsibility, and less spending in areas that can be delay, avoided or deferred. Mayor Ed Passalugo asked for those wishing to speak against. No one appeared. **Public hearing closed.**

5. **MOTION TO ANNOUNCE THAT AUGUST 27, 2018, AT 7:00 P.M. AT THE HEWITT CITY HALL, 200 PATRIOT COURT, AS THE DATE TO VOTE ON THE 2018 TAX RATE.** *A Motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to set August 27, 2018, at 7:00 P.M. as the date to vote on the 2018 tax rate, all voted in favor, motion passed.*
6. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey, all voted in favor, meeting was adjourned.*

Approved: August 20, 2018

Lydia Lopez, City Secretary

Ed Passalugo, Mayor

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 20, 2018

AGENDA ITEM #: 4

SUBMITTED BY: Jim Devlin, Police Chief

ITEM DESCRIPTION:

Special presentation to the Heart of Texas 100 Club.

STAFF RECOMMENDATION/ITEM SUMMARY:

Chief Devlin will present a check to Sandy Pechacek, Heart of Texas 100 Club in the amount of \$720. These funds were raised at the National Night Out Kick-Off party. The 100 Club provides support to the surviving family of first responders killed in the line of duty.

ATTACHMENTS:

None

HEWITT TEXAS

ITEM #5 – 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: August 20, 2018

AGENDA ITEM #: 6

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Conduct second public hearing on the 2018 tax rate.

STAFF RECOMMENDATION/ITEM SUMMARY:

The State of Texas Tax Code requires that a municipality hold two public hearings on the proposed tax rate. This will be the second public hearing. The Mayor will open the public hearing to receive any comments and then close the hearing. Members of the public are encouraged to attend the hearings and express their views. No action is required of the Council.

ATTACHMENTS:

None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 20, 2018

AGENDA ITEM #: 7

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Motion to announce that August 27, 2018, at 7:00 p.m. at the Hewitt City Hall, 200 Patriot Court, as the date, time and place to vote on the 2018 tax rate.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Texas Tax Code states that “at the public hearings the governing body shall announce the date, time and place of the meeting at which it will vote on the proposed tax rate.”

ATTACHMENTS:

None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 20, 2018

AGENDA ITEM #: 8

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider a resolution authorizing the City Manager to negotiate and execute an Interlocal Agreement with the City of Waco for wastewater services and related matters, including the exchange of wastewater flows, the upsizing of the existing Warren Road Lift Station (and payment of \$32,000.00 to the City of Waco for said upsizing), and the maintenance of the Creekside Sewer Line.

STAFF RECOMMENDATION/ITEM SUMMARY:

City staff and the City Engineer have worked with the City of Waco related to the flow of wastewater through the Creekside Addition, Phase II (a Waco Subdivision). This agreement outlines the basic agreement between the two cities. One of the main purposes of this project is to remove Hewitt's Alamo lift station from service and allow wastewater (sanitary sewage) flows through the Creekside Addition to Waco facilities. As part of this agreement, a one-time payment from Hewitt to Waco in the amount of \$32,000 is required to fund future upsizing of Waco wastewater facilities.

This agreement also memorializes the current arrangement between the two cities related to some households in Waco currently flowing through Hewitt's collection system (approximately 65 households). In exchange, once the facilities are in place, approximately 86 households in Hewitt will flow through Waco's collection system. The agreement specifically allows and provides for future sewage flows from Waco households through Hewitt's collection system as outlined in the interlocal agreement. A copy of the resolution as well as additional backup material is provided for review and consideration.

ATTACHMENTS:

Resolution/supporting documents

RESOLUTION NO. 2018-

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

That the City Manager shall be authorized to negotiate and execute an Interlocal Agreement between the City of Waco and the City of Hewitt for wastewater services and related matters, including the exchange of wastewater flows, the upsizing of the existing Warren Road Lift Station, (and payment of \$32,000 to the City of Waco for the upsizing), and the maintenance of the Creekside Sewer Line.

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

PASSED AND APPROVED this 20th day of August, 2018.

Ed Passalugo, Mayor
City of Hewitt, Texas

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM & LEGALITY:

Charlie Buenger, City Attorney

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into by and between the City of Hewitt, a home rule municipality in the State of Texas ("Hewitt"), and the City of Waco, a home rule municipality in the State of Texas ("Waco"). Hewitt and Waco are sometimes hereinafter referred to individually as the "Party" and collectively as the "Parties".

RECITALS

WHEREAS, both Hewitt and Waco are member Cities of the Waco Metropolitan Area Regional Sewerage System (WMARSS), and both provide sewer services to their residents; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791, Government Code, authorizes local governments to contract with one another for the performance of governmental functions and services; and

WHEREAS, the Heritage Heights Addition is an existing subdivision within the city boundaries of Hewitt; and

WHEREAS, the Creekside Addition, Phase II ("Creekside") is a proposed subdivision (the "Subdivision") to be developed within the city boundaries of Waco, and to be serviced with one or more gravity flow sanitary sewer lines; and

WHEREAS, one of said gravity flow sanitary sewer lines is a 10-inch sanitary sewer line (the "Creekside Sewer Line"), which will be designed and constructed to carry wastewater flow from the Creekside residents of Hewitt (approximately 65 households) into Waco facilities; and

WHEREAS, Hewitt will be entering into a Community Facilities Agreement ("CFA") with Creekside developer Warren Ridge Partners, LTD, ("Developer") outlining the Developer's obligations regarding the construction of the Creekside Sewer Line; and

WHEREAS, Hewitt is currently receiving and treating wastewater from approximately 65 households that are located within the city boundaries of Waco (specifically the Renaissance Subdivision); and

WHEREAS, for the purposes of this agreement a single Living Unit Equivalent (LUE) shall be defined as 70 gallons per day per person, with 3 persons per household; to equal 210 gallons per day per household.

WHEREAS, Waco and Hewitt further desire to set forth the terms of exchange of wastewater flows and maintenance obligations once the Creekside Sewer Line is constructed,

NOW, THEREFORE, in consideration of the mutual benefits and promises set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

ARTICLE I.

EXCHANGE OF WASTEWATER FLOWS

A. UPSIZING OF EXISTING SEWER LIFT STATION, SEWER LINE
CONSTRUCTION AND MAINTENANCE

- A. Compensation to City of Waco. For and in consideration of the professional services and construction costs rendered by or on behalf of Waco during upsizing of the existing Sewer Lift Station (Warren Road Lift Station), Hewitt shall pay to Waco the sum of \$32,000.00 on or before the _____ day of _____, 2018.
- B. Upon completion of the Creekside Sewer Line construction, and contingent upon Waco's acceptance of the Creekside Sewer Line, approximately 86 households from Hewitt's Heritage Heights subdivision will use the gravity Creekside Sewer Line to send wastewater into Waco facilities, and Waco agrees to accept and treat the wastewater from these 86 households (86 LUE equivalency) into Waco's facilities.
- C. Approximately 20 properties within the Alliance Syndicate II LP, within the city boundaries of Hewitt, along Hewitt Drive between Van American Drive and Royal Lane, send wastewater into Waco facilities, and Waco agrees to accept and treat the wastewater from these 20 properties (206 LUE equivalency) into Waco's facilities.
- D. Approximately 65 households within Waco's Renaissance Subdivision will use gravity sewer line(s) to send wastewater into Hewitt's facilities, and Hewitt agrees to accept and treat the wastewater from these 65 households (65 LUE equivalency) into Hewitt's facilities.
- E. Waco reserves the right to send wastewater from up to 227 more households within the Waco boundaries to Hewitt's facilities, and Hewitt agrees to accept and treat an additional 227 LUE equivalency of wastewater from Waco ("households") into Hewitt's facilities in exchange for sewer flows from the area of Regal Drive and Hewitt Drive, including properties from portions of the Royalton blocks 2 and 5, Dunn block 1, Texas Central Industrial block 6, and Nielson Addition block 1. Of these additional, future 227 LUEs, a maximum of 53 may be from Waco's Renaissance Subdivision; (these 53 LUEs would be in addition to the 65 LUEs discussed in Section D above).
- F. As such, there is no future compensation to be paid by either party to this agreement.
- G. Each City is responsible for billing the customers within its City's boundaries for wastewater services.
- H. The diagram attached as Exhibit "A" shows the location of the areas that are the subject of the above provisions. Exhibit A is subject to change – by written agreement between the parties – as future households are determined by Waco that will send wastewater to Hewitt wastewater treatment facilities.

ARTICLE II.
SEWER LINE CONSTRUCTION AND MAINTENANCE

- A. Sewer Line Construction. The Creekside Sewer Line will be located and constructed in accordance with the terms of Waco's applicable ordinances and regulations.

B. Sewer Line Maintenance. Upon acceptance of the Creekside Sewer Line by Waco, Waco agrees to use, operate, and maintain the Sewer Line at its sole cost and expense. Hewitt agrees to maintain its sewer system up and into the first manhole in the Waco wastewater system at the intersection of Alamo Drive and Fallen Leaf Drive (approximately 175 feet inside the City of Waco).

1. Entry. In emergency situations which require immediate action because of imminent threat to human life or property, Waco will notify Hewitt's City Manager as soon as is reasonably possible of any situation or circumstance affecting wastewater flow or wastewater treatment. Likewise, Hewitt shall notify the City of Waco if the above-mentioned situations arise.
2. Method of Maintenance. Except in emergency situations as described above, Waco shall attempt to contact Hewitt regarding the scope and manner of any repair, replacement or maintenance to be done to the Sewer Line which is expected to affect wastewater service to citizens of Hewitt.

ARTICLE III. GENERAL PROVISIONS

- A. Approvals Required. This Agreement is subject to approval by the Waco City Council and the Hewitt City Council, and when executed by the appropriate officials of both cities, shall bind the Parties hereto.
- B. Entire Agreement. This written Agreement constitutes the entire Agreement between the Parties, and any prior oral agreement which purports to vary from the terms hereof shall be void.
- C. Amendment. This Agreement shall not be amended or modified other than in a written agreement signed by both Parties. Any amendment, modification, addition or change to this Agreement shall be in writing and shall be approved and executed in the same manner as this Agreement.
- D. Successors and Assigns. Neither Party may assign or transfer this Agreement or any interest in this Agreement without prior written consent of the other Party.
- E. Interpretation. Regardless of the Party who served as drafter of this Agreement, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against either Party.
- F. Applicable Law. This Agreement is made and shall be construed in accordance with the laws of the State of Texas and venue for any dispute arising out of this Agreement shall lie in McLennan County, Texas.
- G. Notice. Unless otherwise noted, all notices and communications under this Agreement shall be sent via the United States Postal Service with proper postage by certified mail, postage prepaid or by hand delivery to the following addresses:

City of Waco
Attention: City Manager
300 Austin Avenue
Waco, Texas 76702

City of Hewitt
Attention: City Manager
200 Patriot Court
Hewitt, Texas 76643

- H. Severability. In the event any portion or provision of this Agreement is illegal, invalid, or unenforceable under present or future law, then and in that event, it is the intention of the Parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the Parties that in lieu of each clause or provision that is found to be illegal, invalid or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- I. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which shall constitute one instrument.
- J. Independent Contractor. Each Party shall operate under this Agreement as an independent contractor, and not as an agent, representative, servant or employee of the other. Subject to the terms of this Agreement, each Party shall have the right to control the details of its performance hereunder.
- K. Authority to Execute. The individuals executing this Agreement on behalf of the respective Parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this Agreement to do so for and on behalf of the Party for which his or her signature appears, that there are no other Parties or entities required to execute this Agreement in order for the same to be an authorized and binding agreement on the Party for whom the individual is signing this Agreement and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the date hereof. Binding Effect. This Agreement shall be binding upon and inures to the benefit of the Parties hereto and their respective officials, legal representatives, successors and assigns, as allowed herein; however, this Agreement confers no rights or benefits on any third Parties.
- L. Attorney's Fees. This Agreement shall be considered to be a contract providing for goods or services under Section 271.151, Texas Local Government Code. In any legal proceeding brought to enforce the terms of this Agreement, the prevailing Party may recover its reasonable and necessary attorney's fees from the non-prevailing Party.

IN WITNESS WHEREOF, the Parties, acting under authority of their respective governing bodies, have caused this Agreement to be duly executed in several counterparts, each of which shall constitute an original.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS, ON
THIS _____ DAY OF _____, 2018.

CITY OF WACO, TEXAS:

By: _____
Wiley Stem III, City Manager

APPROVED AS TO LEGALITY:

Jennifer Richie, City Attorney

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HEWITT ON THIS
_____ DAY OF _____, 2018.

CITY OF HEWITT, TEXAS:

By: _____
Adam Miles, City Manager

ATTEST:

Lydia Lopez, City Secretary



(Revised 08/2018-Legal)

CITY OF WACO

Resolution

Council Date:	Originating Department:	Presentation By:	Reference #:
08/21/2018	Water Utilities	Lisa Tyer	

Item:

Consider a resolution approving the execution of an Interlocal Agreement with the City of Hewitt for wastewater services and related matters, including the exchange of wastewater flows, the upsizing of the existing Warren Road Lift Station (and acceptance of \$32,000.00 from Hewitt for said upsizing), and the maintenance of the Creekside Sewer Line, and authorizing the City Manager to execute all documents necessary to complete this transaction.

Background:

The City of Waco and the City of Hewitt are both member cities of the Waco Metropolitan Area Regional Sewerage System (WMARSS), and both cities provide sewer services to their respective residents. The Creekside Addition, Phase II is a new subdivision within the city limits of Waco that is serviced by a 10-inch sanitary sewer line. This sewer line was designed and constructed to carry wastewater flow from the Heritage Heights subdivision (approximately 86 households within the city limits of Hewitt; located near the Alamo Drive and Bonham Drive intersection) into the Waco wastewater collection system. Similarly, another sewer line carries wastewater flow from approximately 65 City of Waco households within Waco's Renaissance Subdivision (located near the intersection of Houston Drive and Riders Way) into the Hewitt wastewater collection system. The cities of Waco and Hewitt desire to set the terms of exchange of wastewater flows and maintenance obligations.

This Interlocal Agreement will authorize Waco to accept \$32,000.00 from the City of Hewitt for professional engineering services and construction costs to improve the existing Warren Road Lift Station to accommodate these additional sewer flows (from Hewitt into Waco's system). Waco will use, operate, and maintain the Creekside Sewer Line at its own expense, and Hewitt will maintain its sewer system (including the Creekside Sewer Line) up to the manhole at the intersection of Alamo Drive and Fallen Leaf Drive.

In addition, Waco agrees to accept and treat Hewitt's wastewater flows from the following: 86 households from the Heritage Heights subdivision; 20 properties within the existing Alliance Syndicate II LP, development (a commercial development); and certain properties along Regal Drive and Hewitt Drive. Together, flows from these areas are equal to 292 living unit equivalents (at 70 gallons per day per person; three people per living unit). In return, the City of Hewitt agrees to accept and convey Waco's wastewater flows from the following: 65 households within the Renaissance Subdivision; a maximum of 53 additional new services to be developed at a future date within Waco's Renaissance Subdivision; and up to an additional 174 more households within the City of Waco boundaries to be identified and mutually agreed upon at a future date. This agreement balances wastewater conveyance swaps between the City of Hewitt and the City of Waco at a total equivalency of 292 living units.

Maps (PDF)

Resolution (DOC)

Fiscal Impact:

Funds recieved from the City of Hewitt will be held as unearned revenue until project construction commences.

[\$32,000.00 / 5100-223400 Unearned Revenue - Other]

Project Schedule:

Construction of the Creekside Sewer Line is complete. Improvements to the Warren Road Lift Station are expected to begin in Fiscal Year 2019-2020. This Interlocal Agreement is subject to approval by the Waco City Council and the Hewitt City Council, and shall be binding when executed by the officials of both cities.