

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

May 4, 2020

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

Scott Coleman, General Services Director

Tuck Saunders, Assistant Police Chief

Jessica Higgins, HR Generalist

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 **4th day of May, 2020, 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 accordance with social distancing guidelines, the City Council meeting will not be open to the public. Some council members may attend, while others may call in to participate. The meeting will be streamed live on the city's website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

There will be an opportunity for the public to submit written comments on items listed on the agenda or under the hear visitors. Complete a [Public Comment form](#) available online and submit via email to the City Secretary. Comments must be received no later than **noon** on the date of the meeting.

1. Call meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. 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.*
4. Consider approval of minutes of the City Council Regular Meeting of April 20, 2020.
5. Consideration and action on appointment of a Charter Review Committee.
6. Briefing and discussion concerning Council priorities for FY 2020-2021 Budget.
7. Discussion and briefing concerning the Coronavirus (COVID-19) and any actions necessary thereto:
 - Declaration of continuation of state of disaster and public health emergency and extension thereof, for ratification by the City Council, through May 15, 2020.
 - Consideration and action on **Ordinance No. 2020-08** ratifying the Mayor's continuation of the state of disaster and public health emergency in Hewitt, Texas due to the COVID-19 Pandemic; declaring the existence of a state of disaster and public health emergency in Hewitt, Texas due to the COVID-19 Pandemic; and adopting the substantive provisions of the Order of McLennan County dated April 29, 2020 as the City's regulation.
 - Amended and restated Order of the County Judge and Commissioner's Court of McLennan County, Texas directing all individuals living in the County to shelter at their place of residence.
8. **Executive Session:** A closed meeting will be held pursuant to *Section 551.071 of the Government Code (V.C.T.A.)* so that the City Council can seek and receive legal advice and counsel from its attorneys regarding pending or threatened litigation, settlement offers, resolution of claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act (Ch.551, Gov. Code).

9. Consideration and possible action regarding the subject matter set forth in the Executive Session.
10. Adjourn

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 2:30 AM/PM on April 29, 2020.

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.



AGENDA ITEM #3 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

Due to social distancing guidelines, the upcoming City Council Meeting on Monday, April 20, 2020, at 7PM will be held online at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

In order to address the Council on any item including this hearing of visitors, you must complete and submit the [Public Comment Form](#) via email to the [City Secretary](#) or in person at Hewitt City Hall, 200 Patriot Court by **NOON** on the day of the meeting. Your comments will be read during the meeting at that time.

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.



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 4, 2020

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Regular Meeting of April 20, 2020.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

FISCAL IMPACT:

Amount Budgeted – N/A

Line Item in Budget – N/A

SUGGESTED MOTION:

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

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
April 20, 2020 – 7:00 PM**

Attendee Name	Title	Absent	Present	Arrived
Charles D. Turner (presiding)	Mayor, Ward 1	☐	☒	
Wilbert “Walky” Wachtendorf	Mayor Pro Tem, Ward 1	☐	☒	
Bill Fuller	Council Member, Ward 2	☐	☒	
Vacancy	Council Member, Ward 2	☐	☐	
Michael S. Bancale	Council Member, At-Large	☐	☒	
Steve Fortenberry	Council Member, Ward 3	☐	☒	
Erica Bruce	Council Member, Ward 3	☐	☒ *	

* Council Member Erica Bruce participated in the meeting via teleconference.

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
Fire Chief Lance Bracco
Library Director Waynette Ditto
Police Chief Jim Devlin

In accordance with social distancing guidelines, the City Council meeting was not opened to the public; however, the meeting was live-streamed for view by the public on the city’s website at www.cityofhewitt.com.

- 1. CALL MEETING TO ORDER.** Mayor Charlie Turner called the meeting to order at 7:00 PM. City Secretary Lydia Lopez polled the Council for attendance.
ALL PRESENT: Fuller, Bancale, Wachtendorf, Fortenberry, Bruce (via teleconference), Turner
- 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Charlie Turner led the Pledge of Allegiance.
- 3. 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. NOTE: The public was offered the opportunity to submit written comments on items listed on the agenda or under the hear visitors. **No public comment forms were submitted.**

4. CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF MARCH 16, 2020, AND SPECIAL CALLED MEETING OF MARCH 23, 2020.

MOTION: Council Member Steve Fortenberry moved approval of the minutes as presented but to allow for corrections.

SECOND: Council Member Bill Fuller

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

NAYES: None

ABSENT: None

MOTION PASSED.

5. CONSIDER REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT. City Manager Bo Thomas presented the members recommended for reappointment.

MOTION: Council Member Michael Bancale moved to authorize the reappointment of Jim Winton, Bradley Turner, and Scott Hedges, alternate to the Board of Adjustment for a two-year term ending in April 2022.

SECOND: Council Member Bill Fuller

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

NAYES: None

ABSENT: None

MOTION PASSED

6. PRESENTATION OF REPORT FROM CITY ENGINEER MILES WHITNEY, P.E.

- Update on pending utility projects
- Update on pending street projects
- Update on pending drainage projects

No action required.

7. CONSIDER AWARD OF BID FOR 2019 – FM 2113 UTILITY RELOCATION TO BELL CONTRACTORS, INC. IN THE AMOUNT OF \$1,864,198.86. City Manager Bo Thomas presented bids. City Engineer Miles Whitney, P.E., elaborated on the bid results, stated that he had several conversations with Bell Contractors, Inc., to confirm that they were confident in their pricing as it was substantially lower than the second lowest bidder, and informed the Council that he was comfortable with previous work done by the contractor in the city.

MOTION: Council Member Steve Fortenberry moved approval of bid for 2019 – FM 2113 Utility Relocation to Bell Contractors, Inc., in the amount of \$1,864,198.86.

SECOND: Council Member Michael Bancale

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

NAYES: None

ABSENT: None

MOTION PASSED.

8. **AUTHORIZE THE EMERGENCY PURCHASE OF WELL PUMP AND MOTOR REPLACEMENT AT PLANT 5 TO JURGENSEN PUMP, LLC IN THE AMOUNT NOT TO EXCEED \$80,000.** City Manager Bo Thomas presented and explained that the bid was set in an amount not to exceed so that staff would have the flexibility to use existing pipe and cable but allowed additional funds should the use of existing pipe and cable not be feasible.
MOTION: Council Member Steve Fortenberry moved to authorize the city manager to purchase new well pump, motor, and materials from Jergensen Pump, LLC, in an amount not to exceed \$80,000.
SECOND: Council Member Bill Fuller
AYES: Fuller, Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: None
MOTION PASSED.
9. **BRIEFING AND DISCUSSION CONCERNING FINANCIAL STATEMENTS ENDING MARCH 31, 2020.** City Manager Bo Thomas stated that Finance Director Lee Garcia previously sent the March Financial Statements and asked if Council had any questions. No questions were asked. **No action required.**
10. **CONSIDERATION AND ACTION ON APPROVAL OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2020.**
City Manager Bo Thomas presented a summary of report prepared by Valley View Consulting, L.L.C.
MOTION: Council Member Michael Bancale moved approval of the Quarterly Investment Report as of March 31, 2020.
SECOND: Mayor Pro Tem Wilbert “Walky” Wachtendorf
AYES: Fuller, Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: None
MOTION PASSED.
11. **CONSIDERATION AND ACTION ON THE EXTENSION OF JAYNES, REITMEIER, BOYD & THERRELL AS THE CITY’S AUDITORS FOR THE AUDIT YEARS ENDING IN 2020 AND 2021.** City Manager Bo Thomas presented. Council Member Steve Fortenberry was complimentary of the firm’s work for the city.
MOTION: Mayor Pro Tem Wilbert “Walky” Wachtendorf moved to extend the agreement with Jaynes, Reitmeier, Boyd and Therrell as the city’s auditors for the audit years ending in 2020 and 2021.
SECOND: Council Member Steve Fortenberry
AYES: Fuller, Bancale, Wachtendorf, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: None
MOTION PASSED.

- 12. CONSIDERATION AND ACTION ON ORDINANCE NO. 2020-06 AMENDING BY REPLACING, UPDATING, AND CLARIFYING ARTICLE III “HOTEL OCCUPANCY TAXES” OF CHAPTER 70 “TAXATION” OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT, TEXAS WITH A NEW ARTICLE III ENTITLED “HOTEL OCCUPANCY TAXES” WHICH ADDRESS, AMENDS, AND UPDATES THE REGULATIONS IMPOSING HOTEL OCCUPANCY TAXES AND ADDRESSES SHORT-TERM RENTAL.** City Manager Bo Thomas presented. City Attorney Mike Dixon was available to respond to questions from Council. Mr. Dixon noted one correction in the ordinance under Sec. 70-44. General discussion was held concerning the number of establishments classified as Airbnb in Hewitt and the regulations imposed on short-term rentals.

MOTION: Council Member Michael Bancale moved to approve Ordinance No. 2020-06.

SECOND: Council Member Bill Fuller

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

NAYES: None

ABSENT: None

MOTION PASSED.

- 13. CONSIDERATION AND REVIEW OF PROPOSED PROPOSITIONS AND POSSIBLE APPOINTMENT OF A CHARTER REVIEW COMMITTEE.** City Manager Bo Thomas stated that the proposed propositions were submitted again; however, his purpose for including the item on the agenda was to seek direction from the Council with regards to the next steps. General discussion was held concerning the formation of a Charter Review Committee and timeline for inclusion on the ballot for November or whether the amendments should be considered in May 2021. City Attorney Mike Dixon encouraged the Council to appoint one member each and suggested they be prepared to make appointments at their next meeting.

Consensus: To place on the agenda at the next meeting to bring forth appointments for the Committee.

- 14. DISCUSSION AND BRIEFING CONCERNING THE CORONAVIRUS (COVID-19) AND ANY ACTIONS NECESSARY THERETO:**

➤ **CONSIDERATION AND ACTION ON ORDINANCE NO. 2020-07 AMENDING ORDINANCE NO. 2020-05 ADDRESSING EMPLOYEE ABSENCES RESULTING FROM COVID-19; PROVIDING FOR SICK LEAVE FOR ABSENCES RESULTING FROM COVID-19 – RELATED MATTERS, AND PROVIDING AUTHORITY TO CITY MANAGER TO TAKE PROACTIVE MEASURES AND TO GRANT PAID ADMINISTRATIVE LEAVE.** City Manager Bo Thomas presented this ordinance.

MOTION: Council Member Michael Bancale moved approval of Ordinance No. 2020-07.

SECOND: Council Member Bill Fuller

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

NAYES: None

ABSENT: None

MOTION PASSED.

- **AUTHORIZE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITIES OF WACO, ROBINSON, HEWITT, WOODWAY, LORENA, LACY LAKEVIEW, BELLMEAD, AND OTHER CITIES FOR THE PURPOSE OF PROVIDING MUTUAL AID WHERE REQUESTED THROUGH THEIR LAW ENFORCEMENT AGENCIES.** City Manager Bo Thomas presented.

MOTION: Mayor Pro Tem Wilbert “Walky” Wachtendorf moved to ratify the Interlocal Cooperation Agreement with the listed entities for the purpose of providing mutual aid with law enforcement agencies.

SECOND: Council Member Michael Bancale

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

NAYES: None

ABSENT: None

MOTION PASSED.

- **AMENDED AND RESTATED ORDER OF THE COUNTY JUDGE AND COMMISSIONER’S COURT OF MCLENNAN COUNTY, TEXAS DIRECTING ALL INDIVIDUALS LIVING IN THE COUNTY TO SHELTER AT THEIR PLACE OF RESIDENCE.** City Manager Bo Thomas presented and recommended that Council approve this order extending the date to April 30, 2020. General discussion was held concerning the opening of Parks.

MOTION: Council Member Bill Fuller moved to adopt the Amended and Restated Order of the County Judge and Commissioner’s Court of McLennan County, Texas.

SECOND: Council Member Michael Bancale

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

NAYES: None

ABSENT: None

MOTION PASSED.

15. ADJOURN.

MOTION: Council Member Bill Fuller moved to adjourn the workshop meeting at 8:28 PM.

SECOND: Council Member Steve Fortenberry

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

NAYES: None

ABSENT: None

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Charles D. Turner, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 4, 2020

AGENDA ITEM #: 5

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Consideration and action on appointment of a Charter Review Committee.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Council has reviewed and discussed various propositions recommended for consideration by Hewitt citizens. City Attorney Mike Dixon encouraged the Council to appoint one member each. Council asked the City Manager to include this item so that council members could make appointments to a Charter Review Committee and move forward with this process.

FISCAL IMPACT:

Amount Budgeted – NA
Line Item in Budget – NA

SUGGESTED MOTION:

None at this time.

ATTACHMENTS:

None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: May 4, 2020

AGENDA ITEM #: 6

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

With the beginning of the FY '20-'21 Budget preparations, we wanted to give the Council an early opportunity to articulate priorities for the upcoming budget so that we may begin preparing the budget with those priorities in mind. In the past, the following priorities included such items as fleet vehicles, employee wages, Capital Improvements, service levels and tax rates just as examples.

STAFF RECOMMENDATION/ITEM SUMMARY:

There is no staff recommendation at this time.

FISCAL IMPACT:

Amount Budgeted – \$0
Line Item in Budget – FY '20-'21 budget.

SUGGESTED MOTION:

No action needed

ATTACHMENTS:

Historical sales tax information
Budget calendar

SALES TAX HISTORY

<u>Year</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>Total</u>
2010	72,473.29	129,255.65	74,340.89	68,516.18	131,980.97	68,076.03	70,185.65	145,876.72	74,558.61	75,859.84	123,656.48	80,660.10	1,115,440.41
2011	95,498.82	145,789.37	84,914.46	77,325.44	133,350.02	78,042.50	84,882.77	141,486.47	87,262.88	91,480.07	121,572.58	95,058.71	1,236,664.09
2012	95,167.78	148,369.86	91,838.57	82,503.41	135,553.33	88,466.64	100,866.26	145,947.79	99,641.01	102,790.11	132,948.43	98,322.36	1,322,415.55
2013	107,709.10	143,195.49	105,784.15	88,965.19	145,011.75	98,267.75	90,289.33	139,977.98	113,390.13	104,213.72	132,697.10	105,473.76	1,374,975.45
2014	109,423.82	146,950.70	109,039.17	102,918.34	167,302.58	125,493.13	110,373.41	163,597.02	118,222.01	109,753.90	157,771.91	122,053.66	1,542,899.65
2015	112,980.13	170,841.91	139,200.82	102,727.02	173,026.91	122,500.21	111,571.34	166,515.67	129,490.66	114,554.55	164,068.15	129,699.30	1,637,176.67
2016	132,230.41	166,783.36	131,083.65	115,346.85	186,580.07	122,324.58	129,187.58	176,357.93	133,802.91	136,047.80	163,426.56	168,412.23	1,761,583.93
2017	156,610.75	194,538.95	153,160.73	140,372.46	196,850.16	142,421.16	168,896.18	216,209.79	149,542.24	177,762.62	200,251.98	197,068.12	2,093,685.14
2018	181,952.80	224,120.84	185,993.05	191,696.42	267,407.37	167,973.81	163,919.21	266,485.88	181,091.05	184,545.67	235,651.47	193,730.95	2,444,568.52
2019	196,464.53	235,203.60	192,948.32	207,137.16	270,483.62	185,927.63	193,939.64	257,474.93	196,161.48	202,847.24	231,860.45	218,706.25	2,589,154.85
2020	227,002.82	255,798.14	215,864.02	212,280.08	336,810.35	211,782.52	201,303.77	0.00	0.00	0.00	0.00	0.00	1,660,841.70

BUDGET CALENDAR 2020-2021

Date	Creation of Budget
4/30	Preliminary Tax Roll no later than 4/30
X/X	CAPITAL PROJECTS - FIVE YEAR PLAN
	City Manager, City Engineer and required staff, meet to discuss additions, deletions, and re-configuring Capital Projects for the upcoming 5 year period. Council reviews CIP Plan.
5/5	BUDGET CREATION BEGINS
	City Manager gives direction for the budget year at the Department Head meeting. Department Heads begin work on their departmental budgets. HR begins work on Proposed PD & FD Step Charts and Proposed Salary Schedule. If needed, HR proposes changes to Titles, Promotions & Pay Adjustments. If needed, Department heads also prepare New Personnel Requests and Capital Outlay Requests.
6/1	COUNCIL BUDGET EXPECTATIONS
	Council gives budget direction to City Manager for upcoming budget year.
6/9	DEADLINE FOR BUDGET REQUESTS
	In advance to reviewing department budgets, City Manager reviews proposed PD & FD Step Charts and Salary Schedule for use in departmental budgets. City Manager reviews any proposed changes to Titles, Promotions, & Pay Adjustments to be included in Proposed Budget. City Manager reviews with Department Heads individually, their proposed budgets including Personnel Requests and Capital Outlay Requests. City Manager and Finance Director review Revenue estimates and Debt budgets. The department reviews include General Fund, Utility Fund and Drainage Fund. The Master Fee List is reviewed for changes proposed by Department Heads.
6/16	DEADLINE FOR REVIEW WITH CITY MANAGER
	After final review the City Manager has a Proposed Budget to present at City Council's Budget Workshop(s). The Proposed Budget includes a Statement regarding the Financial Condition of the City, Tax Information, Debt Information, Reserves, Capital Expenditures with provisions for financing, if needed, a Five Year List of Capital Projects and Personnel Information including Staffing by Fund and Department, PD & FD Step Charts, & Salary Schedule.
7/6, 7/13 & 7/20	COUNCIL MEETINGS - BUDGET WORKSHOPS
	City Council's Budget Workshop. City Manager present his Proposed Budget for council discussion. City Council makes changes to Proposed Budget, if any, in preparation for Record Vote.
BUDGET AND TAX RATE ADOPTION PROCESS BEGINS	
7/25	CERTIFIED TAX VALUES DEADLINE
	Deadline to receive Certified Tax Values from Appraisal District.
7/25 thru 8/7	TAX ASSESSOR CALCULATES CERTIFIED RATES
	Tax Assessor, upon request, 2-4 weeks, calculates No New Revenue (effective), Voter Approval (rollback), I&S (debt) and No New Revenue M&O (operations) Rates. TNT website is used to post the calculations.
7/27	PUBLISH Required BUDGET NOTICE
	* "Notice of Public Hearing" in paper (Budget Notice). Per Charter, must publish 15 days prior to public hearing on budget. * "Notice of Public Hearing" on website (Budget Notice).
8/1	Proposed Budget available for public view in City Secretary's office and on website by August 1st per Charter.
8/3	COUNCIL MEETING- TAKE RECORD VOTE
	* Council takes record vote on tax rate AND * Announces date and place for public hearing on the Proposed Budget. (8/10)
8/7	TAX ASSESSOR will publish Required TAX NOTICE
ck on this date	* Tax Assessor shall submit rates to governing body. * "Notice of 2020 Tax Year Proposed Property Tax Rate for the City of Hewitt" (published by Tax Assessor). Hearing at least 5 days from from the publishing. Only publish once. * Publish on Website "Notice of 2020 Tax Year Proposed Property Tax Rate for the City of Hewitt."
8/7	Appraisal District mails website postcards.
8/10	COUNCIL MEETING - PUBLIC HEARING ON BUDGET & TAX RATE
	* Public Hearing on the Budget. * Public Hearing on Tax Rate (At least 5 days from published Tax Notice.) * Announce date for Council to vote on Budget and Tax Rate. (8/17)
8/17	COUNCIL MEETING-ADOPT TAX RATE & BUDGET
	* Ordinance accepting & approving Tax Roll. * Ordinance Levying a tax rate; special wording on increase in M&O tax revenue and \$\$ on \$100k home. * Ordinance adopting revised Master Fee Schedule. * Ordinance adopting and appropriating Budgets.
8/17	Council signs paperwork from Tax Assessor setting rates.
8/18	Web Publishing of Adopted Budget.
10/1	Budget becomes effective.

Calendar for May 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Calendar for June 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Calendar for July 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Calendar for August 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

6, 13 & 20	- Council-June Budget Workshop(s)
25	- Receive Certified Tax Roll
27	- Publish Budget Notice by this day
1	- Proposed Budget ready for view
3	- Council takes Record Vote setting upper limit to tax rate
7	- Tax Assessor's Final Rates
10	- Council has hearing on budget and tax rate
17	- Council adopts budget and tax rate

NOTE: Council Meeting for Public Hearing on the Budget and Tax Rate can be the same meeting where the Budget and Tax Rate are adopted.

LGC Sec. 102.007 (c) adoption of budget

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: May 4, 2020

AGENDA ITEM #: 7

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Discussion and briefing concerning the Coronavirus (COVID-19) and any actions necessary thereto:

- Declaration of continuation of state of disaster and public health emergency and extension thereof, for ratification by the City Council, through May 15, 2020.
- Consideration and action on **Ordinance No. 2020-08** ratifying the Mayor's continuation of the state of disaster and public health emergency in Hewitt, Texas due to the COVID-19 Pandemic; declaring the existence of a state of disaster and public health emergency in Hewitt, Texas due to the COVID-19 Pandemic; and adopting the substantive provisions of the Order of McLennan County dated April 29, 2020 as the City's regulation.
- Amended and restated Order of the County Judge and Commissioner's Court of McLennan County, Texas directing all individuals living in the County to shelter at their place of residence.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached for your consideration and action are the above documents related to the COVID-19 pandemic. Each item should be voted on separately.

FISCAL IMPACT:

Amount Budgeted – NA

Line Item in Budget – NA

SUGGESTED MOTION:

1) I move to ratify the declaration of continuation of state of disaster and public health emergency extension proclaimed by Mayor Charles D. Turner. 2) I move to approve Ordinance No. 2020-08. 3) I move to adopt the Amended and Restated Order of the County Judge and Commissioner's Court of McLennan County, Texas.

ATTACHMENTS:

Declaration by Mayor Charles D. Turner

Ordinance No. 2020-08

Amended and Restated Order – County Judge and Commissioner's Court

DECLARATION OF CONTINUATION OF STATE OF DISASTER AND PUBLIC HEALTH
EMERGENCY AND EXTENSION THEREOF, FOR RATIFICATION BY THE CITY
COUNCIL, THROUGH MAY 15, 2020

I, Charles D. Turner, Mayor of the City of Hewitt, Texas do hereby PROCLAIM and DECLARE that a state of disaster and public health emergency continues to exist in Hewitt, Texas due to the COVID-19 pandemic.

On my behalf, and on behalf of the City Council, to be ratified by the City Council at its next meeting, I hereby DECLARE that a state of disaster and public health emergency exists in Hewitt, Texas because of the threat of COVID-19 and extend such declaration through May 15, 2020.

PROCLAIMED this 29th day of April, 2020.

Charles D. Turner, Mayor
City of Hewitt, Texas

ORDINANCE NO. 2020-08

ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HEWITT, TEXAS RATIFYING THE MAYOR'S CONTINUATION OF THE STATE OF DISASTER AND PUBLIC HEALTH EMERGENCY IN HEWITT, TEXAS DUE TO THE COVID-19 PANDEMIC; DECLARING THE EXISTENCE OF A STATE OF DISASTER AND PUBLIC HEALTH EMERGENCY IN HEWITT, TEXAS DUE TO THE COVID-19 PANDEMIC; AND ADOPTING THE SUBSTANTIVE PROVISIONS OF THE ORDER OF MCLENNAN COUNTY DATED APRIL 28, 2020 **AS THE CITY'S REGULATIONS.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HEWITT, TEXAS THAT:

1. The COVID-19 pandemic continues to create a worldwide state of emergency;
2. The threat of the spread of COVID-19 in Hewitt, Texas is a real and immediate danger;
3. An initial declaration of a state of disaster and public health emergency was made by the Mayor in March, 2020. That declaration of a state of disaster and public health emergency has been extended thereafter by the City Council on two occasions. Due to the end of the term of the latest extension occurring on April 30, 2020 with the Council meeting set for May 4, 2020; on April 29, 2020 the Mayor Declared and Proclaimed an extension of the state of disaster and public health emergency through May 15, 2020, subject to ratification by this Council.
4. This Council declares that the state of disaster and public health emergency caused by the COVID-19 pandemic still exists in Hewitt, Texas.
5. The declaration and proclamation of the Mayor extending the state of disaster and public health emergency in Hewitt, Texas through May 15, 2020 is hereby RATIFIED and ADOPTED.
6. It is clear that regulations are needed to prevent the spread of COVID-19. The regulations adopted by the City and McLennan County to date, along with the Executive Orders of the Governor, have been effective in blunting the spread of COVID-19.
7. On April 28, 2020 the McLennan County Commissioners Court adopted its new COVID-19 regulations to address changes made by the Governor's Executive Order GA 18.
8. The regulations adopted by McLennan County on April 28, 2020 are attached hereto as Exhibit "A" and incorporated by reference herein. The City Council hereby ADOPTS these regulations as its own regulations for the prevention of the spread of COVID-19 in the City of Hewitt.

PASSED, APPROVED, AND ADOPTED this ____ day of May, 2020.

CITY OF HEWITT, TEXAS

Charles D. Turner, Mayor

Attest:

Lydia Lopez, City Secretary

Approved:

Michael W. Dixon, City Attorney

ORDER OF THE COUNTY JUDGE AND COMMISSIONERS COURT OF
MCLENNAN COUNTY, TEXAS EXTENDING DECLARATION OF DISASTER
AND PUBLIC HEALTH EMERGENCY FOR AND IN MCLENNAN COUNTY,
TEXAS, AND SETTING FORTH REGULATIONS TO PREVENT THE SPREAD
OF COVID-19

WHEREAS, COVID-19 remains a worldwide pandemic; and

WHEREAS, COVID-19 continues to pose a threat to the health of the citizens of McLennan County, Texas; and

WHEREAS, there continues to exist a disaster and public health emergency in McLennan County, Texas; and

WHEREAS, there continues to be a need for regulations to prevent the spread of COVID-19.

BE IT ORDERED BY THE COUNTY JUDGE AND COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS THAT:

1. The foregoing recitals are incorporated herein and made findings of fact.
2. The declaration of the state of disaster and public health emergency in and for McLennan County is extended through May 15, 2020.
3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk. This instrument shall also be posted on the County's webpage.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the County's emergency management plan.
5. All decisions herein are based on medical advice and direction,
6. In compliance with the Governor's Order, all individuals currently living within McLennan County (the "County") may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate or patronize Essential Businesses or Re-Opened Businesses, all as defined in Section 9. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation). To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person (other than persons in the same household) when they are outside their residence.
7. All businesses with a facility in the County, except Essential Businesses and Re-Opened

Businesses as defined below in Section 9, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 9. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent feasible, Essential Businesses and Re-Opened Businesses should comply with Social Distancing Requirements as defined in Section 9 and "Texas Helping Texans: The Governor's Report to Open Texas of April 27, 2020" and as amended by the Governor (hereafter referred to as the "Open Texas Report").

8. People riding on public transit must comply with the Minimum Standard Health Protocols for Retail Customers in the Open Texas Report and Social Distancing Requirements as defined in Section 9 below, to the greatest extent feasible.

9. Definitions and Exemptions.

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities:"

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;

- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;

- iii. To engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, running or riding a bicycle. Except for members of a residence who are sheltering together, the individuals shall comply with Social Distancing Requirements as defined in this Section;

- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; and

- v. To care for a family member or pet in another household.

But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

- b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical, and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid

any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions," as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

f. For the purposes of this Order, "Essential Businesses" means every business listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions.

g. For the purposes of this Order, "Re-Opened Businesses" mean:

i. Retail businesses that are not Essential Businesses may provide retail services through pick up, delivery by mail, or delivery to the customer's door step (effective back to April 24, 2020);

ii. Retail establishments that provide in-store retail services but only at 25 percent of the total listed occupancy of the business;

iii. Restaurants and other facilities that prepare and serve food for dine-in restaurant services but only at 25 percent of the total listed occupancy of the restaurant, provided that:

a. This only applies to restaurants that have less than 51 percent of their gross

- receipts from the sale of alcoholic beverages and therefore are not required by the Texas Alcoholic Beverage Commission to post the 51 percent sign;
- b. Valet services are prohibited except for those vehicles with placards/plated for disabled parking;
 - iv. Movie theaters but only at 25 percent of the total listed occupancy for any individual theater for any screening;
 - v. Shopping malls but only at 25 percent of the total listed occupancy of the shopping mall, provided, however, that within the shopping malls, the food-court dining areas, play areas, and interactive displays and settings shall remain closed;
 - vi. Museums and libraries but only at 25 percent of the total listed occupancy, provided that any interactive components or functions, such as child play areas, shall remain closed;
 - vii. Individuals working alone in an office;
 - viii. Golf course operations; and
 - ix. Such additional businesses as may be enumerated by future orders or proclamations of the Governor.

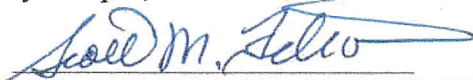
For Re-Opened Businesses, the businesses should comply with the Social Distancing Requirements of this section and the Minimum Standard Health Protocols in the Open Texas Report. **For Reopened Services having a 25% occupancy restriction, it is the business owner and/or operator's obligation and duty to assure that the occupancy restriction is not exceeded. Failure to do so is a violation of this Order.**

- h. For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions; and
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
 - j. For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.
 - k. For purposes of this Order, "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
10. Businesses except for Essential Businesses and Re-Opened Businesses shall remain closed except for maintaining Minimum Basic Operations as defined herein.
11. When people need to leave their places of residence, whether to obtain or perform vital

services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 9 above.

12. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
13. That a violation of this order shall be a Class C misdemeanor and the penalty for violating this Resolution shall be a fine of not less than one dollar (\$1.00) and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.
14. That any violation of this resolution can be enjoined by a suit filed in the name of the County in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this Order and state law.
15. That nothing in this Order shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this resolution.
16. All provisions of this Order should be interpreted to effectuate this intent.
17. That the terms and provisions of this resolution shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this resolution shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this resolution and the remainder of such resolution shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.
18. That this resolution is effective at 12:01 a.m. on Friday, May 1, 2020 except as specifically noted herein as being currently effective.

ORDERED BY THE COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS
AND ITS COUNTY JUDGE on this the 28th day of April, 2020.


SCOTT M. FELTON, COUNTY JUDGE
MCLENNAN COUNTY, TEXAS

ATTEST:


McLennan County Clerk
or Designated Deputy Clerk