

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

November 18, 2019
Regular Meeting - 7:00 PM
CITY HALL, 200 PATRIOT COURT
HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Charlie Turner – Mayor, Ward 1

Wilbert Wachtendorf – Mayor Pro Tem, Ward 1

Bill Fuller – Council Member, Ward 2

Vacant – Council Member, Ward 2

Steve Fortenberry – Council Member, Ward 3

Erica Bruce – Council Member, Ward 3

Michael S. Bancalé – Council Member, At-Large

CITY STAFF

Bo Thomas, City Manager
Michael W. Dixon, 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	Tracy Lankford, Community Dev. Director
Kevin Reinke, Utilities Director	Tuck Saunders, Assistant Police Chief

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 **18th day of November, 2019, at 7:00 PM in Hewitt City Hall, Council Chambers, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and upon which action may be taken:

In order to address the Council on any item, you must complete a Speaker's Request Form and submit to the City Secretary prior to the start of the Council meeting. Comments on non-agenda items must be made only during the citizens' comments agenda item. Council may not comment publicly on issues raised during citizen comments that are not listed on the Agenda but may direct the City Manager to resolve or request the matter to be placed on a future agenda. Such public comments shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended.

Pursuant to HB 2480, effective September 1, 2019: For all non-public hearing items that are on the agenda, citizens can speak immediately prior to the time that the item is considered by the Council. However, in order for the Presiding Officer to recognize your request to speak on that agenda item, you must have identified that agenda item on the Speaker Request Form turned into the City Secretary.

All comments must be directed to the Presiding Officer, rather than an individual Council Member or city staff. Comments are limited to five (5) minutes and must pertain to the subject matter listed on the Speaker's Request Form.

1. Call meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. Consider approval of minutes of the City Council Regular Meeting of November 4, 2019.
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. Public hearing and action on an **ORDINANCE NO. 2019-27** changing the Land Use designation of Lots 2 and 3 Block 1 Athey Acres Addition, located at 501 and 551 Spring Valley Rd., Hewitt, McLennan County, Texas, from Commercial to Medium Density Residential District.
6. Public hearing and action on an **ORDINANCE NO. 2019-28** rezoning of Lots 2 and 3 Block 1 Athey Acres Addition, located at 501 and 551 Spring Valley Rd., Hewitt, McLennan County, Texas, from C-O Outdoor Commercial to R-3 Multi-family Low Density Residential District).
7. Presentation of report from City Engineer
 - Update on pending utility projects.
 - Update on pending street projects.
 - Update on pending drainage projects.
8. Briefing and discussion concerning Financial Statements ending October 31, 2019.

9. To authorize repair of vertical turbine pump #2 and motor at Plant 1 to Jurgensen Pump, LLC in the amount of \$12,807.
10. Consideration and action on a **Resolution No. 2019-20** casting votes to elect the Directors for the McLennan County Appraisal District for 2020-2021.
11. Consideration and action on **Resolution No. 2019-21** approving financing terms with Branch Banking & Trust Company for various Capital Outlay items.
12. **Executive Session:** The Council will convene into Executive Session in accordance with the following provisions: A closed meeting will be held pursuant to Section 551.087 of the Government Code (V.T.C.A.) so that the Council may deliberate regarding Economic Development negotiations.
13. 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 3:00 AM/PM on November 13, 2019.

CITY OF HEWITT



Lydia Lopez, TRMC/CMC
City Secretary

In compliance with the American with Disabilities Act, the City of Hewitt will provide reasonable accommodations for persons attending and/or participating in this Council Meeting. To better serve you, request must be made at least 24 hours prior to the meeting. Contact the City Secretary at 254.666.6171 or by fax at 254.666.6014. The building is wheelchair accessible, with handicap parking available at the front of the building.



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop/Regular Meeting of November 4, 2019.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

SUGGESTED MOTION:

"I move approval of the minutes as presented but allow for corrections."

ATTACHMENTS:

Draft minutes



**MINUTES OF A CITY COUNCIL
REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
November 4, 2019 – 7:00 PM**

Members present: Mayor Charlie Turner Mayor (presiding), Mayor Pro Tem Wilbert “Walky” Wachtendorf; Council Members Michael S. Bancale, Steve Fortenberry, and Erica Bruce

Members absent: Council Member Bill Fuller

Staff present: City Manager Bo Thomas, City Attorney Mike Dixon, City Engineer Miles Whitney, Police Chief Jim Devlin, Fire Chief Lance Bracco, Community Development Director Tracy Lankford, Finance Director Lee Garcia, Library Director Waynette Ditto, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

Staff absent: Assistant Police Chief Tuck Saunders

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Charlie Turner called the meeting to order at 7:00 PM. City Secretary Lydia Lopez polled the Council for attendance.
PRESENT: Bancale, Wachtendorf, Fortenberry, Bruce, Turner
ABSENT: Fuller
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Charlie Turner led the Pledge of Allegiance.
3. **SPECIAL PRESENTATION TO THE HEWITT POLICE DEPARTMENT BY STATE REPRESENTATIVE CHARLES “DOC” ANDERSON.** Mayor Charlie Turner announced that Representative Doc Anderson was not able to be present and will place this presentation at a subsequent meeting as Representative Anderson wanted to personally make this presentation.
4. **SPECIAL RECOGNITION OF HEWITT PUBLIC LIBRARY VOLUNTEER MS. BETTY YOUNG.** Library Director Waynette Ditto presented an award in recognition of service provided by Hewitt Library Volunteer Mrs. Betty Young who has taught sewing classes in the Library every Saturday morning since June 26, 2017.

5. **CONSIDER APPROVAL OF MINUTES OF THE COUNCIL WORKSHOP/REGULAR MEETING OF OCTOBER 21, 2019.**
MOTION: Council Member Michael Bancale moved approval of the minutes as presented but to allow for corrections.
SECOND: Council Member Steve Fortenberry
AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Fuller
MOTION PASSED.
6. **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. Ann Schiltz, 1220 Dendron, appeared to request the Council consider leaving the Council Ward 2 Vacancy vacant until the next election.
7. **CONDUCT INTERVIEWS AND CONSIDER APPOINTMENT(S) TO THE LIBRARY BOARD OF DIRECTORS AND PLANNING & ZONING COMMISSION.** City Manager Bo Thomas presented prospective applicants Ronald G. Smith and Paul D. Lasater. A brief interview was held with Ronald G. Smith, 305 Cedarwood Lane and Paul D. Lasater, 112 Heatherwood.
MOTION: Council Member Steve Fortenberry moved to approve the appointment of Ronald G. Smith to the Library Board.
SECOND: Council Member Erica Bruce
AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Fuller
MOTION PASSED.
MOTION: Council Member Steve Fortenberry moved to approve the appointment of Paul D. Lasater to the Planning & Zoning Commission.
SECOND: Council Member Michael Bancale
AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Fuller
MOTION PASSED.
8. **ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED MEMBERS TO THE LIBRARY BOARD OF DIRECTORS AND PLANNING & ZONING COMMISSION.** City Secretary Lydia Lopez administered the oath of office to the newly appointment members Ronald G. Smith, Library Board of Directors, and Paul D. Lasater, Planning & Zoning Commission.
9. **PUBLIC HEARING ON AND POSSIBLE ACTION ON ADOPTING BY WAY OF APPROVAL OF ORDINANCE NO. 2019-26 OF RESTATED AND PARTIALLY AMENDED FLOOD DAMAGE PREVENTION REGULATIONS BY AMENDING CHAPTER 38, DIVISION II, SEC. 38-92 OF THE CODE OF ORDINANCES OF**

THE CITY OF HEWITT, TEXAS TO ADD A SUBSECTION 5 ADOPTING CERTAIN MEASURES/REGULATIONS FOR RECREATIONAL VEHICLES PLACED ON SITES WITHIN ZONES A1-30, AH, AND AE. City Manager Bo Thomas presented. Mayor Charlie Turner explained the format for the public hearing. Mayor Turner called for those speaking in favor. No one appeared. Mayor Turner called for those speaking against. No one appeared. Public hearing closed.

MOTION: Mayor Pro Tem Wilbert “Walky” Wachtendorf moved approval of Ordinance No. 2019-26.

SECOND: Council Member Erica Bruce

AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Fuller

MOTION PASSED.

10. **TO AUTHORIZE THE PURCHASE OF A NEW REPLACEMENT COMPRESSOR FOR THE HEWITT FIRE DEPARTMENT FROM AUGUST INDUSTRIES IN THE AMOUNT OF \$22,220.** City Manager Bo Thomas presented.

MOTION: Council Member Michael Bancale moved approval of the purchase of a new compressor from August Industries in the amount of \$22,220.

SECOND: Council Member Steve Fortenberry

AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Fuller

MOTION PASSED.

11. **CONSIDERATION AND ACTION ON RENEWAL OF AN AGREEMENT WITH VALLEY VIEW CONSULTING, L.L.C. FOR A PERIOD OF TWO YEARS ENDING DECEMBER 31, 2021, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL ONE OR TWO YEAR INCREMENTS.** City Manager Bo Thomas presented. General discussion concerning the length of years the City has contracted with Valley View. Finance Director Lee Garcia stated that the City had contracted with Valley View for about 10 years.

MOTION: Mayor Pro Tem Wilbert “Walky” Wachtendorf moved approval of the renewal of agreement with Valley View Consulting, L.L.C.

SECOND: Council Member Erica Bruce

AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Fuller

MOTION PASSED.

12. **CONSIDERATION AND ACTION ON RESOLUTION NO. 2019-19 DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF SAID PROPERTY.** City Manager Bo Thomas explained that Officer Joshua Hilliard would be going to work with the City of Woodway. The City of Woodway has offered to purchase Hewitt’s canine in that they desired to run two canine units. The sale would allow the funds necessary to purchase a new dog and the training required for the new canine and handler.

MOTION: Council Member Steve Fortenberry moved approval of Resolution No. 2019-19.

SECOND: Council Member Erica Bruce

AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Fuller

MOTION PASSED.

13. **TO AUTHORIZE THE PURCHASE OF THREE REPLACEMENT SELF-CONTAINED BREATHING APPARATUS (SCBA) TO CASCO INDUSTRIES, INC. IN THE AMOUNT OF \$21,507.** City Manager Bo Thomas presented. General discussion concerning the life expectancy of this equipment. Fire Chief Lance Bracco responded.

MOTION: Mayor Pro Tem Wilbert “Walky” Wachtendorf moved approval of the purchase of three Self-Contained Breathing Apparatus (SCBA) to Casco Industries, Inc. in the amount of \$21,507.

SECOND: Council Member Michael Bancale

AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Fuller

MOTION PASSED.

14. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON WARD 2 CITY COUNCIL VACANCY, INCLUDING BUT NOT LIMITED TO: ACTION, IF ANY, TO BE TAKEN TO FILL VACANCY; APPOINTMENT; APPOINTMENT PROCESSES; AND OTHER MATTERS RELATING TO ANY OF THE ABOVE.**

City Manager Bo Thomas explained that this item was requested to be on the last agenda but it was not placed on the agenda because there was not going to be a full Council present. He further stated that at the time this agenda was being prepared that it was not known that Council Member Bill Fuller would be absent. Mr. Thomas stated that it was the Council’s discretion on how to proceed and that an executive session was posted in the event that they would like to discuss in private. Council Member Michael Bancale stated his concerns with leaving the position vacant and strongly suggested the Council consider appointing to fill the vacancy. Council Member Steve Fortenberry stated he recommended that governance be left to the people in that the last Council appointment did not turn out well.

MOTION: Council Member Steve Fortenberry “I would like to make a motion to not replace the vacant position for Ward 2 and leave the seat vacant to the next uniform general election.”

SECOND: Council Member Erica Bruce

AYES: Fortenberry, Bruce and Turner

NAYES: Bancale, Wachtendorf

ABSENT: Fuller

MOTION PASSED.

15. **Executive Session:** The Council will convene into Executive Session in accordance with the following provisions: A closed meeting will be held pursuant to Section 551.074 of the Government Code (V.T.C.A.) so that Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Council Vacancy – Ward 2). **NOT HELD.**
16. **ADJOURN.**
MOTION: Council Member Steve Fortenberry moved to adjourn the meeting at 7:48 PM.
SECOND: Council Member Erica Bruce
AYES: Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Fuller
MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Charles D. Turner, Mayor



AGENDA ITEM #4 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

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COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 5

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an **Ordinance No. 2019-27** changing the Land Use designation of Lots 2 and 3 Block 1 Athey Acres Addition, located at 501 and 551 Spring Valley Rd., Hewitt, McLennan County, Texas, from Commercial to Medium Density Residential District.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Mark Bowles submitted a request to Change the land use designation on property located at 501 and 551 Spring Valley Rd. This is a tract of land located east of the intersection of Spring Valley Rd. and Patricia Dr. Mr. Bowles is requesting the land use change from Commercial to Medium Density Residential. The Planning and Zoning Commission met on Tuesday, November 5, 2019, to consider the request. After a public hearing and deliberation, the P&Z Commission recommended approval of the request with a vote of 5 to 0. A map of the property and copy of the minutes are included in the backup material. Staff recommends approval of this request.

SUGGESTED MOTION:

"I move approval of Ordinance No. 2019-17."

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

ORDINANCE NO. 2019-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 2003-04-21 AND ALL AMENDMENTS THERETO, KNOWN AS THE COMPREHENSIVE PLAN 2022 OF THE CITY OF HEWITT, TEXAS, CHANGING THE FUTURE LAND USE PLAN OF THE HEREIN DESCRIBED PROPERTY FROM COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL PROVIDING SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Mark Bowles to rezone Lots 2 and 3 block 1 Athey Acres Addition located east of the intersection of Patricia Drive and Spring Valley Rd, from **Commercial to Medium Density Residential**.

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

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on November 18, 2019, after due notice in the manner provided by law; and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, November 5, 2019, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this land use request by a vote of 5 in approval and 0 in denial; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this change complies with the spirit of the Comprehensive Plan, is appropriate for the shape and size of the property, and is in the public interest;

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

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, known as Lots 2 and 3 block 1 Athey Acres Addition located east of the intersection of Patricia Drive and Spring Valley Rd, Hewitt, McLennan County, Texas, from **Commercial to Medium Density Residential**.

SECTION TWO. A proposed map of area is shown in Exhibit "A".

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

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

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

SECTION SIX.

This Ordinance shall become effective when passed.

PASSED AND APPROVED this the 18th day of November, 2019 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, City Secretary

DESCRIPTION

STATE OF TEXAS
COUNTY OF MCLENNAN

BEING all that tract of land in the City of Hewitt, McLennan County, Texas, out of the Carlos O'Campo Grant, Abstract Number 32, and being all of that called 3.32 acres of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1216, Page 619 of the Deed Records of McLennan County, Texas, part of that tract of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 801, Page 626 of the Deed Records of McLennan County, Texas, part of that tract of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1098, Page 118 of the Deed Records of McLennan County, Texas, part of that called 3.00 acres of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1097, Page 372 of the Deed Records of McLennan County, Texas, part of that called 2.0 acres of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1097, Page 372 of the Deed Records of McLennan County, Texas, and part of that called abandoned county road as measured in Volume 1216, Page 619 of the Deed Records of McLennan County, Texas, as per plat recorded in Volume 1471, Page 647 of the Deed Records of McLennan County, Texas, and being further described as follows:

BEGINNING at a 1/2 inch steel rod found at the North corner of said 3.32 acres and a bend in the Southeast line of F. M. Highway 2113 (also known as Spring Valley Road) and in the Southeast line of said 3.32 acres and a bend in the Northeast line of said 3.32 acres and the center of Ataway Road (undiscovered);

THENCE South 09 degrees 29 minutes 53 seconds East, 120.60 feet to a monument set in concrete at a bend in the Northeast line of said 3.32 acres and the center of Ataway Road (undiscovered);

THENCE South 28 degrees 16 minutes 50 seconds East, 205.65 feet to a 5/8 inch steel rod found at the East corner of said 3.32 acres and the center of Ataway Road (undiscovered) and the center of an abandoned county road;

THENCE South 59 degrees 42 minutes 27 seconds West, 165.65 feet to a monument set in concrete in the Southeast line of said 3.32 acres and the center of an abandoned county road;

THENCE South 21 degrees 30 minutes 52 seconds West, 128.60 feet to a monument set in concrete;

THENCE South 46 degrees 40 minutes 19 seconds West, 676.46 feet to a monument set in concrete in the Southeast line of said 3.00 acres and the Northeast line of that called 2.29 acres of land described in a deed to ACCEL Developments, LLC, recorded under County Clerk's File Number 2014000089 of the Official Public Records of McLennan County, Texas;

THENCE North 55 degrees 45 minutes 42 seconds West, 80.08 feet to a 5/8 inch steel rod found in the Southwest line of said 2.0 acres, the Northeast line of said 2.39 acres, and the South corner of that called Lot 1, Block 1 of the Athey Acres Addition to the City of Hewitt, McLennan County, Texas, as per plat recorded in Volume 1471, Page 647 of the Deed Records of McLennan County, Texas;

THENCE North 38 degrees 39 minutes 33 seconds East, 125.12 feet to a monument set in concrete at the East corner of said Lot 1;

THENCE North 35 degrees 45 minutes 04 seconds West, 173.10 feet to a 1/2 inch steel rod found at the North corner of said Lot 1, the Northeast line of that tract of land described in a deed to W. L. Athey, recorded in Volume 1098, Page 118 of the Deed Records of McLennan County, Texas, and the Southeast line of Spring Valley Road;

THENCE North 37 degrees 19 minutes 10 seconds East, 750.29 feet to the Point of Beginning, containing 5.735 acres of land.

Beings based on Grid North, State Plane Coordinate System, NAD83, Texas Central Zone.

NOTES:

- Easement provided by ONCOR.
- Survey supplied by City of Hewitt, CCN: 14038.
- No part of the subject tract lies within the City of Hewitt.
- F.I.R.M. Paid 489090055C, dated September 26, 2008.
- Tentative land use: Commercial
- Zone: C-0, Outdoor Commercial District
- Building setback lines provided from Code of Ordinances City of Hewitt, Texas
- Structures located on subject property are shown hereon.

STATE OF TEXAS
COUNTY OF MCLENNAN

Aggregated this _____ day of _____, 2015, by the city manager of the City of Hewitt, Texas.

City Manager

Zoning Secretary

KNOW ALL MEN BY THESE PRESENTS:

That I, Julianne Henson, do hereby certify that I made an actual and accurate survey of the platted land and field work was complete under my personal supervision, in accordance with the Subdivision Regulations of the City of Hewitt, Texas.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED OR USED FOR ANY PURPOSE UNLESS IT IS FIRST REVIEWED AND BELIEVED UPON AS A FINAL SURVEY DOCUMENT.

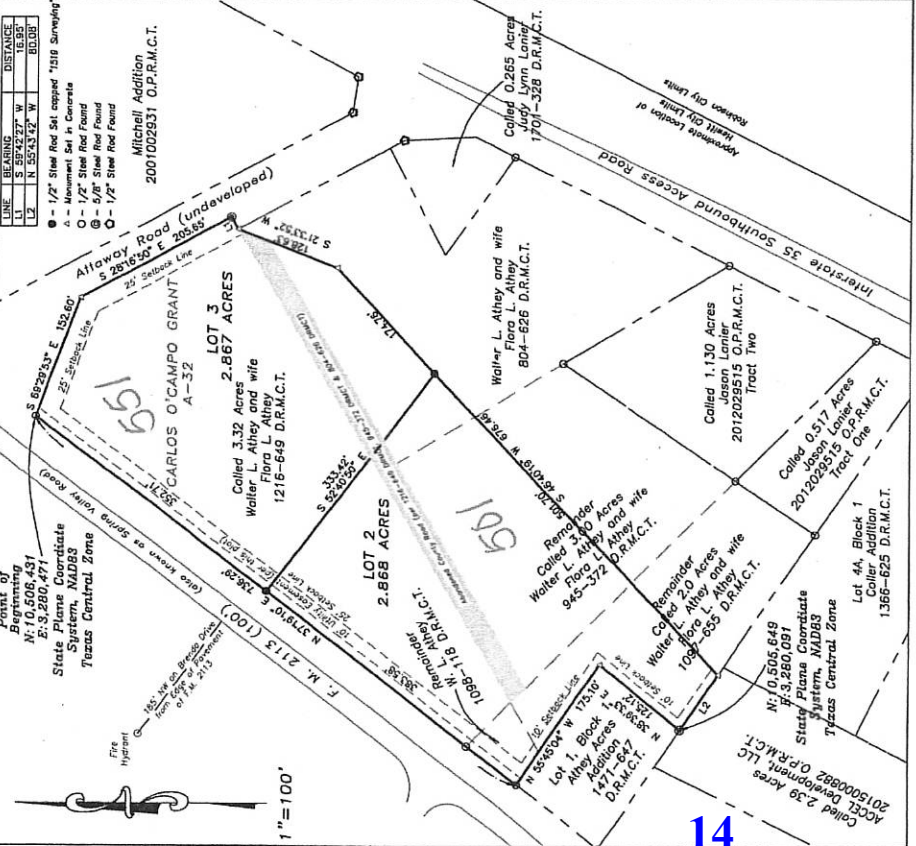
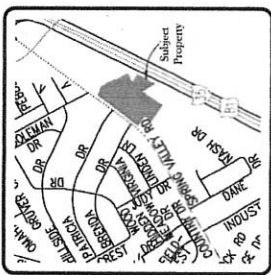
Julianne Henson

R.P.L.S. No. 6566

September 29, 2015

VICINITY MAP

(Not to Scale)



OWNERS STATEMENT

STATE OF TEXAS
COUNTY OF MCLENNAN

Walter L. Athey, Jr., wishing to subdivide same into lots and blocks, do hereby adopt the plat attached hereto and titled "FINAL PLAT ATHEY ACRES ADDITION, LOTS 2 AND 3, BLOCK 1, to the City of Hewitt, McLennan County, Texas, out of the Carlos O'Campo Grant, Abstract Number 32, and being all of that called 3.32 acres of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1216, Page 619 of the Deed Records of McLennan County, Texas, part of that tract of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 801, Page 626 of the Deed Records of McLennan County, Texas, part of that tract of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1098, Page 118 of the Deed Records of McLennan County, Texas, part of that called 3.00 acres of land described in a deed to Walter L. Athey and wife, Flora L. Athey, recorded in Volume 1097, Page 372 of the Deed Records of McLennan County, Texas, and part of that called abandoned county road as measured in Volume 1216, Page 619 of the Deed Records of McLennan County, Texas, as per plat recorded in Volume 1471, Page 647 of the Deed Records of McLennan County, Texas, and being further described as follows:

STATE OF TEXAS
COUNTY OF MCLENNAN

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared, Walter L. Athey, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and she acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacities therein stated.

Given under my hand and seal of office this the _____ day of _____, 2015.

Notary Public in and for the State of Texas
My Commission Expires _____

FINAL PLAT

LOTS 2 AND 3, BLOCK 1
ATHEY ACRES ADDITION
CITY OF HEWITT
MCLENNAN COUNTY, TEXAS

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION

November 5, 2019 – 6:00PM

Members Present: Chairman Walt Peterson, John Baker, Bobby Wolske, Jonathan Dulus, Bobby Drake (came in late 6:05PM)

Members Absent: Mike Hix

Staff Present: Tracy Lankford, Community Development Director
Miles Whitney, City Engineer
Brittney Cantu, Zoning Secretary

- 1) **Call Planning and Zoning Commission Meeting to order.** *Chairman Walt Peterson called the meeting to order at 6:00PM.*
- 2) **Consider approval of minutes for the October 1, 2019 Planning and Zoning Commission regular meeting.** *A motion was made by John Baker, seconded by Bobby Wolske, to approve the minutes as submitted but allow for corrections. All four in favor, motion passed. (Bobby Drake came in 6:05PM, not present to vote).*
- 3) **Public Hearing: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the Comprehensive Future Land Use map of property located at 501 & 551 Spring Valley Road, better known as Athey Acres Addition Block 1 Lots 2 & 3, from Commercial to Medium Density Residential.** *Public hearing at 6:02PM. Speaking in favor: Mark Bowles, residing at 1957 Hambleton Dr., Lorena, Texas. Mr. Bowles is wanting to put 15 duplexes on this land similar to his project on Panther Way in construction. Duplexes would be all brick construction, single car garages, 3 bedrooms, 2 baths, 1600 square foot living space. Utilities on property are already in place. Anthony Tomchesson, residing at 981 FM 56, Valley Mills, Texas, engineer on project. Mr. Tomchesson states this is a good use of the land to have duplexes to soften the density as Spring Valley Road goes from commercial property to single family homes. Speaking against: Billy Laughlin, residing at 428 Spring Valley Road, Hewitt, Texas. Mr. Laughlin was not against having this property zoned residential, as he did not like it being zoned commercial, but was concerned about safety and traffic flow going in front of his house, especially during high traffic times. No others*

came forward to speak, public hearing closed at 6:19PM.

- 4) **Discussion and possible action: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the Comprehensive Future Land Use map of property located at 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from Commercial to Medium Density Residential.** *Walt asked Tracy Lankford, Community Development Director, for the City's opinion regarding this change. Mr. Lankford stated the City does not have any issues with this project and is not opposed to the change. A motion was made by John Baker, seconded by Bobby Wolske, to recommend approval. All five in favor, motion to go before City Council November 18, 2019.*
- 5) **Public Hearing: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the zoning of 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from C-O Outdoor Commercial District to R-3 Multi-family Low Density District.** *Public hearing at 6:21PM. Speaking in favor: Mark Bowles, residing at 1957 Hambleton Dr., Lorena, Texas. Mr. Bowles reiterated his previous comments, as well as added he has met with the State Highway Department about traffic concerns. This project location has a 30 foot right of way entrance and all the homes are set approximately 50 – 60 feet off of Spring Valley Road. Anthony Tomchesson, residing at 981 FM 56, Valley Mills, Texas. Mr. Tomchesson stated he has visited with TXDOT regarding the entrance to duplexes, wanting to align with Attaway for a true intersection. Walter Athey, residing at 40997 Southwinds Dr., Lorena, Texas, representative of the Flora Athey Estate. Mr. Athey thinks re-zoning from C-O to R-3 is a better fit for the surrounding community and welcomes the proposed development. Thinks this will spark interest in developing the surrounding properties. Speaking against: Billy Laughlin, residing at 428 Spring Valley Road, Hewitt, Texas. Mr. Laughlin reiterated his previous concerns regarding traffic and overall safety. No others came forward to speak, public hearing closed at 6:28PM.*
- 6) **Discussion and possible action: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the zoning of 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from C-O Outdoor Commercial District to R-3 Multi-family Low Density District.** *A motion was made by John Baker, seconded by Bobby Wolske, to recommend approval. All five in favor, motion to go before City*

Council November 18, 2019.

7) Adjourn. *A motion was made by John Baker, seconded by Jonathan Dulus, to adjourn the meeting. All five in favor, meeting adjourned at 6:30PM.*

Walt Peterson, Chairman

Date Approved

Brittney Cantu, Zoning Secretary

HEWITT TEXAS

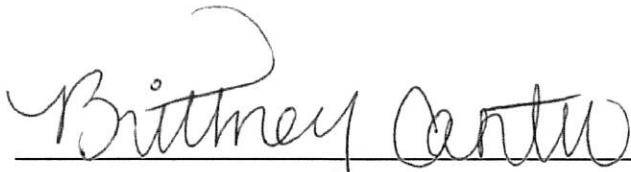
NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **PUBLIC** meeting will be held before the Planning and Zoning Commission of the City of Hewitt on **Tuesday, November 5, 2019, at 6:00PM in the City Council Chambers at Hewitt City Hall, located at 200 Patriot Court, Hewitt, Texas** at which time the following subjects will be discussed:

1. Call Planning and Zoning Commission Meeting to order.
2. Consider approval of minutes for the October 1, 2019 Planning and Zoning Commission regular meeting.
3. **Public Hearing:** Consider a request of Mark Bowles, on behalf of Flora Athey, to change the Comprehensive Future Land Use map of property located at 501 & 551 Spring Valley Road, better known as Athey Acres Addition Block 1 Lots 2 & 3, from Commercial to Medium Density Residential.
4. Discussion and possible action: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the Comprehensive Future Land Use map of property located at 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from Commercial to Medium Density Residential.
5. **Public Hearing:** Consider a request of Mark Bowles, on behalf of Flora Athey, to change the zoning of 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from C-O Outdoor Commercial District to R-3 Multi-family Low Density District.
6. Discussion and possible action: Consider a request of Mark Bowles, on behalf of Flora Athey, to change the zoning of 501 & 551 Spring Valley Road, known as Athey Acres Addition Block 1 Lots 2 & 3, from C-O Outdoor Commercial District to R-3 Multi-family Low Density District.
7. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Hewitt, Texas was posted on a Public

Notice Board located in front of City Hall before 5:00PM on November 1, 2019.

A handwritten signature in cursive script, reading "Brittney Cantu", written over a horizontal line.

Brittney Cantu, City of Hewitt Zoning 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 Braille, are requested to contact the Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

HEWITT

TEXAS

PLANNING AND ZONING ADMENDMENT OF THE ZONING ORDINANCE

Legal Description of Property: Athey Acres Addition Block 1 Lot 2 Acres 2.868
and Athey Acres Addition Block 1 Lot 3 Acres 2.867

Describe the location of the property as submitted by this application. This may be in the form of a street address, general description, or nearest intersection.

501 and 551 Spring Valley Rd. Hewitt, TX 76643

Zoning Change From C-O to TBD

Please describe the interest in property:

Development for duplex housing

Existing Building(s) on Property: None

Total square feet of all Buildings on Property: None

Please provide the following recording information and a copy of the document(s) listed below with this application:

Ownership (deed): Doc. #/MCC No.: _____

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): _____

The rezoning application must be completed along with the following information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit one (1) PDF file, one (1) hardcopy, one (1) CAD file of plat for review purposes – Must be in State Plane Coordinates using the Texas Central Zone NAD 83.
3. Submit one (1) copy of building plans, if existing building(s) exist.
4. Non-refundable application fee (see Fee Schedule)
5. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule).

I attest that the above information is true and correct to the best of my knowledge and I am now or will be fully prepared to present the above proposal at the Planning and Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I, understand that in the event the undersigned is not present or represented at the public hearing, the Planning and Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning and Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice to the Planning and Zoning Commission shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner:

Flora Athey

Telephone Number:

254-716-3014

Mailing Address:

4097 Southwinds Dr Lorena Tx 76655

Email Address:

wbubb52@aol.com

Signature of Property Owner:

DocuSigned by:

Walter Athey

Date:

9/16/2019

Name of Applicant/Representative:

Mark Bowles

Telephone Number:

254-715-0638

Mailing Address:

719 N. New Road Waco, Tx 76710

Email Address:

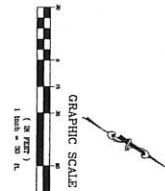
Synergyrealtor@aol.com

Signature of Applicant/Representative:

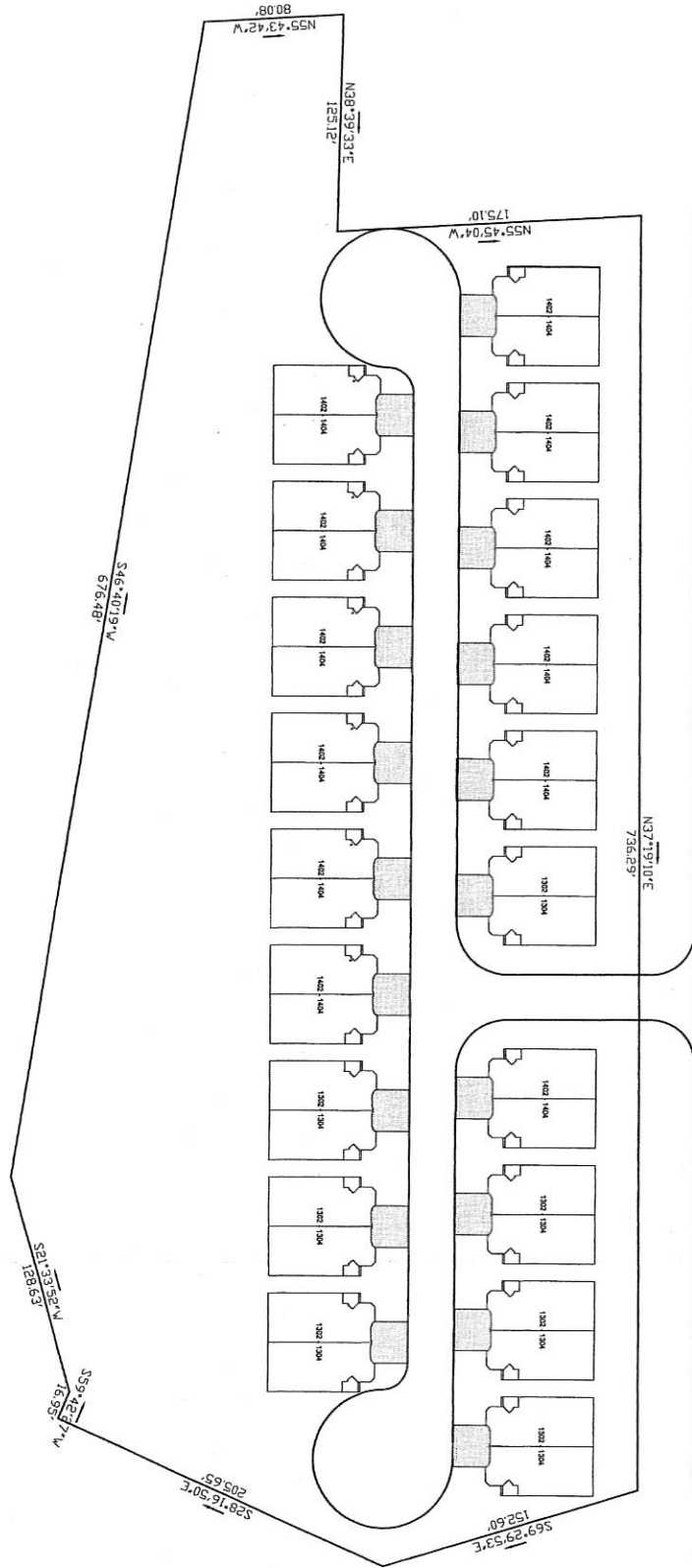
W. Bowles

Date:

9-11-19.



F.M. 2113 (100')



CONTRACTOR TO FIELD VERIFY JOB SITE
OF ALL EXISTING UTILITIES PRIOR TO
BEGINNING OF CONSTRUCTION

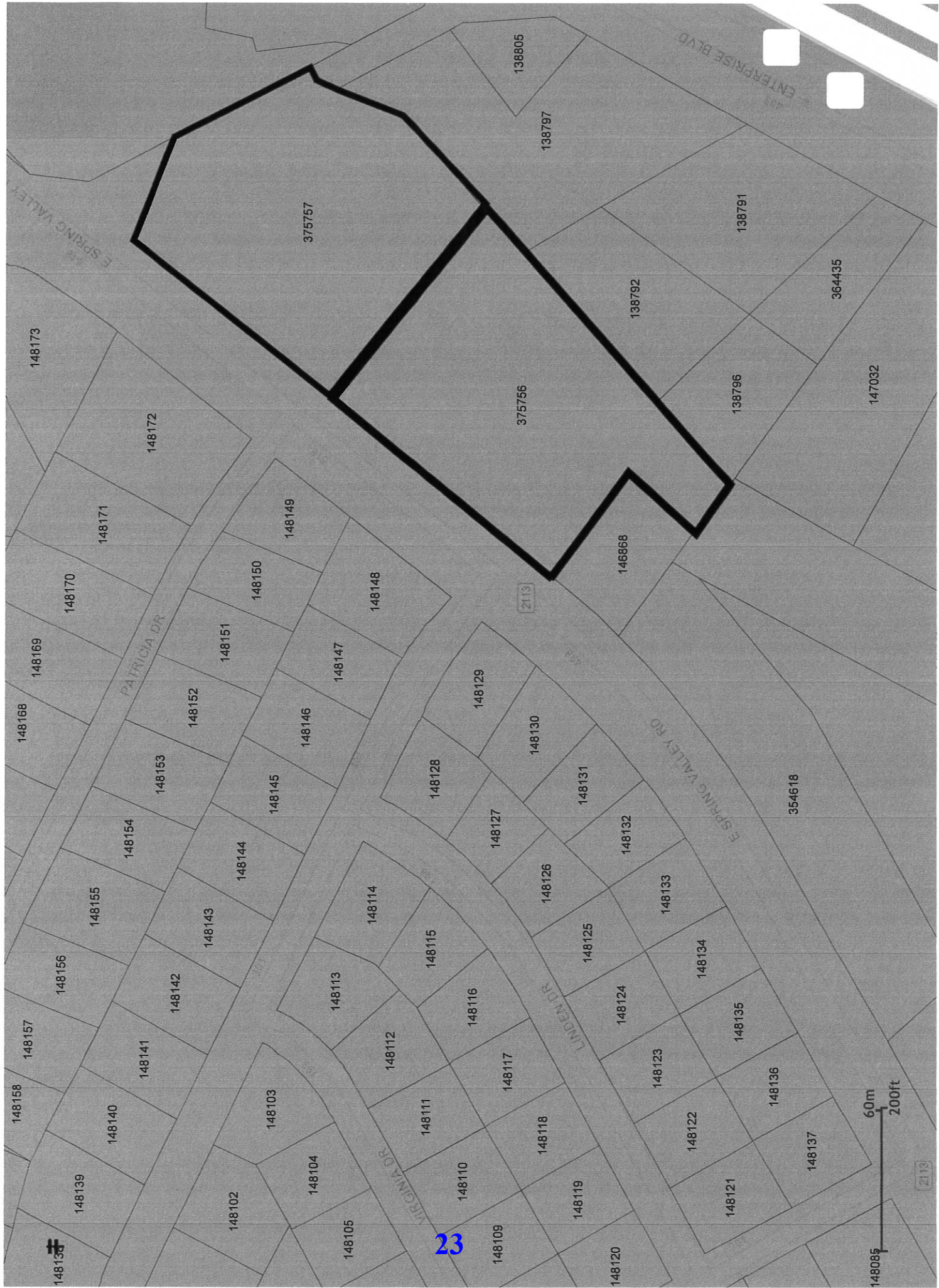


SPRING VALLEY PROJECT
SITE LAYOUT
HEWITT, TEXAS

contracting, inc.
Industrial, Municipal, Residential
Site Development & Engineering
Office 254-666-7117
Fax 254-666-7119

REVISIONS				
NO.	DATE	DESIGNED	DRAWN	CHECKED
1				
PRELIMINARY SET				
FOR REVIEW ONLY				
REMARKS				
BY				
DATE				
AT AT 10/2019				

FILE NAME: SPRING VALLEY
SHEET: 1 OF 1
DRAWING SCALE: 1" = 30'
PLOTTING SCALE: 1" = 30'
DATE: 10/2019
BY: ANTHONY THOMPSON
ON THE DATE SHOWN
ON THE DATE SHOWN



HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 6

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an **Ordinance No. 2019-28** rezoning of Lots 2 and 3 Block 1 Athey Acres Addition, located at 501 and 551 Spring Valley Rd., Hewitt, McLennan County, Texas, from C-O Outdoor Commercial to R-3 Multi-family Low Density Residential District.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Mark Bowles submitted a request to Change the zoning on property located at 501 and 551 Spring Valley Rd. This is a tract of land located east of the intersection of Spring Valley Rd. and Patricia Dr. Mr. Bowles is requesting the zoning change from C-O Outdoor Commercial to R-3 Multi-family Low Density Residential. The Planning and Zoning Commission met on Tuesday, November 5, 2019, to consider the request. After a public hearing and deliberation, the P&Z Commission recommended approval of the request with a vote of 5 to 0. Staff recommends approval of this request.

SUGGESTED MOTION:

"I move approval of Ordinance No. 2019-28."

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation (Attached to previous agenda item #6.)

Draft ordinance

ORDINANCE NO. 2019-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM C-O OUTDOOR COMMERCIAL DISTRICT TO R-3 MULTI-FAMILY LOW DENSITY RESIDENTIAL DISTRICT PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Mark Bowles to rezone Lots 2 and 3 block 1 Athey Acres Addition located east of the intersection of Patricia Drive and Spring Valley Rd, Hewitt, McLennan County, Texas, from **C-O Outdoor Commercial to R-3 Multi-Family Low Density Residential**

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

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on November 18, 2019, after due notice in the manner provided by law; and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, November 5, 2019, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

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

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

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

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, known as Lots 2 and 3 block 1 Athey Acres Addition, Hewitt, McLennan County, Texas, from **C-O (Outdoor Commercial) to R-3 (Multi-Family Low Density Residential)**

SECTION TWO. A proposed map of area is shown in Exhibit "A".

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

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

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

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

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

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

PASSED AND APPROVED this the 18th day of November, 2019 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, City Secretary



AGENDA ITEM #7 - City Engineer's Report



CITY ENGINEER'S REPORT
November 12, 2019

Utility Projects

IH - 35 Waterline; Phase 3

Contractor is finishing up punch list items.

FM 2113; Spring Valley Rd.

Currently working the agreement between the City and TxDOT for some partial reimbursements.

Street Projects

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

Contractor is working and pushing to finish up in the coming months, if weather conditions allow it.

April/December; Mill and Overlay

Pre-Construction was held, and contractor should be mobilizing shortly.

E. Warren Street Improvements

Survey work is being progressed.

Drainage Projects

920/924 Oakmont Dr.; 36" RCP Storm Sewer

The City is to meet with the residents on Friday, Oct. 18th, to discuss the concern.

208/212 Cross Country Drainage Improvements

Discussed with Owner's rep and working towards obtaining additional easement to perform the proposed work.

HEWITT TEXAS

CITY ENGINEER'S REPORT

November 12, 2019

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.

HEWITT TEXAS II

COUNCIL AGENDA ITEM #8

The Financial Statements ending October 31, 2019, were sent electronically on or before November 15, 2019. Finance Director Lee Garcia will be available to respond to any questions or comments.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 9

SUBMITTED BY: Kevin Reinke, Utilities Director

ITEM DESCRIPTION:

To authorize repair of vertical turbine pump #2 and motor at Plant 1 to Jurgensen Pump, LLC in the amount of \$12,807.

STAFF RECOMMENDATION/ITEM SUMMARY:

Upon routine maintenance, problems were discovered with the pump. The last repair to this pump was in 2006. The repair estimate was \$12,807.

SUGGESTED MOTION:

"I move approval of the repair of the vertical turbine pump and motor to Jurgensen Pump, LLC in the amount of \$12,807."

ATTACHMENTS:

Estimate



JURGENSEN PUMP, LLC
PO Box 710
Valley Mills, TX 76689

Phone # 254-932-6251 Fax # 254-932-6770

Estimate

Date	Estimate #
10/30/2019	3092

REGULATED BY THE TEXAS
 DEPARTMENT OF LICENSING &
 REGULATIONS PO BOX 12157
 AUSTIN, TX 78711
 LICENSE #54576

Name / Address

City of Hewitt
 P.O. Box 219
 Hewitt, TX 76643

WARRANTY: New well equipment is covered by
 Manufacturer's Warranties and these warranties are
 the responsibility of the Manufacturers.
LABOR WARRANTY: Is 30-days from
 installation of new well equipment

Project

Description	Qty	Cost	Total
City Yard Pump Station - Pump #2 BJ 18MQH-2 Stg 1500 GPM at 140' TDH S/N: 881H1075 75HP / 3PH / 460V / 1800 RPM			
Field Service to Pull Pump and Motor for Tear Down and Inspection with Crane Truck Note: Price includes labor and mileage	1	526.00	526.00
Teardown and Inspect VTP	1	1,250.00	1,250.00
Repair Vertical Turbine Pump - Replace Bowl Shaft 1-15/16" x 60-1/4" - Replace Bowl Bearings - bronze - Replace case wear rings - bronze - Replace bowl bolting - SS - Reuse Impellers - Replace Top Shaft 1-7/16" x 34-5/8" - Replace stuffing box bearing - bronze - Replace motor shaft 1-7/16" x 38-1/2" - Replace misc bolting and gaskets - Blast & Coat Discharge Head and Column Pipe - Assemble Pump	1	8,168.00	8,168.00
Quote valid for 30 days!		Subtotal	
		Sales Tax (0.00)	
		Total	



JURGENSEN PUMP, LLC
PO Box 710
Valley Mills, TX 76689

Phone # 254-932-6251 Fax # 254-932-6770

Estimate

Date	Estimate #
10/30/2019	3092

REGULATED BY THE TEXAS
 DEPARTMENT OF LICENSING &
 REGULATIONS PO BOX 12157
 AUSTIN, TX 78711
 LICENSE #54576

Name / Address

City of Hewitt
 P.O. Box 219
 Hewitt, TX 76643

WARRANTY: New well equipment is covered by
 Manufacturer's Warranties and these warranties are
 the responsibility of the Manufacturers.
LABOR WARRANTY: Is 30-days from
 installation of new well equipment

Project

Description	Qty	Cost	Total
75HP Motor Repair to include: - disassemble - replace bearings - repair lower end bell - surge test windings - clean, assemble, test run	1	2,313.00	2,313.00
Field Service to Install Pump and Motor - start-up services	1	550.00	550.00
Quote valid for 30 days!		Subtotal	\$12,807.00
		Sales Tax (0.00)	\$0.00
		Total	\$12,807.00

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 10

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Consideration and action on a **Resolution No. 2019-20** casting votes to elect the Directors for the McLennan County Appraisal District for 2020-2021.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft resolution and official ballot for selection of the five (5) member Board of Directors. Each taxing entity is allotted a certain number of votes. The City has a total of 55 votes. The votes may be cast as a block or unit or distributed among any number of candidates.

SUGGESTED MOTION:

"I move approval of Resolution No. 2019-20."

ATTACHMENTS:

Draft resolution and supporting documentation

TAXING UNIT: CITY OF HEWITT

RESOLUTION NO. 2019-20

**RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE
McLENNAN COUNTY APPRAISAL DISTRICT FOR THE YEARS 2020-
2021**

WHEREAS, Section 6.03 (k) of the Texas Property Tax Code, requires that each taxing unit entitled to vote cast their vote by Resolution and submit results of that vote to the Chief Appraiser of the McLennan County Appraisal District before or by December 15, 2019.

THEREFORE, the City of Hewitt submits the attached Official Ballot, as issued by the Chief Appraiser, stating the vote for candidates for the election of the Board of Directors for the McLennan County Appraisal District for 2020-2021.

ACTION TAKEN this 18th day of November, 2019 in Regular Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of casting votes to elect the Board of Directors of the McLennan County Appraisal District.

CITY OF HEWITT, TEXAS

Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, TRMC/CMC
City Secretary

STATE OF TEXAS §
COUNTY OF McLENNAN §

TAXING UNIT NO.

OFFICIAL BALLOT

SELECTION OF FIVE (5) MEMBERS FOR THE BOARD OF DIRECTORS
OF THE McLENNAN COUNTY APPRAISAL DISTRICT

ENTER THE NUMBER OF VOTES, IN THE SQUARE(S) ADJACENT TO THE NAME OF THE CANDIDATE(S), INDICATING THE NUMBER OF VOTES YOU WISH TO CAST FOR EACH CANDIDATE. YOU MAY CAST ALL OF YOUR ALLOTTED VOTES FOR ONE CANDIDATE OR DISTRIBUTE THEM AMONGST ANY NUMBER OF CANDIDATES. PLEASE VERIFY THAT THE TOTAL NUMBER OF VOTES CAST MATCH THE ENTITLED NUMBER OF VOTES ALLOWED FOR YOUR TAXING UNIT, WHICH IS LISTED ON THE SPREADSHEET INCLUDED IN THE DELIVERY METHOD OF THIS BALLOT. BALLOTS SUBMITTED IN WHICH THE NUMBER OF VOTES CAST EXCEEDS THE NUMBER OF ENTITLED VOTES, CANNOT BE COUNTED.

NUMBER OF VOTES NOMINEE

	MICHAEL BANCALE
	JOHN KINNAIRD
	TOM PAGEL
	BEN PERRY
	WILLIAM RIDINGS
	ALLEN SYKES
	MILDRED WATKINS

**BALLOT AND RESOLUTION MUST BE RETURNED TO
THE CHIEF APPRAISER, BEFORE DECEMBER 15, 2019. BALLOTS RECEIVED OR POSTMARKED
AFTER DECEMBER 14, 2019, CANNOT BE COUNTED.**



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 18, 2019

AGENDA ITEM #: 11

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration and action on **Resolution No. 2019-21** approving financing terms with Branch Banking & Trust Company for various Capital Outlay items.

STAFF RECOMMENDATION/ITEM SUMMARY:

The city published two times in the Waco Tribune newspaper on October 30 and November 6, 2019, for the financing of public safety vehicles, public works vehicles, and heavy equipment. Bids were received on November 12, 2019, at 11 a.m. Following is a summary of bids received. Staff recommends approving the lowest bid which is from BB&T for a period four (4) years.

SUGGESTED MOTION:

"I move to approve the bid with Branch Banking & Trust Company for a term of four (4) years at 2.10%."

ATTACHMENTS:

Resolution Approving Financing Terms
List of Items to be Financed
Bid Results
Payment Schedule

RESOLUTION NO. 2019-21

WHEREAS: The City of Hewitt, Texas (the "Borrower") has previously determined to undertake a project for the financing of the purchase of police vehicles, public works vehicles and heavy equipment (the "Project"), and the finance director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T") in accordance with the proposal dated November 13, 2019. The amount financed shall not exceed \$325,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed _____%, and the financing term shall not exceed _____ 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 Borrower 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.

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 Borrower 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 Financing Document's final form.

4. The Borrower 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 Borrower 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 Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the BB&T financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower 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.

Approved this _____ day of _____, 2019.

CITY OF HEWITT, TEXAS

Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, TRMC/CMC
City Secretary

City of Hewitt, Texas
CAPITAL OUTLAY - SHORT TERM FINANCING
Annual Budget FY 2019 - 2020

General Fund				
Police Department	Chevy Tahoes (2) - Patrol	115,870		
	Ram 1500 PU - CID	40,500		
	Dell Latitude MDCs (13)	39,170		
	Stalker Mini Speed Trailer	6,115	201,655	
Fire Department	Pick Up	40,500	40,500	
Library	Shelving	20,000		
	Replacement Server	7,274	27,274	
Community Servicees	Kawasaki Mule Pro	12,284		
	Tire Balancer	5,569	17,853	
Total General Fund			287,282	

Drainage Fund			
Drainage	2019 Ford F150 Rapid Response		38,996
Total Drainage Fund			38,996

Total Short Term Financing Items			326,278
----------------------------------	--	--	---------

Estimated annual payments on Total:

326,278	326,278	326,278
3	4	5
108,759	81,570	65,256

Estimated annual payments in Gen Fund:

287,282	287,282	287,282
3	4	5
95,761	71,821	57,456

General Fund:

Total I&S Debt Service drops by \$79,288.57 which includes 2 of the BBT financings with payments totalling \$80,076.16. So the decrease in I&S Debt Service is those 2 being paid off.

Results from Lease Financing Bid for \$325,000

Bids Received by 11 am on 11 /12/19:

Notice Printed in Waco Tribune Herald on October 30th and November 6th, 2019.

Notice Emailed to all who had expressed interest in bidding on future financing: 16 potential bidders.

Notice of Bid on Lease Financing for:

3 Police Vehicles, 1 Fire Vehicle, 1 Drainage Vehicle, 13 PD Mobile Data Computers, PD Trailer, Library Shelving, Library Server, Community Services Mule Pro and Tire Balancer.

Responses:

Bidder	Agent	3 yr Term	4 yr Term	5 yr Term	Addtl Fees
BB&T	Mary Coley	2.06%	2.10%	2.13%	\$ -
		Annual \$ 112,827.00	\$ 85,559.94	\$ 69,211.85	
		Total \$ 338,481.00	\$ 342,239.76	\$ 346,059.25	
First Government	Paul Graver	3.20%	3.50%	3.99%	\$ -
		Annual \$ 122,200.00	\$ 95,468.75	\$ 80,600.00	
		Total \$ 366,600.00	\$ 381,875.00	\$ 403,000.00	
Government Capital	Jana Offutt	2.35%	2.40%	2.45%	\$ 6,500.00
		Annual \$ 115,733.71	\$ 87,906.46	\$ 71,251.66	
		Total \$ 347,201.13	\$ 351,625.84	\$ 356,258.30	
Independent Bank	Jeff Mills	3.56%	3.56%	3.56%	\$ -
		Annual \$ 116,136.59	\$ 88,607.68	\$ 72,103.80	
		Total \$ 348,409.77	\$ 354,430.72	\$ 360,519.00	
General Fund Drainage Fud	287,282	Annual Payment			
	38,996	88% \$ 85,559.94	\$ 75,334.01		
	326,278	12% \$ 85,559.94	\$ 10,225.93		
		\$ 85,559.94	\$ 85,559.94		

City of Hewitt, Texas

Lease Purchase Financing for Vehicles and Equipment

Sample Payment Schedule

Four (4) Years, Annual Payments in Arrears

Nominal Annual Rate: 2.100 %

	Date	Payment	Interest	Principal	Balance
Loan	11/12/2019				325,000.00
2020 Totals		0.00	0.00	0.00	
1	11/12/2020	85,559.94	6,825.00	78,734.94	246,265.06
2021 Totals		85,559.94	6,825.00	78,734.94	
2	11/12/2021	85,559.94	5,171.57	80,388.37	165,876.69
2022 Totals		85,559.94	5,171.57	80,388.37	
3	11/12/2022	85,559.94	3,483.41	82,076.53	83,800.16
2023 Totals		85,559.94	3,483.41	82,076.53	
4	11/12/2023	85,559.94	1,759.78	83,800.16	0.00
2024 Totals		85,559.94	1,759.78	83,800.16	
Grand Totals		342,239.76	17,239.76	325,000.00	