

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

November 2, 2020

Regular Meeting – 7:00 PM

Hewitt Public Safety Facility, 100 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. Bancale – 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 Manager

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 **2nd day of November, 2020, at 7:00 PM** in **Hewitt Public Safety Facility, Training Room, 100 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 of Hewitt Facebook page.

Citizens who wish to address the Council may submit written comments on any 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 October 19, 2020.
5. Public hearing and action on an **Ordinance No. 2020-19** changing the Land Use designation of a portion of property as shown on a map labeled “Exhibit A” depicting Zone 2 known as Lot 10 Block 1 located in the 700 Block of Alliance Parkway from Industrial to High Density Residential.
6. Public hearing and action on an **Ordinance No. 2020-20** changing the Zoning designation of a portion of property as shown on a map labeled “Exhibit A” depicting Zone 2 known as Lot 10 Block 1 located in the 700 Block of Alliance Parkway from B-P Business Park to R-4 Multi-family High Density.
7. Consider award of bid for 2020 – Warren Park Improvements to Waco Paving, Inc., to include all the additive alternates for a total combined price of \$134,428.55 with approval of a 10% contingency (10% of the awarded contract amount) to be used at the discretion of the City Manager, in the event of any unforeseen obstacles being encountered during construction.
8. Briefing and discussion concerning Charter Review Committee.
9. Discussion and briefing concerning the Coronavirus (COVID-19) and any actions necessary thereto.
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 3:15 AM/PM on 10-28-2020.

CITY OF HEWITT

A handwritten signature in blue ink, appearing to read 'Lydia Lopez', followed by the word 'FOR' in blue ink.

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 the public health crisis (COVID-19) and social distancing guidelines, all City Council Meetings, will not be opened to the public; however, the meetings will be streamed live on the City of Hewitt's Facebook page.

Citizens who wish to address the Council on any item on the agenda or under this hearing of visitors, 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 into the record during the meeting.

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: November 2, 2020

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Regular Meeting of October 19, 2020.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copy 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 PUBLIC SAFETY FACILITY – 100 PATRIOT COURT
October 19, 2020 – 7:00 PM**

Attendee Name	Title	Absent	Present	Arrived
Charles D. Turner	Mayor, Ward 1	☒	☐	
Wilbert “Walky” Wachtendorf (presiding)	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	☐	☒	

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
Fire Chief Lance Bracco
Police Chief Jim Devlin
Miles Whitney, City Engineer
Mike Dixon, City Attorney

Note: The meeting was streamed live for view by the public on the City of Hewitt Facebook page. Citizens had the opportunity to submit written comments online.

REGULAR MEETING – 7:00 PM

- 1. CALL MEETING TO ORDER.** Mayor Pro Tem Wilbert “Walky” Wachtendorf called the meeting to order at 7:00 PM. He noted the meeting was being held in the Public Safety Facility as the Council Chambers was being utilized for early voting in the Joint General Election – November 3, 2020.
- 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Pro Tem Wilbert “Walky” Wachtendorf asked 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 via the city’s website. **No public comment forms were submitted via the city’s website.**

4. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL REGULAR MEETING OF OCTOBER 5, 2020.**
MOTION: Council Member Steve Fortenberry moved approval of the minutes as presented but allow for corrections.
SECOND: Council Member Bill Fuller
AYES: Fuller, Bancale, Fortenberry, Bruce, and Wachtendorf
NAYES: None
ABSENT: Turner
MOTION PASSED.
5. **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
6. **PUBLIC HEARING AND ACTION ON AN ORDINANCE NO. 2020-19 CHANGING THE LAND USE DESIGNATION OF PROPERTY KNOWN AS LOT 10 BLOCK 1 LOCATED IN THE 700 BLOCK OF ALLIANCE PARKWAY FROM INDUSTRIAL TO HIGH DENSITY RESIDENTIAL.** Mayor Pro Tem Wilbert “Walky” Wachtendorf opened the hearing and asked the City Secretary if any public comments cards were received on this hearing. City Secretary Lydia Lopez responded that no public comments were received online. Mayor Pro Tem Wachtendorf called for those wishing to speak in favor. He called for those wishing to speak against. No one appeared for or against. The public hearing was closed. General discussion was held concerning the legal description of the property (lot and block) as provided in the backup. The consensus was to bring the item back at the next Council meeting for action after the property description could be verified and agenda language be amended. No action was taken on this item or the subsequent item below.
7. **PUBLIC HEARING AND ACTION ON AN ORDINANCE NO. 2020-20 CHANGING THE ZONING DESIGNATION OF A PORTION OF PROPERTY KNOWN AS LOT 10 BLOCK 1 LOCATED IN THE 700 BLOCK OF ALLIANCE PARKWAY FROM B-P BUSINESS PARK TO R-4 MULTI-FAMILY HIGH DENSITY.** No action was taken. Item will be placed on the next agenda.
8. **CONSIDER AWARD OF BID FOR 2020 – RITCHIE ROAD STREET IMPROVEMENTS TO WACO PAVING, INC., IN THE AMOUNT OF \$759,266.95.**
MOTION: Council Member Steve Fortenberry moved approval of the bid for 2020 - Ritchie Road Improvements to Waco Paving Inc., in the amount of \$759,266.95.
SECOND: Council Member Michael Bancale
AYES: Fuller, Bancale, Fortenberry, Bruce, and Wachtendorf
NAYES: None
ABSENT: Turner
MOTION PASSED.

9. **RATIFY EXPENDITURES FOR REPAIRS TO PUMP AND MOTOR #1 AT LIFT STATION 2-2 TO SMITH PUMP COMPANY IN THE AMOUNT OF \$3,235.**
City Manager Bo Thomas presented.
MOTION: Council Member Michael Bancale moved to ratify the expenditures associated with repairs to Pump #1 at Lift Station 2-2 in the amount of \$3,235.
SECOND: Council Member Bill Fuller
AYES: Fuller, Bancale, Fortenberry, Bruce, and Wachtendorf
NAYES: None
ABSENT: Turner
MOTION PASSED.
10. **BRIEFING AND DISCUSSION CONCERNING FINANCIAL STATEMENTS ENDING SEPTEMBER 30, 2020.** City Manager Bo Thomas advised that Finance Director Lee Garcia previously sent the September Financial Statements electronically on October 12, 2020, and inquired if Council had any questions. There were no questions or concerns raised. No action required.
11. **CONSIDERATION AND ACTION ON APPROVAL OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2020.**
City Manager Bo Thomas presented a summary of report prepared by Valley View Consulting, L.L.C.
MOTION: Council Member Michael Bancale moved to approval of the Quarterly Investment Report ending September 30, 2020.
SECOND: Council Member Erica Bruce
AYES: Fuller, Bancale, Fortenberry, Bruce, and Wachtendorf
NAYES: None
ABSENT: Turner
MOTION PASSED.
12. **DISCUSSION AND BRIEFING CONCERNING THE CORONAVIRUS (COVID-19) AND ANY ACTIONS NECESSARY THERETO.** City Manager Bo Thomas presented and advised that the order will be extended to November 3, 2020.
MOTION: Council Member Steve Fortenberry moved to approve the Order dated October 20, 2020.
SECOND: Council Member Erica Bruce
AYES: Fuller, Bancale, Fortenberry, Bruce, and Wachtendorf
NAYES: None
ABSENT: Turner
MOTION PASSED.

Mayor Pro Tem Wachtendorf recessed the Regular Meeting to convene the following Executive Session at 7:30 PM.

13. **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).

Mayor Pro Tem Wachtendorf reconvened the Regular Meeting and called for a motion to adjourn the Executive Session.

MOTION: Council Member Bill Fuller move to adjourn the Executive Session at 8:30 PM.

SECOND: Council Member Steve Fortenberry

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

NAYES: None

ABSENT: Turner

MOTION PASSED.

14. **ADJOURN.**

MOTION: Council Member Bill Fuller move to adjourn at 8:31 PM.

SECOND: Council Member Steve Fortenberry

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

NAYES: None

ABSENT: Turner

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Charles D. Turner, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 2, 2020

AGENDA ITEM #: 5

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an **Ordinance No. 2020-19** changing the Land Use designation of a portion of property as shown on a map labeled "Exhibit A" depicting Zone 2 known as Lot 10, Block 1 located in the 700 Block of Alliance Parkway from Industrial to High Density Residential.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Brad Gebhard submitted a request to change the land use designation on property located in the 700 block of Alliance Parkway known as Commerce Park @ IH-35 Hewitt Addition (see attached plan). This is a tract of land located on the north side of Alliance adjacent to Fed-Ex. Mr. Gebhard is requesting the land use change from Industrial to High Density Residential.

The Planning and Zoning Commission met on Tuesday, October 6, 2020, 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 is included in the backup material. Staff recommends approval of this request.

FISCAL IMPACT:

Amount Budgeted – N/A
Line Item in Budget – N/A

SUGGESTED MOTION:

I move to approve Ordinance No. 2020-19 to change the Comprehensive Future Land Use Map of a portion of property as shown on a map labeled "Exhibit A" depicting Zone 2 on Lot 10, Block 1 located in the 700 Block of Alliance Parkway, also known as Lot 10, Block 1 Commerce Park @ I-35 Hewitt Addition, from Industrial to High Density Residential.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft Ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION

October 6, 2020 – 6:00PM

Members Present: Chairman Walt Peterson, Travis Bailey, Bobby Drake, Michael Hix,
Paul Lasater

Members Absent: All Present

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 August 4, 2020 Planning and Zoning Commission regular meeting.** *A motion was made by Michael Hix, seconded by Paul Lasater, to approve the minutes as submitted but allow for corrections. All five in favor, motion passed.*
3. **Public Hearing:** *Public Hearing is opened at 6:01PM.*
 - a. **Consider a request of Brad Gebhard to change the Comprehensive Future Land Use Map for property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from General Commercial Vacant Land to Multi-Family High Density.** *No one spoke on this as this is just a necessary step to do in order to change the zoning since the Land Use Map does not currently show this zoning to be compliant with Multi-Family zoning.*
 - b. **Consider a request of Brad Gebhard to rezone property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from B-P Business Park to R-4 Multi-Family.** *Speaking in favor: Mark Majors, residing at 9101 Cherry Creek Place, Woodway, Texas. Mr. Majors works for Reid Peevey Real Estate and is representing Mr. Gebhard. They are wanting to build an apartment complex in this area, something similar to what we see with the Icon Hewitt. Raynor Campbell, residing at 325 Elm Grove Circle, McGregor, Texas. Mr. Campbell states that he is supporting this project. Public Hearing closed at 6:05PM.*

4. Discussion and possible action:

- a. **Consider a request of Brad Gebhard to change the Comprehensive Future Land Use Map for property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from General Commercial Vacant Land to Multi-Family High Density.** *Travis Bailey asked approximately how many units will be at the proposed apartments, Mr. Majors responded that there will be about 200 units. Walt Peterson asked if the company thinks there will be any issues leasing the apartments since they are close to the interstate. Mr. Majors responded he does not believe there will be any issues with this. A motion was made by Mike Hix, seconded by Bobby Drake, to recommend approval of this request. All five in favor, motion to go before City Council on October 19, 2020.*
- b. **Consider a request of Brad Gebhard to rezone property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from B-P Business Park to R-4 Multi-Family.** *A motion was made by Paul Lasater, seconded by Travis Bailey, to recommend approval of this request. All five in favor, motion to go before City Council on October 19, 2020.*
- c. **Discussion, consideration, action if any: The Final Plat of Stoneridge II Addition, Phase 12.** *Miles Whitney, City Engineer, states that both the final plat and construction plans have been reviewed and approved by him and the City. A motion was made by Paul Lasater, seconded by Travis Bailey, to approve the Final Plat of Stoneridge II Addition, Phase 12. All five in favor, motion passed.*

- 5. Adjourn.** *A motion was made by Michael Hix, seconded by Paul Lasater, to adjourn the meeting at 6:12PM. All five in favor, motion passed, meeting adjourned.*

Chairman

Date Approved

Brittney Cantu, City of Hewitt Zoning Secretary



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, October 6, 2020 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 August 4, 2020 Planning and Zoning Commission regular meeting.
3. **Public Hearing:**
 - a. Consider a request of Brad Gebhard to change the Comprehensive Future Land Use Map for property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from General Commercial Vacant Land to Multi-Family High Density.
 - b. Consider a request of Brad Gebhard to rezone property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from B-P Business Park to R-4 Multi-Family.
4. Discussion and possible action:
 - a. Consider a request of Brad Gebhard to change the Comprehensive Future Land Use Map for property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from General Commercial Vacant Land to Multi-Family High Density.
 - b. Consider a request of Brad Gebhard to rezone property located at S IH 35, otherwise known as Commerce Park @ I-35 Hewitt Lot 10, Block 1, from B-P Business Park to R-4 Multi-Family.
5. Discussion, consideration, action if any: The Final Plat of Stoneridge II Addition, Phase 12.
6. Adjourn.

In accordance with social distancing guidelines, the Planning & Zoning meeting will not be open to the public.

There will be an opportunity for the public to submit written comments on items listed on the agenda. 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.

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 October 2, 2020.

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

ZONING AND SPECIAL PERMIT APPLICATION

Case: Applicant: **Bryan Properties Management Company LLC** Date: **July 31, 2020**

Property Address: **S IH 35 Hewitt, TX 76643**

Legal Description: (Submit certified field notes, if not subdivided with lot and block description)

Lot(s): **10** Block: **1** Addition: **Commerce Park @ I-35 Hewitt**

Ownership (Deed): Doc. #/MCC #: **361676**

Existing Property Use: **General Comm Vacant Land** Proposed Property Use: **Multi-Family**

Existing Zoning: **B-P** Proposed Zoning: **R-4**

Existing Special Permit: Proposed Special Permit:

Site Plan. All applications for special permits must be accompanied by development plans that includes a site plan, parking layout, existing and proposed utilities, topographic map, building plans, and other information about surrounding property developments as required by Part 4 of the Zoning Ordinance.

Please provide the proposed meeting date for this application to be considered (see Meeting Schedule): **September 1, 2020**

The Application must be completed along with the following required 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.
2. 1 PDF and 1 hard copy of plat in State Plane Coordinates NAD 83.
3. Submit 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 no later than 5:00 PM on the deadline date (see Meeting Schedule).

I attest that the above information is true and correct to the best of my knowledge. That I am now or will be fully prepared to present the above proposal at the Planning & 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 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 & 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 of the Planning & Zoning Commission hearing 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: **Curt Liles**

Phone No: **254-717-4143**

Mailing Address: **PO Box 20545** City: **Waco** State: **Texas**

Email Address: **cliles@hotmail.com**

Signature of Property Owner: _____

DocuSigned by:

Curt Liles

32A48A393F55436...

Date: **7/31/2020**

Name of Applicant/Representative: **Brad Gebhard**

Phone No: **417-860-9651**

Mailing Address: **519 E. Walnut** City: **Springfield**

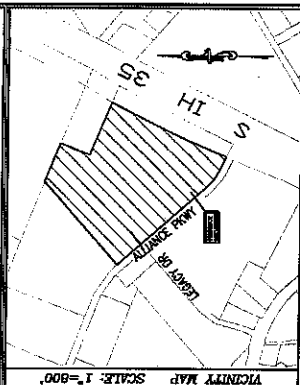
State: **Missouri**

Email Address: **brad@bryan-properties.net**

Signature of Applicant/Representative: _____

FINAL PLAT
 LOTS 16 THROUGH 20, BLOCK 1, COMMERCE PARK ● 1-36 HEWITT ADDITION,
 TO THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, BEING A RESUBDIVISION
 OF LOT 10, BLOCK 1 OF THE COMMERCE PARK ● 1-36 HEWITT ADDITION, TO THE
 CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF SAID ADDITION
 RECORDED UNDER MCLENNAN COUNTY CLERK'S FILE NUMBER 801014667 OF
 THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS.

CARLOS O'CAMPO GRANT
ABSTRACT NO. 38
MCLENNAN COUNTY, TEXAS

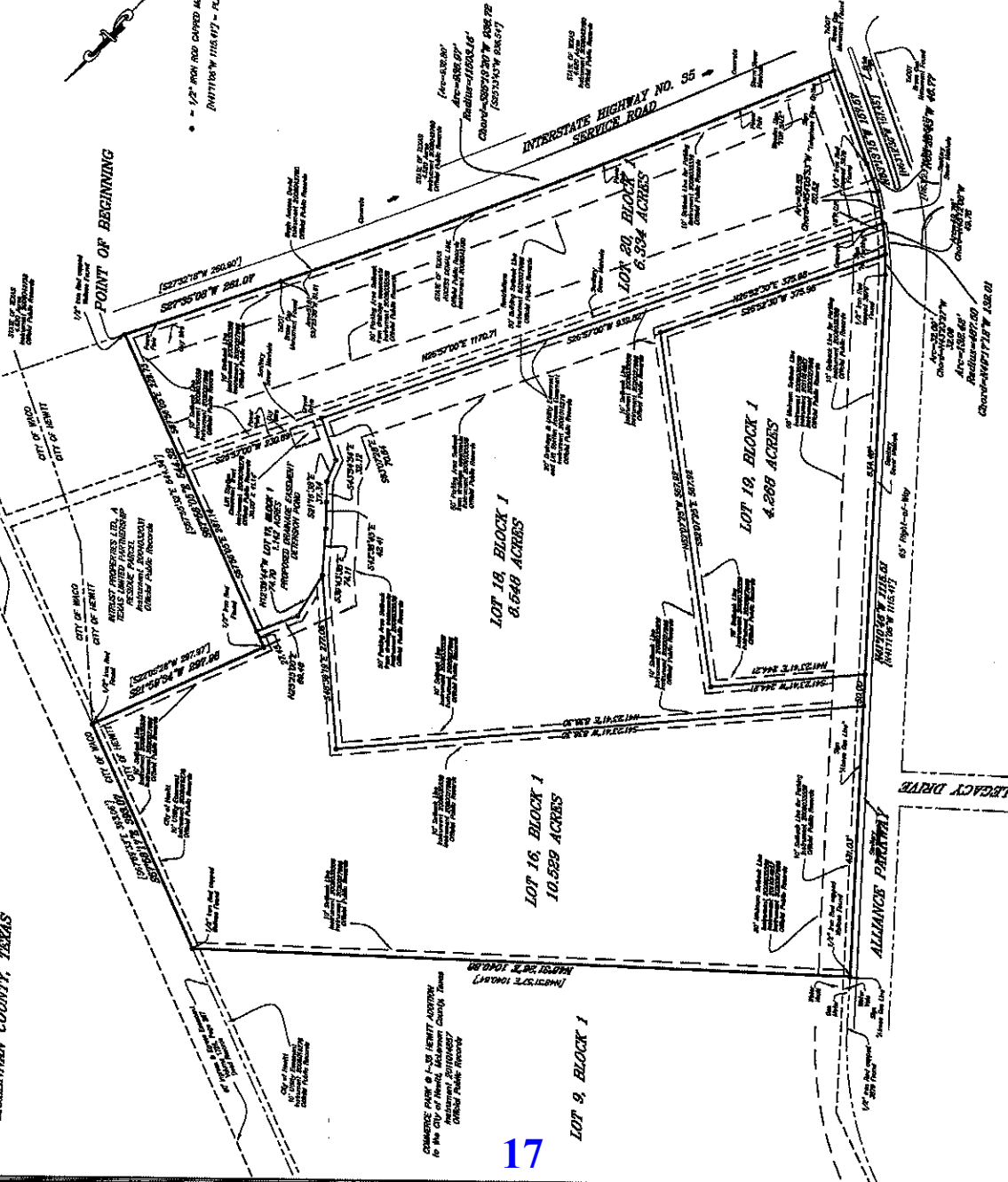


BASED UPON WHAT CAN BE SOILED FROM THE GRAPHICS SHOWN ON
FEDERAL INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO.
43300003390, DATED SEPTEMBER 28, 2006, THE PROPERTY SHOWN
ON THIS PLAN APPEARS TO BE SITUATED IN ZONE "X" UNDER "OTHER
AREAS" ZONE "X" IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE
THE 0.2% ANNUAL CHANCE FLOODPLAIN". THIS FLOOD STATEMENT
DOES NOT IMPLY THAT THIS TRACT WILL NEVER FLOOD, NOR DOES IT
CREATE ANY LIABILITY ON THE PART OF THIS
SURVEYOR OR THIS COMPANY.

WATER PROVIDED BY: THE CITY OF HEWITT
ELECTRIC SERVICE PROVIDED BY: TXU
SEWER PROVIDED BY: THE CITY OF HEWITT
SCHOOL DISTRICT: MIDWAY ISD



1 - 1/2" IRON ROD CAPPED AREA PLACED UNLESS OTHERWISE STATED
DRAWINGS BY 1115.417 - PLATTED RECORD CANT



COMMERCE PARK @ 1-38 HENITT ADDITION
to the City of Newid, Midwestern County, Texas
Instrument: 2011014257
Official Public Records

17

LOT 9, BLOCK 1

30.82 ACRES
CITY OF HEWITT, MCLENNAN COUNTY, TEXAS
DATE OF PLAT: September 4, 2020

COUNTY CLERK'S FILE NUMBER

SURVEYORS RED SEAL

"KNOW ALL MEN BY THESE PRESENTS"

"KNOW ALL MEN BY THESE PRESENTS:

That I, Robert E. Mitchell, do hereby certify that I made an actual and accurate survey of the platted land and that the corner monuments shown on the foregoing plat were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Heald, Texas.

Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document.

Robert E. Mitchell RPLB, NO. 580T

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
6500 Austin Ave., Ste. 29, Waco Texas (254) 776-5151
T. B. P. L. S. FIRM REGISTRATION NO. 10194044

Sheet: **1 of 1**

0	120	240	DATE	5-18
SCALE			ADDRESS: ALLIANCE	
			WORK ORDER NO.	3876
			DRAWN BY	
			DIGITAL FILE	3876.dwg
			FIELDBOOK/2/C	TM05 - 101-31

heet: **1 of 1**

APPLICATION REVIEW

Z-2020-6

CASE #: Z-2020-6

NOTICES: 15 mailed; returned,

HEARING DATE: September 1, 2020

PROPERTY ADDRESS: Alliance Prky

LEGAL DESCRIPTION: Lot 10 Block 1 Commerce Park@ I-35 Hewitt Addition

APPLICANT: Bryan Properties Management Company LLC

MAILING ADDRESS: 519 E. Walnut, Springfield, Missouri

Comprehensive Plan Future Land Use Plan Staff Review

The City of Hewitt adopted “Comprehensive Plan 2022” A Comprehensive Plan for the City of Hewitt, Texas, under Ordinance No. 2003-04-21 on April 21, 2003. When a zoning change is received, the City evaluates it to determine whether it is consistent with the Comprehensive Plan. This evaluation will be based on the goals and objectives and policies of the plan, as well as the land use categories depicted on the Future Land Use Map. A zoning change proposal has been submitted by the applicant that is not consistent with the Comprehensive Plan. The City may consider to uphold the current land use category or a change in the plan’s Future Land Use Map.

LAND USE DESIGNATION REQUEST: GENERAL COMMERCIAL and INDUSTRIAL to RESIDENTIAL

The applicant is requesting a land use designation change from Industrial to High Density Residential

ZONING:

The applicant requests a zone change from **B-P Business Park** to **R-4 Multi-family High Density**

SUMMARY DESCRIPTION OF USES IN R-4: The High density multiple-family zoning is primarily intended as the appropriate designation for lands suitable for higher impact development and higher volume traffic, while serving the residential needs for higher density living quarters.

PLANNING & COMMUNITY DEVELOPMENT REVIEW

NEIGHBORHOOD CHARACTER:

The neighborhood is generally characterized as an area of commercial uses. The majority of the surrounding properties are commercial based.

STAFF RECOMMENDATION

ZONING:

Planning Services recommends **approval** of these requests to change the Land Use from Industrial to High Density Residential and change the zoning from **B-P to R-4** based on the following findings:

- 1) The proposed zoning is in keeping with the land use component of the Comprehensive Plan.
- 2) The public infrastructure is adequate to provide for uses allowed in R-4 zoning district.
- 3) The property meets all the size and width requirements for R-4 zoning.
- 4) The property is located along Alliance PRKY. and is currently vacant.

TRAFFIC DATA

1. Description of the adjacent street system:

Road	Classification	# of Lanes	Avg. Daily Traffic
Alliance	Arterial	2	data not available

Estimated increase in traffic on adjacent streets at full build out:

Immediate: none

Future: none

3. Will the development's impact be of sufficient magnitude to require mitigation for:
 - a) Access problems: no
 - b) Increased traffic congestion: no
 - c) Pedestrian traffic: no
 - d) Visibility problems: no

4. Traffic Department comments and recommendations:

No significant traffic impact anticipated.

PUBLIC WORKS DATA

1. Street condition: Good X Acceptable Needs Reconstruction
2. Street width: Existing: ROW 65' Pavement 45'
Required: ROW 65' Pavement 45'
3. Curb and Gutter:
Does not apply Needs to be installed Exists X Needs Reconstruction
4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.
5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
6. Sewer is available to the property.
7. Public Works comments and recommendations:
The property is served with public water and there has been no damage reported.

INSPECTION DEPARTMENT REVIEW

Comments

None

FIRE DEPARTMENT REVIEW:

Anticipated Fire Response Time:

Is the Fire Response Time Adequate?: (Y) Yes (N) No

Fire Department Comments and Recommendations:

MCLENNAN COUNTY HEALTH DISTRICT REVIEW

Inspection/Permit Required N (Y) Yes (N) No

Date of Inspection: None

Comments

POLICE DEPARTMENT REVIEW

Comments None

PROPERTY OWNERS LIST

Applicant: Brad Gebhard, Bryan Properties Management Company LLC

Owner: Curt Liles

APPLICATION REVIEW

Z-2020-6

CASE #: Z-2020-6

NOTICES: 15 mailed; returned,

HEARING DATE: September 1, 2020

PROPERTY ADDRESS: Alliance Prky

LEGAL DESCRIPTION: Lot 10 Block 1 Commerce Park@ I-35 Hewitt Addition

APPLICANT: Bryan Properties Management Company LLC

MAILING ADDRESS: 519 E. Walnut, Springfield, Missouri

Comprehensive Plan Future Land Use Plan Staff Review

The City of Hewitt adopted “Comprehensive Plan 2022” A Comprehensive Plan for the City of Hewitt, Texas, under Ordinance No. 2003-04-21 on April 21, 2003. When a zoning change is received, the City evaluates it to determine whether it is consistent with the Comprehensive Plan. This evaluation will be based on the goals and objectives and policies of the plan, as well as the land use categories depicted on the Future Land Use Map. A zoning change proposal has been submitted by the applicant that is not consistent with the Comprehensive Plan. The City may consider to uphold the current land use category or a change in the plan’s Future Land Use Map.

LAND USE DESIGNATION REQUEST: GENERAL COMMERCIAL and INDUSTRIAL to RESIDENTIAL

The applicant is requesting a land use designation change from Industrial to High Density Residential

ZONING:

The applicant requests a zone change from **B-P Business Park** to **R-4 Multi-family High Density**

SUMMARY DESCRIPTION OF USES IN R-4: The High density multiple-family zoning is primarily intended as the appropriate designation for lands suitable for higher impact development and higher volume traffic, while serving the residential needs for higher density living quarters.

PLANNING & COMMUNITY DEVELOPMENT REVIEW

NEIGHBORHOOD CHARACTER:

The neighborhood is generally characterized as an area of commercial uses. The majority of the surrounding properties are commercial based.

STAFF RECOMMENDATION

ZONING:

Planning Services recommends **approval** of these requests to change the Land Use from Industrial to High Density Residential and change the zoning from **B-P to R-4** based on the following findings:

- 1) The proposed zoning is in keeping with the land use component of the Comprehensive Plan.
- 2) The public infrastructure is adequate to provide for uses allowed in R-4 zoning district.
- 3) The property meets all the size and width requirements for R-4 zoning.
- 4) The property is located along Alliance PRKY. and is currently vacant.

TRAFFIC DATA

1. Description of the adjacent street system:

Road	Classification	# of Lanes	Avg. Daily Traffic
Alliance	Arterial	2	data not available

Estimated increase in traffic on adjacent streets at full build out:

Immediate: none

Future: none

3. Will the development's impact be of sufficient magnitude to require mitigation for:
 - a) Access problems: no
 - b) Increased traffic congestion: no
 - c) Pedestrian traffic: no
 - d) Visibility problems: no

4. Traffic Department comments and recommendations:

No significant traffic impact anticipated.

PUBLIC WORKS DATA

1. Street condition: Good X Acceptable Needs Reconstruction
2. Street width: Existing: ROW 65' Pavement 45'
Required: ROW 65' Pavement 45'
3. Curb and Gutter:
Does not apply Needs to be installed Exists X Needs Reconstruction
4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.
5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
6. Sewer is available to the property.
7. Public Works comments and recommendations:
The property is served with public water and there has been no damage reported.

INSPECTION DEPARTMENT REVIEW

Comments

None

FIRE DEPARTMENT REVIEW:

Anticipated Fire Response Time:

Is the Fire Response Time Adequate?: (Y) Yes (N) No

Fire Department Comments and Recommendations:

MCLENNAN COUNTY HEALTH DISTRICT REVIEW

Inspection/Permit Required N (Y) Yes (N) No

Date of Inspection: None

Comments

POLICE DEPARTMENT REVIEW

Comments None

PROPERTY OWNERS LIST

Applicant: Brad Gebhard, Bryan Properties Management Company LLC

Owner: Curt Liles

ORDINANCE NO. 2020-19

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 INDUSTRIAL TO HIGH 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 Brad Gebhard to rezone property known as a portion of Lot 10, Block 1 Commerce Park @ I-35 Hewitt Addition as shown in attached “Exhibit A” as Zone 2 located in the 700 block of Alliance Parkway from **Industrial to High 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 October 19, 2020, 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 October 6, 2020, 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 a portion of Lot 10 Block 1 located in the 700 block of Alliance Parkway, Hewitt, McLennan County, Texas, from **Industrial to High Density Residential**.

SECTION TWO. A proposed map of area is shown in Exhibit “A” as Zone 2.

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 2nd day of November, 2020, at a Regular Meeting of the City Council of the City of Hewitt, Texas.

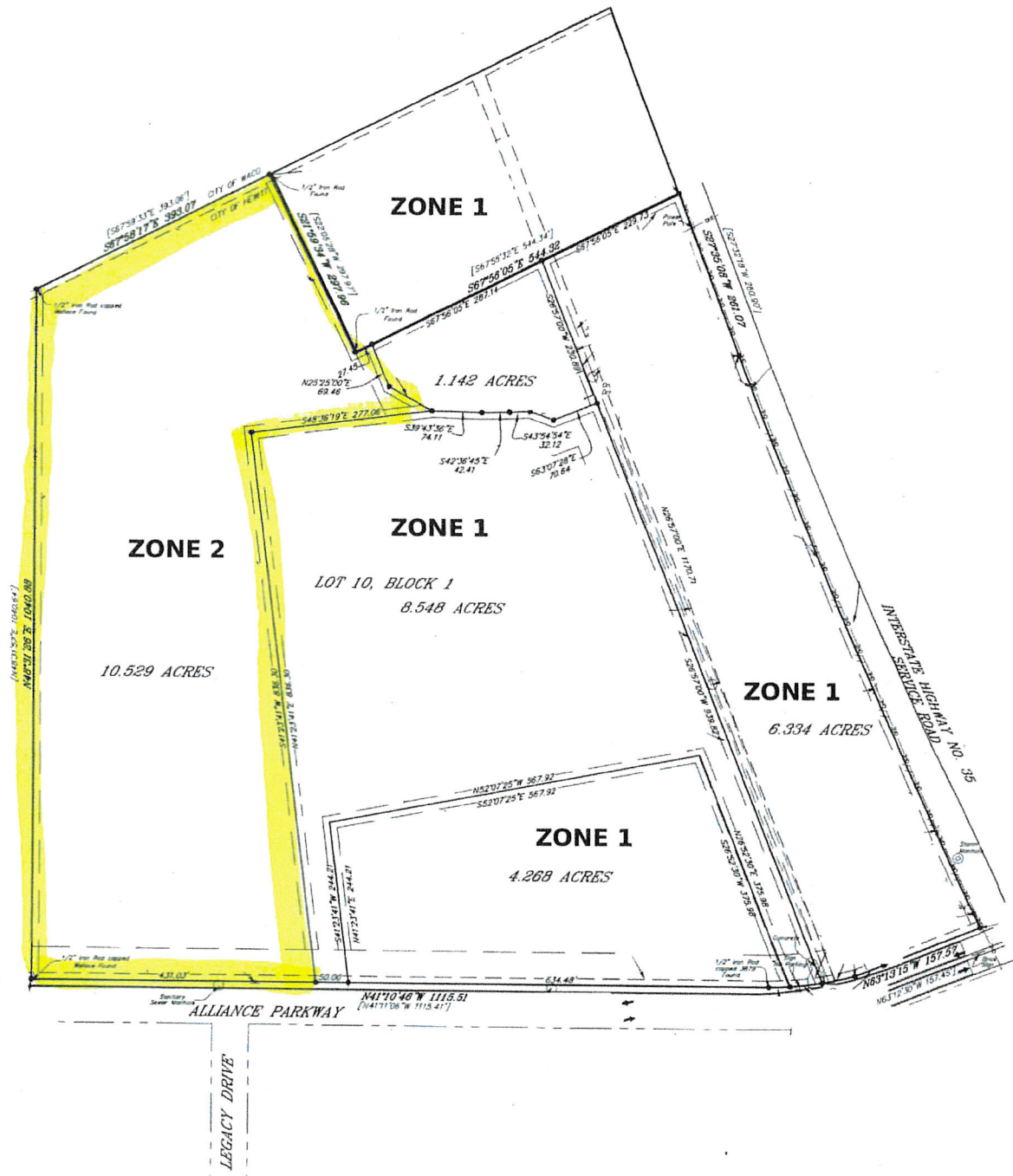
CITY OF HEWITT

BY: _____
Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, City Secretary

Exhibit A





COUNCIL AGENDA ITEM FORM

MEETING DATE: November 2, 2020

AGENDA ITEM #: 6

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an **Ordinance No. 2020-20** changing the Zoning designation of a portion of property as shown on a map labeled "Exhibit A" depicting Zone 2 known as Lot 10 Block 1 located in the 700 Block of Alliance Parkway from B-P Business Park to R-4 Multi-family High Density.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Brad Gebhard submitted a request to change the land use designation on a portion of property located in the 700 block of Alliance Parkway known as Commerce Park @ I-35 Hewitt Addition (see attached plan). This is a tract of land located on the north side of Alliance adjacent to Fed-Ex. Mr. Gebhard is requesting the land use change from B-P Business Park to R-4 Multi-family High Density.

The Planning and Zoning Commission met on Tuesday, October 6, 2020, 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 of the previous agenda item. Staff recommends approval of this request.

FISCAL IMPACT:

Amount Budgeted – N/A
Line Item in Budget – N/A

SUGGESTED MOTION:

I move approval of Ordinance No. 2020-20 to change the zoning designation of a portion of property as shown on a map labeled "Exhibit A" depicting Zone 2 on Lot 10, Block 1 in the 700 Block of Alliance Parkway, also known as Lot 10, Block 1 Commerce Park @ I-35 Hewitt Addition, from B-P Business Park to R-4 Multi-family High Density.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation included in previous item
Draft Ordinance

ORDINANCE NO. 2020-20

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 B-P BUSINESS PARK TO HIGH 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 Brad Gebhard to rezone property known as a portion of Lot 10, Block 1, Commerce Park @ I-35 Hewitt Addition shown as Zone 2 in “Exhibit A” located in the 700 block of Alliance Parkway, Hewitt, McLennan County, Texas, from **B-P Business Park to R-4 Multi-family High Density**.

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 October 19, 2020, 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, October 6, 2020, 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. A portion of that certain tract or parcel of land in McLennan County, Texas, known as Lot 10 Block 1 Commerce Park @ I-35 Hewitt Addition located in the 700 Block of Alliance Parkway, Hewitt, McLennan County, Texas, from B-P Business Park to R-4 Multi-family High Density

SECTION TWO. A proposed map of area is shown in Exhibit “A” as Zone 2.

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 2nd day of November, 2020, at a Regular Meeting of the City Council of the City of Hewitt, Texas.

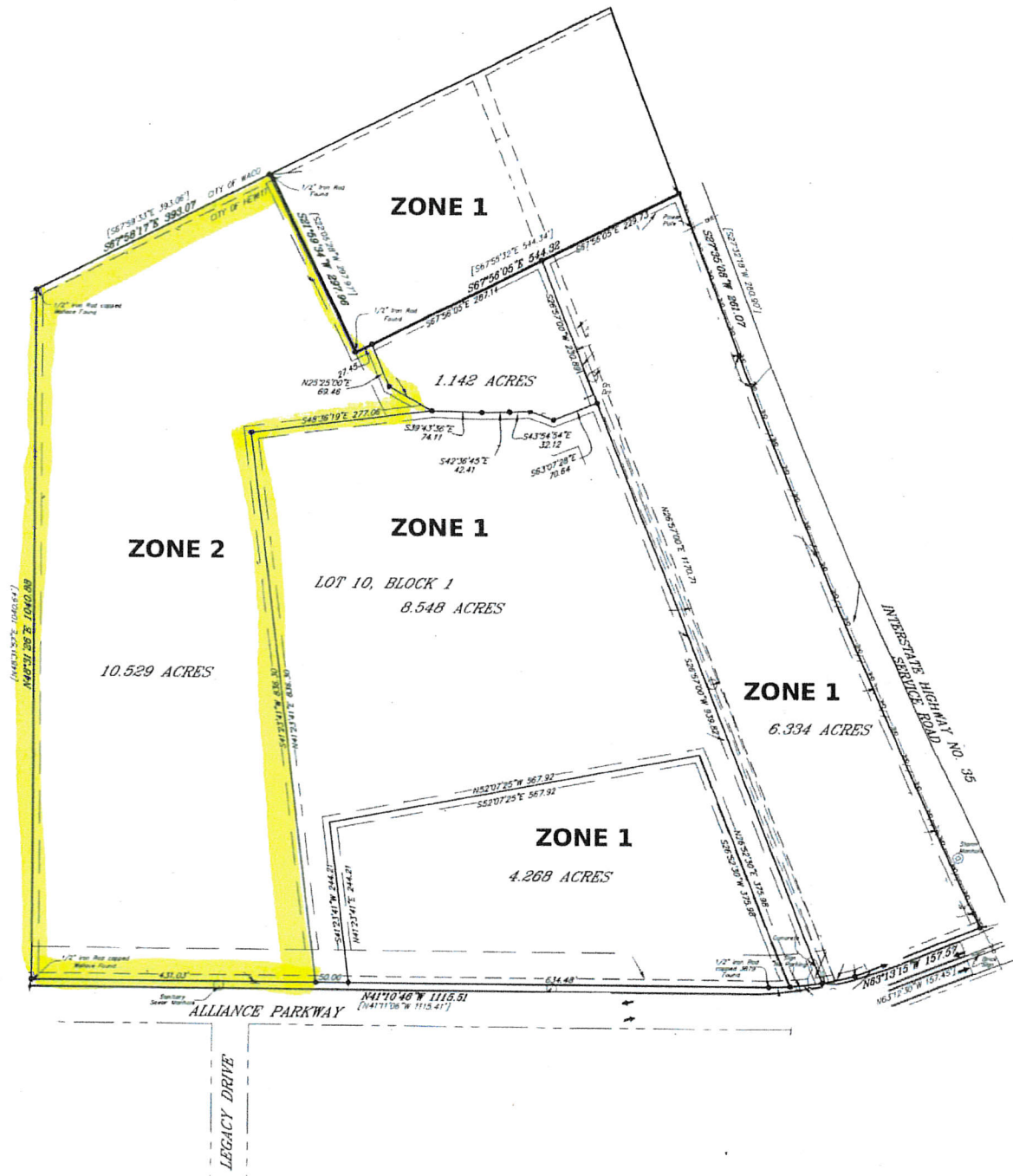
CITY OF HEWITT

BY: _____
Charles D. Turner, Mayor

ATTEST:

Lydia Lopez, City Secretary

Exhibit A





COUNCIL AGENDA ITEM FORM

MEETING DATE: November 2, 2020

AGENDA ITEM #: 8

SUBMITTED BY: Miles Whitney, P.E.

ITEM DESCRIPTION:

Consider award of bid for 2020 – Warren Park Improvements to Waco Paving, Inc., to include all the additive alternates for a total combined price of \$134,428.55 with approval of a 10% contingency (10% of the awarded contract amount) to be used at the discretion of the City Manager, in the event of any unforeseen obstacles being encountered during construction.

STAFF RECOMMENDATION/ITEM SUMMARY:

After bid solicitation, one bid was received and opened on October 21, 2020. Waco Paving, Inc. provided the lowest base bid in the amount of \$96,265.04. Four additive alternates were included for a total combined price of \$134,428.55 with a 10% contingency to be used at the discretion of the City Manager.

City staff recommends award of this project as recommended by City Engineer.

FISCAL IMPACT:

Amount Budgeted – \$134,428.55

Line Item in Budget – 15-50835-15-08 & 18-50835-18-11

SUGGESTED MOTION:

I move approval of the bid for 2020 – Warren Park Improvements to Waco Paving, Inc., to include all the additive alternates for a total combined price of \$134,428.55 with a 10% contingency to be used at the discretion of the City Manager.

ATTACHMENTS:

Letter from City Engineer
Bid Tabulation

OCTOBER 23, 2020

CITY COUNCIL

CITY OF HEWITT, TEXAS

VIA: EMAIL

RE: 2020 – WARREN PARK IMPROVEMENTS

COUNCIL:

BIDS WERE OPENED ON THE ABOVE CAPTIONED PROJECT ON OCTOBER 21, 2020. ONE BID WAS SUBMITTED. THE LOWEST BASE BID WAS SUBMITTED BY WACO PAVING, INC.; IN THE AMOUNT OF \$96,265.04. THE BID TABULATION FOR THIS PROJECT SHOULD BE INCLUDED WITHIN YOUR COUNCIL PACKET.

THE BID SCHEDULE ALSO INCLUDED FOUR ADDITIVE ALTERNATES THAT CAN BE ADDED AS ADDITIONAL WORK TO THE BASE BID IF IT IS THE DESIRE OF THE COUNCIL. BELOW YOU SHOULD FIND A SUMMARY OF THE ADDITIONAL WORK THAT COULD BE AWARDED WITH THE BASE BID.

1. ADDITIVE ALTERNATE "A"; AMOUNT: \$9,979.20

- A. THIS POTENTIAL ADDED WORK WOULD BE FOR THE PLACING OF PARKING SPACE STRIPING, SO TO DESIGNATE 99 SEPARATE PARKING SPACES WITHIN THE ASPHALTED AREA CONTAINED WITHIN THE BASE BID.

2. ADDITIVE ALTERNATE "B"; AMOUNT: \$7,059.00

- A. THIS POTENTIAL ADDED WORK WOULD BE FOR RE-GRADING AND RE-SODDING OF THE EASTERN MOST PORTION OF THE GRASS ISLANDS TO MORE EFFICIENTLY CONVEY STORMWATER RUNOFF TO THE EXISTING STORM SEWER INFRASTRUCTURE AND IN TURN REDUCING THE AMOUNT OF MAINTENANCE THE CITY'S STAFF IS CURRENTLY HAVING TO SPEND REPAIRING EROSION ISSUES.

3. ADDITIVE ALTERNATE "C"; AMOUNT \$12,038.14

- A. THIS POTENTIAL WORK WOULD BE FOR THE CONSTRUCTION OF A CONCRETE VALLEY GUTTER AT THE LOCATION OF THE MARRIAGE POINT OF THE EXISTING ASPHALT PARK ROADWAY AND THE PROPOSED ASPHALT PAVEMENT WITHING THE BASE BID. WITH THE INCLUSION OF THIS ITEM WITH THE BASE BID, THE LIFE OF THE EXISTING AND PROPOSED DRIVE SURFACES CAN BE PROLONGED, AT THE MARRIAGE SEEM, BY THE USE OF CONCRETE IN THIS AREA.

4. ADDITIVE ALTERNATE "D"; AMOUNT \$9,087.17

- A. THIS POTENTIAL WORK WOULD BE FOR THE CONSTRUCTION OF A CONCRETE CURB AND GUTTER SYSTEM IN FRONT OF THE EXISTING PAVILION ON THE NORTH WESTERN SIDE OF THE PARK. THIS CURB AND GUTTER SYSTEM IS

BEING PROPOSED TO REDUCE THE AMOUNT OF STORMWATER RUNOFF THAT CURRENTLY FLOWS DIRECTLY ONTO THE PAVILION CONCRETE SLAB AND DIVERT IT TO ANOTHER AREA. IF THIS WORK WERE TO BE ADDED TO THE CONTRACT, THE CITY'S STAFF'S TIME IN REMOVING THE STORMWATER RUNOFF'S SEDIMENT FROM THE PAVILION SLAB WOULD BE REDUCED.

WACO PAVING, INC. HAS CONSTRUCTED PROJECTS WITHIN THE CITY OF HEWITT IN THE PAST, THAT HAVE BEEN TO THE SATISFACTION OF THE CITY. THE MOST RECENT PROJECT BEING 2019 - APRIL LN. / DECEMBER DR.; STREET IMPROVEMENTS AND THEY WERE JUST RECENTLY AWARDED THE CITY OF HEWITT'S 2020 - RITCHIE RD STREET IMPROVEMENTS; PHASE 2.

IT IS MY RECOMMENDATION THAT THIS CONTRACT BE AWARDED TO WACO PAVING, INC. IF THE COUNCIL WERE TO AWARD THE BASE BID WITH ALL THE ADDITIVE ALTERNATE'S THE TOTAL COMBINED PRICE WOULD BE \$134,428.55.

REQUESTED CONTINGENCY.

I WOULD ALSO LIKE TO REQUEST THAT THE COUNCIL CONSIDER THE APPROVAL OF A 10% CONTINGENCY (10% OF THE AWARDED CONTRACT AMOUNT), TO BE USED AT THE DISCRETION OF THE CITY MANAGER, IN THE EVENT ANY UNFORESEEN OBSTACLES ARE ENCOUNTERED THAT COULD HINDER THE PATH TO A COMPLETED PROJECT.

SINCERELY:



Miles W. Whitney P.E.
MILES W. WHITNEY, P.E.

Base Bid Tabulation

Project	2020 - Warren Park Improvements	Prepared By	MWW
Owner	City of Hewitt, TX	Date	10/21/2020
Component	Bid Tabulation	Reviewed By	MWW

BASE BID TOTALS				Contractor 1	
				\$	96,265.04
				Waco Paving, Inc.	
Bid Item	Qty.	Unit	Unit Price	Bid Price	
1 2" Compacted Thickness, Hot-Mixed, Asphaltic Concrete Surface (TxDOT "C" Crushed Stone Aggregate and Tack Coat), To Include Shaping, grading, and Compaction of Existing Base Material ; Installed	6,438	S.Y.	\$ 13.58	\$ 87,428.04	
2 SWPP Development and Implementation	1	L.S.	\$ 1,368.00	\$ 1,368.00	
3 Mobilization (Not to Exceed 10% of Total Project Base Bid)	1	L.S.	\$ 7,469.00	\$ 7,469.00	

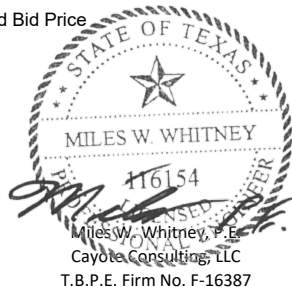
ADDITIVE ALTERNATE "A" BID TOTALS				Contractor 1	
				\$	9,979.20
				Waco Paving, Inc.	
Bid Item	Qty.	Unit	Unit Price	Bid Price	
A1 Parking Lot Striping, Single Line - 4" Wide, Solid, Reflective, Type 1 - White - 080 Mil; Installed	2,310	L.F.	\$ 4.32	\$ 9,979.20	

ADDITIVE ALTERNATE "B" BID TOTALS				Contractor 1	
				\$	7,059.00
				Waco Paving, Inc.	
Bid Item	Qty.	Unit	Unit Price	Bid Price	
B1 Plan Sheet No. 2 Grading ; Installed	156	S.Y.	\$ 22.25	\$ 3,471.00	
B2 Plan Sheet No. 2 Sodding of Regraded Area ; Installed	156	S.Y.	\$ 23.00	\$ 3,588.00	

ADDITIVE ALTERNATE "C" BID TOTALS				Contractor 1	
				\$	12,038.14
				Waco Paving, Inc.	
Bid Item	Qty.	Unit	Unit Price	Bid Price	
C1 6" of Reinforced Concrete Channel; including Expansion, Contraction, Dowels Joints, and Compacted Sub-Grade: Installed	1,910	S.F.	\$ 7.81	\$ 14,917.10	
C2 Reduction of Base Bid Item No. 1 Quantities; (Unit Amount shall match that of Base Bid Item No. 1)	(212)	S.Y.	\$ 13.58	\$ (2,878.96)	

ADDITIVE ALTERNATE "D" BID TOTALS				Contractor 1	
				\$	9,087.17
				Waco Paving, Inc.	
Bid Item	Qty.	Unit	Unit Price	Bid Price	
D1 88 L.F. of Reinforced Concrete Cub and Gutter, 23 S.F. Concrete Discharge Pad, Hydro Mulch and Misc. Cut/Fill Grading; Installed	1	L.S.	\$ 6,309.00	\$ 6,309.00	
D2 6" Thick Reinforced Concrete Rip Rap, with Dowels, Installed	257	S.F.	\$ 10.81	\$ 2,778.17	

Denotes corrected Bid Price





COUNCIL AGENDA ITEM FORM

MEETING DATE: November 2, 2020

AGENDA ITEM #: 9

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

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

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is an order extending the previous order dated October 19, 2020, by the Council on the Coronavirus (COVID-19). This Order extends the order requiring commercial entities to create health and safety policies, including the wearing of face coverings through November 17, 2020.

FISCAL IMPACT:

Amount Budgeted – NA
Line Item in Budget – NA

SUGGESTED MOTION:

I move to approve the Order dated November 3, 2020.

ATTACHMENTS:

Order dated November 3, 2020

ORDER OF THE CITY COUNCIL, OF THE CITY OF HEWITT, TEXAS
DATE ORDER ISSUED: November 3, 2020

WHEREAS, in December 2019, a novel coronavirus, now designated Coronavirus disease 2019 (COVID-19), was detected in Wuhan City, Hubei Province, China; and

WHEREAS, on March 13, 2020, Governor Greg Abbott declared a state of disaster due to COVID-19; and

WHEREAS, on March 18, 2020, Mayor Charles D. Turner, of the City of Hewitt, TX declared a local state of disaster and public health emergency after determining that extraordinary and immediate measures had to be taken to respond quickly to prevent and slow down community spread of COVID-19; and

WHEREAS, on June 3, 2020, Governor Abbott issued GA-26 to allow additional openings in the state of Texas; and

WHEREAS, on June 30, 2020, there are 159,986 persons confirmed to have COVID-19 in Texas, with 957 of those residing in McLennan County; with nine deaths in McLennan County; and

WHEREAS, this Order is issued based on evidence of increasing occurrence of COVID-19 within the City and throughout the Central Texas area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19; and

WHEREAS, on June 20, 2020 the Mayor issued an order requiring commercial entities to create health and safety policies, including the wearing of face coverings; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease; and the City Council of the City of Hewitt, Texas has adopted the McLennan County Commissioners Court declaration of a state of disaster which has been extended through November 30, 2020; and

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE CITY COUNCIL, OF THE CITY OF HEWITT, TEXAS, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108:

1. A state of disaster and public health emergency is hereby declared for and in the City of Hewitt, Texas in accordance with McLennan County's Order that extends the state of disaster and public health emergency through November 30, 2020.

2. That pursuant to §418.108(b) of the Texas Government Code, this Order shall continue for a period of not more than fourteen days from November 3, 2020, unless continued or renewed by the City Council of the City of Hewitt.

3. **Health and Safety Policy – Commercial Entities.**

- a. From the date of this Order, every commercial entity in the City of Hewitt providing goods or services directly to the public must develop and implement a health and safety policy (**“Health and Safety Policy”**).
- b. The Health and Safety Policy must require, at a minimum, that every employee or visitor to the commercial entity’s business premises or other facilities wear face covering when in an undivided room or area with coworkers or the public or while performing an activity which necessarily involves or is reasonably likely to involve close proximity to coworkers or the public such that six feet of separation is not feasible.
- c. The Health and Safety Policy required to be developed and implemented by the Order may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks or health screenings.
- d. The commercial entity must post the Health and Safety Policy required by this Order in a conspicuous location sufficient to provide notice to employees and visitors of its Health and Safety Policy.
- e. Failure to develop, conspicuously place, and implement the Health and Safety Policy required by this Order on or before 12:01 a.m. on June 25, 2020 may result in a fine not to exceed \$1,000.00. Each day on or after June 25, 2020 for which a Health and Safety Policy is not developed, conspicuously placed, and implemented shall be a separate offense.
- f. It is a defense to prosecution that the commercial entity operated a restaurant or bar and did not require a patron to wear a face covering while eating or drinking when the patron was at least six feet away from persons not in his or her party.

“Commercial entity” as used herein does not include: outdoor operations where social distancing is generally followed; offices of other governmental entities; churches; or health providers that already have policies in place that have been medically vetted.

“Face Covering” as used herein means a cloth or paper mask, or a bandana or scarf, that covers the mouth and nose and fits tightly to the face (and does not merely hang over the mouth and nose).

4. That all provisions of this Order should be interpreted to effectuate this intent. To the greatest extent possible, this Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of

- the executive orders of the Texas Governor either existing or subsequently issued, and which are made applicable to all jurisdictions by law, shall be automatically incorporated into and constitute terms of this Order, and shall be enforceable as if set forth herein without the necessity for the issuance of any further orders.
5. In accordance with the limitations contained in the executive orders of the Texas Governor, that any peace officer, code enforcement officer, health official, or other person with lawful authority is hereby authorized to enforce the provisions of this Order in accordance with the authority granted under the Texas Disaster Act of 1975.
 6. That this Order shall become effective at 12:01 a.m. on June 27, 2020.
 7. That failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
 8. That any violation of this Order can be enjoined by a suit filed in the name of the City of Hewitt in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this Order or in the Code of Ordinances, City of Hewitt, Texas.
 9. 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 prior act, ordinance, order, declaration, or resolution of the City Council of the City of Hewitt; nor shall any legal right or remedy of any character be lost, impaired, or affected by this Order.
 10. That the City of Hewitt must promptly provide copies of this Order by posting it on the City of Hewitt website.
 11. That if any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or application of this Order.

ORDERED this the 3rd day of November, 2020

Charles D. Turner, Mayor

Attest:

Lydia Lopez, City Secretary