

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

August 16, 2021

Regular Meeting – 7:00 PM

**Hewitt City Hall, 200 PATRIOT COURT
HEWITT, TX 76643**

MAYOR AND CITY COUNCIL

Steve Fortenberry – Mayor, Ward 3

Michael S. Bancale – Mayor Pro Tem, At-Large

Charlie Turner – Council Member, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

Bob Potter – Council Member, Ward 2

Erica Bruce – Council Member, Ward 3

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/Civil Service Director

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 **Monday, August 16, 2021, at 7:00 PM in Hewitt City Hall, Council Chamber, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and upon which action may be taken:

This City Council Meeting will be opened to the public. To mitigate the spread of COVID-19, social distancing will be recommended, seating will be limited, and the use of masks will be encouraged. The meeting will also be streamed live on the city's website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

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. If you wish to appear in person, a public comment form must be completed prior to the meeting and submitted to the City Secretary.

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 Budget Workshop and Regular Meeting of August 2, 2021, and the Special Called Meeting of August 9, 2021.
5. Conduct the second of two public hearings on the 2021 Tax Rate.
6. Consideration and action on **Ordinance No. 2021-12** accepting the 2021 Certified Tax Roll.
7. Consideration and action on **Ordinance 2021-13** adopting the 2021 Tax Rate of \$.540102.
8. Consideration of and action on **Resolution No. 2021-04** approving FY 2021-2022 Master Fee Schedule.
9. Consideration of and action on **Ordinance No. 2021-14** adopting the FY 2021-2022 Annual Operating and Capital Budget.
10. Consideration of and action on ratification of the property tax increase reflected in the budget.
11. Briefing and discussion concerning Financial Statements ending July 31, 2021.
12. Consideration and action to ratify the expenditure of \$49,600 to replace submersible pump at Lift Station 2-1.
13. Consideration and action on acceptance of the Sunflower Ridge Subdivision detention pond improvement dedication.

14. Discussion and action on conducting only one council meeting on September 20, 2021.
15. Consideration and action concerning Coronavirus (COVID-19) measures, protocols, and mitigation efforts.
16. Adjourn.

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 3:00 AM/PM on August 11, 2021.

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

The City Council meetings will be opened to the public. To mitigate the spread of (COVID-19), social distancing will be recommended, seating will be limited, and the use of masks will be encouraged. The meetings will also be streamed live on the City of Hewitt's website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

Citizens who wish to address the Council in person, must complete a public comment form prior to the meeting and submit to the City Secretary. Citizens who wish to address the Council on any item on the agenda or under this hearing of visitors without attending in person, must complete and submit the [Public Comment Form](#) via email to the [City Secretary](#) 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: August 16, 2021

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Budget Workshop and Regular Meeting of August 2, 2021, and Special Called Meeting of August 9, 2021.

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
BUDGET WORKSHOP/REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
August 2, 2021 – 6:00 PM/7:00 PM**

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

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
City Attorney Mike Dixon
City Engineer Miles Whitney
Finance Director Lee Garcia
Fire Chief Lance Bracco
General Services Director Scott Coleman
HR Manager/Civil Service Director Jessica Higgins
Library Director Waynette Ditto
Police Chief Jim Devlin
Utilities Director Kevin Reinke

Note: The meeting was opened to the public and also live-streamed for view by the public on the City of Hewitt’s website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>. Citizens had the opportunity to speak in person or they also could submit written comments to the City Secretary.

BUDGET WORKSHOP – 6:00 PM

- 1. CALL MEETING TO ORDER.** Mayor Steve Fortenberry called the Workshop to order at 6:00 PM. He noted all council members were in attendance.
- 2. DISCUSSION CONCERNING THE WATER AND WASTEWATER RATE STUDY PRESENTED BY WILLDAN FINANCIAL SERVICES.** Dan Jackson, Vice President, and Jason Gray, Principal Consultant, Willdan Financial Services, recapped the Water and Wastewater Rate Study previously presented to Council on May 24, 2021. Mr. Jackson and Mr. Gray advised that the Council could approve a single ordinance that would implement the recommended multi-year rate adjustment plan. The general consensus of the Council was to implement the rate plan effective October 1, but include language that would require an annual review of any future rate adjustments.

3. **DISCUSSION CONCERNING PROPOSED BUDGET FOR FY 2021-2022.** City Manager Bo Thomas presented and distributed the following: Calculation of Estimated Tax Revenue, highlighted Tax Revenue and Sales Tax Revenue from General Fund Budget sheet, General Fund Projection By Category, All Funds Summary Matrix, and Tax Rate Difference sheet. General discussion was held concerning tax rate data and sales tax revenues.
4. **ADJOURN.**
MOTION TO ADJOURN WORKSHOP
MOTION: Council Member Bill Fuller moved to adjourn the Workshop at 6:56 PM.
SECOND: Council Member Charlie Turner
AYES: Fuller, Potter, Bruce, Turner, Bancale, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

REGULAR MEETING – 7:00 PM

1. **CALL MEETING TO ORDER.** Mayor Steve Fortenberry called the meeting to order at 7:01 PM. Mayor Fortenberry noted that all members of the Council were present.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Steve Fortenberry led the Pledge of Allegiance.

Not on the listed agenda: Robyn Mota, Manager, Municipal Services, Republic Services, appeared to introduce herself to Mayor and Council.
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. Mayor Steve Fortenberry recognized Betty Orton. Betty Orton, 912 Steamboat Circle, appeared to request an update on street projects, specifically the project on Spring Valley Road. **No other public comment forms were submitted.**
4. **CONSIDER APPROVAL OF MINUTES OF THE BUDGET WORKSHOP AND MEETING OF JULY 19, 2021.**
MOTION: Council Member Charlie Turner moved approval of the minutes as presented but allow for corrections.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bruce, Turner, Bancale, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: None
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. CONSIDERATION AND ACTION ON PAID QUARANTINE LEAVE POLICY.
City Manager Bo Thomas presented.

MOTION: Council Member Charlie Turner moved to adopt the Paid Quarantine policy to be effective immediately.

SECOND: Council Member Erica Bruce

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

NAYES: None

ABSENT: None

MOTION PASSED.

7. CONSIDERATION AND ACTION ON SETTING DATE OF AUGUST 9, 2021, FOR A PUBLIC HEARING ON THE FISCAL YEAR 2021-2022 PROPOSED ANNUAL BUDGET. City Manager Bo Thomas presented.

MOTION: Council Member Wilbert “Walky” Wachtendorf moved to set the date of August 9, 2021, for a public hearing on the Fiscal Year 2021-2022 Proposed Annual Budget.

SECOND: Council Member Charlie Turner

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

NAYES: None

ABSENT: None

MOTION PASSED.

8. VOTE TO PLACE ADOPTION OF THE PROPOSED 2021 TAX RATE ON A FUTURE AGENDA AND TO SET DATES FOR TWO PUBLIC HEARINGS. City Manager Bo Thomas presented. **NOTE:** City Secretary polled the Council for the votes.

MOTION: Council Member Charlie Turner moved to place adoption of a tax rate of \$.547838 cents per \$100 valuation, equaling \$.192999 cents for debt service and \$.354839 cents for maintenance and operations, as an action item for the August 16, 2021 Council meeting to be held at 7:00 PM, in Hewitt City Hall, Council Chambers 200 Patriot Court, Hewitt, Texas.

SECOND: Council Member Wilbert “Walky” Wachtendorf

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

NAYES: None

ABSENT: None

MOTION PASSED.

MOTION: Council Member Charlie Turner moved to set two public hearings to be held on Monday, August 9, 2021, at 7:00 PM, and Monday, August 16, 2021, at 7:00 PM, in Hewitt City Hall, Council Chamber, 200 Patriot Court, Hewitt, Texas.

SECOND: Council Member Wilbert “Walky” Wachtendorf

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

NAYES: None

ABSENT: None

MOTION PASSED.

9. **DISCUSSION CONCERNING THE FY 2021-2022 PROPOSED ANNUAL BUDGET (IF NEEDED).** City Manager Bo Thomas stated this item was placed only if needed. He further noted he would make the revenue modifications discussed in the Workshop. No further discussion was held.
10. **CONSIDERATION AND ACTION CONCERNING CORONAVIRUS (COVID-19) MEASURES, PROTOCOLS, AND MITIGATION EFFORTS.** City Manager Bo Thomas informed the Council that Governor Abbott issued a new order clarifying that masking requirements are still off the table. He further noted that private employers are beginning to require employees to be vaccinated. Mr. Thomas stated that staff would be discussing possibly incentivizing employees to become vaccinated. **No action taken.**
11. **CONSIDER/DISCUSS AUTHORIZATION FOR THE CITY OF HEWITT TO ISSUE REQUESTS FOR PROPOSALS (RFP) FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS (RFQS) FOR PROFESSIONAL SERVICES FOR THE AMERICAN RESCUE PLAN ACT OF 2021.** City Manager Bo Thomas presented.
MOTION: Mayor Pro Tem Michael Bancale moved to approve authorization for the city Manager to issue Requests For Proposals for administrative services and Requests for Qualifications for professional services as needed to meet the requirements of the Department of the Treasury regarding their \$3.7 million allocation to the City.
SECOND: Council Member Charlie Turner
AYES: Fuller, Potter, Bruce, Turner, Bancale, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.
12. **ADJOURN.**
MOTION: Council Member Bill Fuller moved to adjourn the meeting at 7:32 PM.
SECOND: Council Member Charlie Turner
AYES: Fuller, Potter, Bruce, Turner, Bancale, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
SPECIAL CALLED MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
August 9, 2021 – 7:00 PM**

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

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
Finance Director Lee Garcia
Fire Chief Lance Bracco
Library Director Waynette Ditto
Police Chief Jim Devlin
Utilities Director Kevin Reinke

Note: The meeting was opened to the public and also live-streamed for view by the public on the City of Hewitt’s website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>. Citizens had the opportunity to speak in person or they also could submit written comments to the City Secretary.

SPECIAL CALLED MEETING – 7:00 PM

- 1. CALL MEETING TO ORDER.** Mayor Steve Fortenberry called the Special Called Meeting to order at 7:00 PM. City Secretary Lydia Lopez polled the Council for attendance.
PRESENT: Bruce, Fuller, Potter, Turner, Wachtendorf, Bancale, and Fortenberry
ABSENT: None
- 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Steve Fortenberry led the Pledge of Allegiance.
- 3. VOTE TO PLACE ADOPTION OF THE PROPOSED 2021 TAX RATE ON A FUTURE AGENDA AND TO SET THE DATES FOR THE TWO PUBLIC HEARINGS.** City Manager Bo Thomas explained the return of this agenda item. He stated after a discussion between the State Comptroller and the Tax Assessor, the 2021 Tax Rate Calculation Worksheet was refigured to include a sales tax adjustment which resulted in the proposed tax rate voted on at the last council meeting to be set higher than the de minimis rate. This would require an automatic election.

He further stated that the Tax Assessor provided a second recalculation on Thursday, August 5, to adjust the property tax refunds which reduced the de minimis rate to \$.540102 cents per \$100 valuation. The Tax Assessor advised the Council would have to retake the record vote. General discussion concerning the effect on setting future tax rates.

MOTION: Council Member Charlie Turner moved to vote to place adoption of a tax rate of \$.540102 cents per \$100 valuation, equaling \$.192999 cents for debt service and \$.347103 cents for maintenance and operations, as an action item for the August 16, 2021, council meeting to be held at 7:00 p.m., in Hewitt City Hall, Council Chambers, 200 Patriot Court, Hewitt, Texas.

SECOND: Council Member Bob Potter

City Secretary Lydia Lopez polled the Council for the vote.

AYES: Fuller, Potter, Bruce, Turner, Bancalé, Wachtendorf, and Fortenberry

NAYES: None

ABSENT: None

MOTION PASSED.

MOTION: Council Member Charlie Turner moved move to set two public hearings to be held on Monday, August 9, 2021, at 7:00 p.m. and Monday, August 16, 2021, at 7:00 p.m., in Hewitt City Hall, Council Chambers, 200 Patriot Court, Hewitt, Texas.

SECOND: Council Member Bill Fuller

City Secretary Lydia Lopez polled the Council for the vote.

AYES: Fuller, Potter, Bruce, Turner, Bancalé, Wachtendorf, and Fortenberry

NAYES: None

ABSENT: None

MOTION PASSED.

4. **CONDUCT PUBLIC HEARING ON THE FISCAL YEAR 2021-2022 PROPOSED ANNUAL BUDGET.** City Manager Bo Thomas noted that replacement pages for the Fiscal Year 2021-2022 Proposed Annual Budget were provided. These replacement pages reflected the changes in the property tax collection rate (99% to 99.5%), and the increase of an additional \$13,000 in sales tax revenue to approve the budget at the de minimus rate. He stated these changes would have no adverse effect on the departmental budgets. Mayor Steve Fortenberry opened the public hearing and called for those wishing to speak on the FY 2021-2022 Proposed Annual Budget. No one appeared. The public hearing was closed.
5. **CONDUCT THE FIRST OF TWO PUBLIC HEARINGS ON 2021 TAX RATE.** Mayor Steve Fortenberry opened the public hearing and called for those wishing to speak on the 2021 Tax Rate. No one appeared. The public hearing was closed.
6. **MOTION TO ANNOUNCE THAT AUGUST 16, 2021, AT 7:00 PM, AT THE HEWITT CITY HALL, COUNCIL CHAMBERS, 200 PATRIOT COURT, AS THE DATE TO VOTE ON THE 2021 TAX RATE.** City Manager Bo Thomas presented.
MOTION: Council Member Charlie Turner moved move to set the date of August 16, 2021, at 7:00 PM, at the Hewitt City Hall, Council Chambers, 200 Patriot Court, as the date to vote on the 2021 Tax Rate.
SECOND: Council Member Bill Fuller
City Secretary polled the Council for vote.
AYES: Fuller, Potter, Bruce, Turner, Bancalé, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

8. ADJOURN.

MOTION: Council Member Bill Fuller moved to adjourn the meeting at 7:23 PM.

SECOND: Council Member Charlie Turner

City Secretary polled the Council.

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

NAYES: None

ABSENT: None

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 5

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Conduct the second of two public hearings on 2021 tax rate.

STAFF RECOMMENDATION/ITEM SUMMARY:

The State of Texas Tax Code requires that a municipality hold a public hearing on the proposed tax rate at the meeting to adopt the tax rate. This will be the second public hearing on the proposed tax rate. The Mayor will open the public hearing to receive any comments and then close the hearing.

No action is required of the Council.

FISCAL IMPACT:

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

SUGGESTED MOTION:

No action required.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 6

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on **Ordinance No. 2021-12** accepting the 2021 Certified Tax Roll.

STAFF RECOMMENDATION/ITEM SUMMARY:

Please see attached ordinance on the Tax Roll. The approval of this ordinance officially accepts the 2021 Certified Tax Roll.

FISCAL IMPACT:

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

SUGGESTED MOTION:

“I move to approve Ordinance No. 2021-12 accepting the 2021 Tax Roll.”

ATTACHMENTS:

Ordinance approving Tax Roll
Certification of 2021 Appraisal Roll
2021 Certified Tax Values

ORDINANCE NO. 2021-12

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS,
ACCEPTING AND APPROVING THE TAX ROLL OF THE
CITY OF HEWITT AND DECLARING AN EFFECTIVE
DATE.**

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

SECTION 1. That the tax roll of the City of Hewitt for 2021, as certified by the McLennan County Appraisal District, is hereby accepted and approved.

SECTION 2. That this ordinance is in full force and effect from and after its passage.

PASSED AND APPROVED THIS 16th day of August, 2021.

CITY OF HEWITT, TEXAS

By: _____
Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

THE STATE OF TEXAS §

COUNTY OF McLENNAN §

**CERTIFICATION OF THE 2021 APPRAISAL ROLL FOR
McLENNAN COUNTY APPRAISAL DISTRICT**

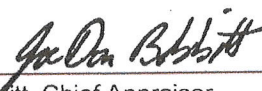
I, JOE DON BOBBITT RPA, CHIEF APPRAISER FOR McLENNAN COUNTY APPRAISAL DISTRICT, HEREBY CERTIFY THAT THE ATTACHED ARE THE CERTIFIED VALUES OF McLENNAN COUNTY APPRAISAL DISTRICT WHICH LISTS TAXABLE PROPERTY FOR THE FOLLOWING TAXING UNITS AND CONSTITUTES THE CERTIFIED APPRAISAL ROLL:

Axtell Independent School District
Bosqueville Independent School District
Bruceville-Eddy Independent School District
China Spring Independent School District
Connally Independent School District
Crawford Independent School District
Gholson Independent School District
Hallsburg Independent School District
LaVega Independent School District
Lorena Independent School District
Mart Independent School District
McGregor Independent School District
Midway Independent School District
Moody Independent School District
Robinson Independent School District
Riesel Independent School District
Ogelsby Independent School District
Valley Mills Independent School District
Waco Independent School District
West Independent School
District McLennan County
McLennan Community College

City of Bellmead
City of Beverly Hills
City of Bruceville-Eddy
City of Crawford
City of Gholson
City of Hallsburg
City of Hewitt
City of Lacy-Lakeview
City of Leroy
City of Lorena
City of Mart
City of McGregor
City of Moody
City of Riesel
City of Robinson
City of Valley Mills
City of Waco
City of West
City of Woodway
Castleman Creek Watershed
Elm Creek Watershed
McLennan County Water Control Dist. #2
McLennan & Hill Counties Tehuacana Creek
W&C Dist. #1

July 22, 2021

Date Delivered



Joe Don Bobbitt, Chief Appraiser
McLennan County Appraisal District

Date Received

SEC.26.01 (a)



2021 Certified Totals

As of Certification

62 - HEWITT, CITY OF

Printed on: 07/22/2021 11:55 AM

Property Count: 6,090

Grand Totals

Land	Value
Homesite	119,637,068
Non-Homesite	126,538,034
Ag Market	23,063,716
Timber Market	0

Total Land + 269,238,818

Improvement	Value
Homesite	843,019,229
Non-Homesite	268,715,027

Total Improvements + 1,111,734,256

Non Real	Count	Value
Personal Property	483	72,313,076
Mineral Property	0	0
Autos	0	0

Total Non Real + 72,313,076

Market Value = 1,453,286,150

Ag	Non Exempt	Exempt
Total Productivity Market	23,063,716	0
Ag Use	126,640	0
Timber Use	0	0
	22,937,076	0

Productivity Loss - 22,937,076

Appraised Value = 1,430,349,074

Homestead Cap - 26,936,546

Assessed Value = 1,403,412,528

Total Exemptions Amount - 270,988,099
(Breakdown on Next Page)

Net Taxable = 1,132,424,429

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
6,203,851.34 = 1,132,424,429 * (0.547838 / 100)

Tax Increment Finance Value 0
Tax Increment Finance Levy 0.00

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 7

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on **Ordinance No. 2021-13** adopting the 2021 Tax Rate of .540102.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is the ordinance setting the 2021 tax rate. According to the Texas Property Tax Code, Section 26.05(b), the motion to adopt the ordinance must be stated as follows:

Adoption of 2021 tax rate:

“I move that the property tax rate be increased by the adoption of a tax rate of .540102, which is effectively a 7.24% increase in the tax rate.”

(This is the % by which the proposed rate exceeds the no-new-revenue rate.)

After the motion, the City Secretary will poll the council for the record vote.

FISCAL IMPACT:

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

SUGGESTED MOTION:

“I move that the property tax rate be increased by the adoption of a tax rate of .540102, which is effectively a 7.24% increase in the tax rate.”

ATTACHMENTS:

Ordinance Adopting the Tax Rate
Notice of Public Hearing on Tax Increase
City of Hewitt Adoption Letter
Adoption of Tax Rate Steps

ORDINANCE NO. 2021-13

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS, ADOPTING THE TAX RATE AND LEVYING THE AD VALOREM TAXES FOR THE FISCAL YEAR 2021-2022 ON ALL TAXABLE PROPERTY WITHIN AND SUBJECT TO TAXATION WITHIN THE CITY AS OF JANUARY 1, 2021, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENDITURES AND DEBT SERVICE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, all notices have been given and public hearings held as required by law to adopt a tax rate for 2021;

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

SECTION 1. That there be and is hereby levied for the year 2021, on all taxable property, real, personal and mixed, situated within the limits of the City of Hewitt, Texas as of January 1, 2021, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.540102 on each \$100 of assessed valuation of taxable property, and such taxes shall be apportioned and distributed as follows:

- (A) \$0.347103 to provide revenues for maintenance and operations and;
- (B) \$0.192999 for debt service.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 14.59 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$19.23.

SECTION 2. That all ad valorem taxes shall become due and payable on October 1, 2021, and all ad valorem taxes for the year shall become delinquent after January 31, 2022.

SECTION 3. That all ordinances of the City of Hewitt in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid.

SECTION 5. This ordinance shall take effect on October 1, 2021.

PASSED AND APPROVED THIS 16th day of August, 2021.

CITY OF HEWITT, TEXAS

By: _____
Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.540102 per \$100 valuation has been proposed by the governing body of City of Hewitt.

PROPOSED TAX RATE	\$0.540102 per \$100
NO-NEW-REVENUE TAX RATE	\$0.503617 per \$100
VOTER-APPROVAL TAX RATE	\$0.512110 per \$100
DE MINIMIS RATE	\$0.540102 per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Hewitt from the same properties in both the 2020 tax year and the 2021 tax year.

The voter-approval rate is the highest tax rate that City of Hewitt may adopt without holding an election to seek voter approval of the rate, unless the de minimis rate for City of Hewitt exceeds the voter-approval rate for City of Hewitt.

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for City of Hewitt, the rate that will raise \$500,000, and the current debt rate for City of Hewitt.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Hewitt is proposing to increase property taxes for the 2021 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON August 16, 2021 AT 7:00 pm AT Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643.

The proposed tax rate is greater than the voter-approval tax rate but not greater than the de minimis rate. However, the proposed tax rate exceeds the rate that allows voters to petition for an election under Section 26.075, Tax Code. If City of Hewitt adopts the proposed tax rate, the qualified voters of the City of Hewitt may petition the City of Hewitt to require an election to be held to determine whether to reduce the proposed tax rate. If a majority of the voters reject the proposed tax rate, the tax rate of the City of Hewitt will be the voter-approval tax rate of the City of Hewitt.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED
AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

Steve Fortenberry
Dr. Erica Bruce
Bob Potter
Wilbert 'Walky' Wachtendorf

Michael Bancale
Bill Fuller
Charles D. 'Charlie' Turner

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the ²¹average residence homestead by City of Hewitt last

year to the taxes proposed to be imposed on the average residence homestead by City of Hewitt this year.

	2020	2021	Change
Total tax rate (per \$100 of value)	\$0.547838	\$0.540102	decrease of \$-0.007736, or -1.41%
Average homestead taxable value	\$162,878	\$176,389	increase of \$13,511, or 8.30%
Tax on average homestead	\$892.31	\$952.68	increase of \$60.37, or 6.77%
Total tax levy on all properties	\$5,651,542	\$6,109,211	increase of \$457,669, or 8.10%

For assistance with tax calculations, please contact the tax assessor for City of Hewitt at 254-757-5130 or property.tax@co.mclennan.tx.us, or visit www.co.mclennan.tx.us for more information.

Randy H. Riggs, CPA
McLennan County
Tax Assessor/Collector



P O Box 406
Waco, TX 76703
(254) 757-5130
Fax (254) 757-5141
Randy.riggs@co.mclennan.tx.us

Date: August 10, 2021

Dear City of Hewitt,

Under the Truth-in Taxation laws, it is the duty of the Tax Assessor-Collector to calculate the No-New-Revenue Tax Rate and the Voter-Approval Tax Rate for the entities for which he collects tax and to publicize these rates and other items of information in a way that will come to the attention of the entities' property owners. After this has been done, the governing bodies of the taxing units must adopt by ordinance, resolution, or order the rate for the current tax year. Our office has complied with the calculation and publication requirement. Enclosed you will find a copy of your unit's 2021 rate calculations as published in The Waco Tribune-Herald .

You may do three things with the No-New Revenue Tax Rate at any public meeting of your governing body; Adopt the rate as calculated, adopt a lower rate, or adopt a higher rate which is no more than the notice and hearing rate. The notice and hearing rate is the lower of the No-New Revenue rate or the Voter-Approval rate. Adopting the tax rate must be a separate agenda item. ***If your unit's tax rate contains a debt component, you must adopt the debt rate published in the No-New-Revenue calculations.***

If you wish to adopt a rate more than the notice and hearing rate, you must advertise your intentions according to State guidelines and hold public hearings before you can legally do so. If you adopt a rate that exceeds the calculated Voter-Approval Rate, you should know that the voters of your district have the power to roll back the rate to no more than the Voter-Approval Rate (school districts have an automatic Voter-Approval election.).

******IF YOUR UNIT'S TAX RATE CONTAINS A DEBT COMPONENT, YOU MUST ADOPT THE DEBT RATE PUBLISHED IN THE NO-NEW-REVENUE & VOTER-APPROVE RATE CALCULATIONS.******

Below you will find items that will help you in determining your 2021 tax rate. If you have any questions, feel free to contact our office.

- 1) Total Certified Taxable Value - Value certified to us by the McLennan County Appraisal District that includes all real and personal property with all applicable exemptions deducted.
- 2) Taxable Value of New Improvements - Value of properties that appear on the roll for the first time in 2021.
- 3) Anticipated Collection Rate (ACR) for the coming year-used to adjust upward the Debt Component of the No-New-Revenue Tax Rate (NNR) to offset expected delinquencies. The ACR is our best estimate of the total amount of taxes, penalty, interest, and attorney fee that will be collected between July 1, 2020 and June 30, 2021. If the ACR is 100% or more, no adjustment in the calculation of the debt rate is allowed. If your NNR does not contain a debt component, the ACR will have no effect on the calculation.

2021 Total Certified Taxable Value	<u>\$ 1,121,282,323.00</u>
2021 Taxable Value of New Improvements	<u>\$14,486,854.00</u>
2021 Anticipated Collection Rate (ACR)	<u>100%</u>
2021 No-New-Revenue Tax Rate (NNR)	<u>0.503617</u> Per \$100 valuation
2021 Voter-Approval Rate	<u>0.512110</u> Per \$100 valuation
2021 De minimis Rate	<u>0.540102</u> Per \$100 valuation

WHEN YOU HAVE ADOPTED THE 2021 TAX RATE FOR YOUR UNIT, PLEASE WRITE THAT RATE IN THE SPACE PROVIDED BELOW.

“We, the governing body of City of Hewitt, Have adopted the following tax rate for 2021:	M&O	.347103
	I&S	.192999
	TOTAL	0.540102

If this rate exceeds the Notice and Hearing Rate, we certify that we have followed the “Truth-in-Taxation” notice and hearing laws and have adopted the new rate by voting in a public meeting.”

Please have the members of your governing body sign below and return to our office by **August 31, 2021**, but **not later than September 1, 2021**. We would appreciate you getting this information to us as close to the above date as possible to give us plenty of time to print the statements for mailing.

Thank you very much for your consideration.

Randy H. Riggs, CPA
McLennan County Tax Assessor/Collector

Governing Body Members' Signatures:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

DATE

§26.05(b) of Property Tax Code Steps Required for Adoption of Tax Rate

Entity Name: City of Hewitt

Date: 08/05/2021 03:02 PM

Language Required in the Motion Setting This Year's Tax Rate:

This year's proposed tax rate exceeds the no-new-revenue tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote and 60% of the governing body must vote in favor of the adoption of the tax rate. A motion to adopt the ordinance, resolution, or order must be made in the following form:

I move that the property tax rate be increased by the adoption of a tax rate of 0.540102, which is effectively a 7.24 percent increase in the tax rate.

Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 14.59 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$19.23.

Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

City of Hewitt ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 14.59 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$19.23.



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 8

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on **Resolution No. 2021-04** approving FY 2021-2022 Master Fee Schedule.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Master Fee Schedule, as follows, is presented as part of the city's annual budget for approval by resolution by city council. Staff recommends the attached rates.

FISCAL IMPACT:

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

SUGGESTED MOTION:

"I move to approve Resolution No. 2021-04 adopting the FY 2021-2022 Master Fee Schedule."

ATTACHMENTS:

Master Fee Schedule
Resolution on Master Fee Schedule

RESOLUTION NO. 2021-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, ADOPTING THE "MASTER FEE SCHEDULE"; REPEALING ALL RESOLUTIONS IN CONFLICT; DECLARING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

Section 1. That the City of Hewitt Master Fee Schedule is hereby adopted to implement and/or revise various fees related to City Services as shown on the attachment "A" and incorporated herein by reference.

Section 2. That should any section, clause, or provision of this resolution be declared by court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution or any other resolution of the City as a whole or any part thereof, other than the part so declared to be.

Section 3. That this resolution shall become effective immediately upon passage, and be applied to all charges on or after October 1, 2021.

Section 4. That it is hereby officially found and determined that the meeting at which resolution is adopted was noticed and has been open to the public as required by law.

PASSED AND APPROVED this 16th day of August 2021.

CITY OF HEWITT

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

HEWITT MASTER FEE SCHEDULE

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Utility Fees	10

PERMIT FEES

New Construction

New Construction Building Permit	\$0.23 sq. ft. under roof (per floor) min \$320
Electrical Permit	\$0.07 sq. ft. under roof (per floor)
Plumbing Permit	\$0.07 sq. ft. under roof (per floor)
Mechanical Permit	\$0.07 sq. ft. under roof (per floor)

General Permits

Alcohol Permit	\$60
Carport Permit	\$50, \$0.20 per sq. ft.
Commercial Accessory Building	\$150 min, \$.30 per sq. ft.
Commercial Building Permit – Temporary 72 hr.	\$50
Commercial Occupancy Inspection	\$50
Deck Permit	\$50
Demolition Permit	\$100
Estate Sale/Auction	\$50
Fence Permit	\$50
Flat Work Permit	\$50 min, \$0.02 per sq. ft.
Foundation Repair	\$50
Garage Sales	\$15
Gas Permit	\$50, \$6 per appliance
Hot Tub/Spa	\$50
Land Clearing Filling or Grading Permit	\$240
Lawn Sprinkler System Permit	\$25 base, \$1 per head/\$10 backflow
Mobile Home Move-In Permit	\$50
Moving a Building Permit	\$100
Patio Cover	\$35 min, \$0.10 per sq. ft.

Re-Inspect Fee	\$50 1 st time; \$25 increase cumulative after
Remodeling Permit	\$200 flat fee
Residential Accessory Building Permit	\$40 for 120 sq. ft. more + \$0.08 per sq. ft.
Roof Permit	\$50
Sign Permit	
Up to 72 sq. ft.	\$44
Up to 300 sq. ft.	\$75
Up to 600 sq. ft.	\$100
Sign Variance Request	\$250
Swimming Pool Permit (above/inground)	\$100/\$150
Temporary On-Site Storage Containers	\$10 first 15 days + \$25 next 16 days + \$50 for >30 days/year
Window Replacement Fee	\$50/\$25 Re-Inspect Fee

Electrical

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

Mechanical

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

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

Plumbing Permit	\$50
Per Fixture, Traps, etc.	\$6
Sewer/Water	\$8
Vacuum Breakers	\$8
Backflow Device	\$24
Roof Drain Permit	\$24
Discharge Line	\$8
Roof Drain	\$6

Planning & Zoning

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

Network Nodes, Node Support Poles & Transfer Facilities

Network Nodes-Application Fee	Lesser of: actual cost or \$500 for up to 5 Network Nodes, and \$250 for each additional Network Node on a permit (up to 30, per Sec 284.152(b))
Network Nodes-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI adjustment
Node Support Poles-Application Fee	\$1,000 for each pole
Node Support Poles-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI Adjustment
Transfer Facilities-Application Fee	\$500 for an application including up to 5 Network Nodes, and \$250 for each additional Network Node on a permit
Transfer Facilities-Monthly Rental Rate	\$500 monthly for each Network Node site
For all other applicants	\$200

FIRE PROTECTION FEES

Fire Protection Systems	\$55
Per Head	\$0.25
Underground Main	\$50
Fire Pump	\$30
Stand Pipe System	\$55
Per Outlet	\$5
Fire Alarm System	\$55
Per Device	\$1
Hood and Duct System	\$30
Per Nozzle	\$2.50
Commercial Paint Spray	\$30
Other Fire Suppression System	\$30
Per Head	\$55

POLICE DEPARTMENT FEES

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

ADMINISTRATION FEES

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

LIBRARY FEES

Book	\$0.25 per day
DVD, Play-a-way, Audiobooks, VHS	\$1 per day
HOTSPOT	\$10 per week
Tex-Share ILL	\$1 per day + \$5 processing fee + any fee by lending library
Lost Book	Cost of book + \$5 processing fee
Damaged Books	Cost of damage is calculated by the amount of damage divided by cost of book + \$5 processing fee
Barcode Replacement	\$1
Media Case Replacement	\$5
Hanging Bag	\$1
3D Printing	\$0.10 per gram
Paper Copy – Black & White	\$0.15
Paper Copy – Color	\$1.25
Large format Printing	Estimate per item: L x W x .035 x 40%
Proctor Exam Fee	\$15/hr (waived for Hewitt residents)
Lost Library Card Replacement	\$1
Return Check Fee	\$35
Out of County Fee (excludes people that work In Hewitt and live outside McLennan County)	\$40 annual fee

PARK FEES

Amphitheatre

Private	\$150 per hour (3 hr min) (\$135 per addtl hour)
Deposit	\$200 refundable deposit
Water Key Fee	\$50 fee (\$35 refundable deposit; \$15 water fee)
EVENT Package 1: Deposit	\$250 refundable deposit
Amphitheater only-Fri-Sun	\$1400 (10am–10pm) (\$125/addtl hr prior to 10am)
Amphitheatre only-Mon-Thurs	\$1100 (10am–10pm) (\$115/addtl hr prior to 10am)
EVENT Package 2: Deposit	\$400 refundable deposit
Amphitheatre & Pavilion-Fri-Sun	\$1500 (10am–10pm) (\$150/addtl hr prior to 10am)
Amphitheatre & Pavilion-Mon-Thurs	\$1200 (10am–10pm) (\$125/addtl hr prior to 10am)
EVENT Package 3: Deposit	\$500.00 refundable deposit
Amphitheatre & Entire Park-Fri-Sun	\$2000 (10am–10pm) (\$175/addtl hr prior to 10am)
Amphitheatre & Entire Park-Mon-Thurs	\$1800 (10am–10pm) (\$150/addtl hr prior to 10am)

Food Truck Permits

No Event	\$50/day (up to 12 hours)
Event	\$125/day (up to 12 hours)
Water Key Fee	\$50 fee (\$35 refundable deposit; \$15 water fee)

Field Rental

Playing Field (practice)	\$15/practice
Playing Field (game)	\$20/game
Water Key Fee	\$50 fee (\$35 refundable deposit; \$15 water fee)

Pavilion Rental

Park Pavilion–Hewitt/Warren Park–Up to 150	\$40 per hour (minimum 2 hours)
Park Pavilion–Hewitt/Warren Park–Over 150	\$55 per hour (minimum 2 hours)
Water Key Fee	\$50 fee (\$35 refundable deposit; \$15 water fee)

Walking Track

Hewitt Park Walking Track	\$25 (minimum 2 hours)
Water Key Fee	\$50 fee (\$35 refundable deposit; \$15 water fee)

Event Permit

Various Permits, including but not Limited to-Use of PA Systems, Amplified Sound, Ride or Drive Horses, Food Sales, Trades, Occupation Sales, and City-Provided Electrical Use. The Permit Must be applied for, reviewed and Approved before issued.	\$75

Note: New Water Rates are effective 12/1/2021.

WATER RATES

Residential, Commercial & Builders – Base Rate	1 st 3,000 Gal
5/8"	\$31.00
1"	\$65.00
1.5"	\$195.75
2"	\$195.75
3"	\$391.50
4"	\$391.50
6"	\$587.25
Volume Rate	Per 1,000 Gal
3,001 – 7,000 Gal	\$5.00
7,001 – 12,000 Gal	\$5.60
12,001+ Gal	\$6.05

Master Metered High-Density Multifamily

Multifamily Residential & Multifamily Builders –	Base Fees
1 ½"	\$195.75
2"	\$195.75
3"	\$391.50
4"	\$391.50
6"	\$587.25
Consumption Rate	\$6.05 Per 1,000 Gal. (100% consumption)

Irrigation Rates

Irrigation – Base Rate	
5/8"	\$31
1"	\$65
1.5"	\$195.75
2"	\$195.75
3"	\$391.50
4"	\$391.50
6"	\$587.25
Consumption Rate	\$6.05 Per 1,000 Gal. (100% consumption)

Bulk Water Rates

Deposit	\$900
Set Fee & Move Fee	\$100
Base Rate for 3" Meter	\$380 per month + consumption
Consumption Rate	\$6.60 per 1,000 gallons
One Day Fee	\$35 per day for 5,000 gallons or less + \$6.40 per 1,000 gallons over 5,000 gallons

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

WASTEWATER RATES

Note: New Wastewater Rates
are effective 12/1/2021

Option #1 – Standard Wastewater Rates

Residential Base Rate – 1 st 5,000 Gal	\$28.00
Residential Volume Rate (Per 1,000)	\$4.75
Industrial Institution or Commercial Base Charge – 1 st 10,000 Gallons	\$60.25
Industrial Institution or Commercial Volume Rate (Per 1,000)	\$4.75

Option #2 – Winter Average Rates

Single Family Residential Base Rate	\$19.00 (no minimum gallons)
Single Family Residential Volume Rate (Per 1,000)	\$2.95 (no maximum gallons)

Option #3 – Flat Rate

Single Family Residential Flat Rate	\$38.50
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High-Density Multifamily

High-Density Multifamily Base Charge	\$60.25 (per building)
High-Density Multifamily Volume Rate (Per 1,000)	\$4.75 (100% Volume)

DRAINAGE RATES

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

SOLID WASTE RATES

Residential	
Collection	\$16.82
Additional Polycart	\$4.83
Administrative Fee – Per Unit	\$1.50 per unit
Damage Fee-Polycart (damage due to misuse)	\$60

**Commercial customers are billed directly by Republic Services.*

UTILITY FEES

Deposits – Residential Commercial	\$80 - \$180 Credit Based Equal to minimum bill for (1 & ½) monthly bill based on initial application
Initial Connection Fee	\$30
Delinquent Fees	15% of balance
Collection Services	25% of final balance
Non-Pay Reconnect	\$50 before 4pm
After Hours Non-Emergency Service Call	\$40 after 4pm
Meter Accuracy Check (Reread)	\$25
Meters up to 1" – Meter Testing Deposit	\$75
Meters greater than 1" up to 2" – Meter Testing Deposit	\$250
Meters larger than 2" – Meter Testing Deposit	Base Fee – Quoted on per cost basis

Tampering Fees

Tampering with Meter without City Permission	\$500 per event
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Water Taps & Meter Set*

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

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

Wastewater Taps & Service Connection Fees**

All Wastewater Taps	\$1000 Base Fee – Quoted on per cost basis
4" Tap	\$1000 Base Fee – Quoted on per cost basis
6" Tap	\$1000 Base Fee – Quoted on per cost basis
8" or Larger Lateral	\$1000 Base Fee – Quoted on per cost basis

*****In addition, service lines that require the cutting or boring of paved streets or alley will be subject to a minimum charge of \$1000 Base Fee – Quoted on per cost basis. The decision of a bore or utility cut will be made by Community Services.***

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 9

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on **Ordinance No. 2021-14** adopting the FY 2021-2022 Annual Operating and Capital Budget.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City charter requires the City Manager to present a Proposed Budget to the City Council prior to August 1st each year. The Charter also requires a public hearing on the budget be conducted no sooner than 15 days following the budget hearing notice publication. This hearing was held on August 9, 2021. Public hearings on the tax rate were held on August 9 and 16, 2021.

The following motion provides for the formal adoption of the FY 2021-2022 Annual Budget.

FISCAL IMPACT:

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

SUGGESTED MOTION:

“I move to approve the Ordinance No. 2021-14 adopting the FY 2021-2022 Annual Operating and Capital Budget.”

ATTACHMENTS:

Ordinance adopting the Budget for the Fiscal Year 2021-2022

ORDINANCE NO. 2021-14

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF HEWITT, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021, AND ENDING ON SEPTEMBER 30, 2022 AND MAKING APPROPRIATIONS FOR EACH FUND, DEPARTMENT, PROJECT, AND ACCOUNT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED WAS NOTICED AND HAS BEEN OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE 2021-2022 FISCAL YEAR BUDGET.

WHEREAS, the City Council has heretofore approved the certified tax roll prepared and presented by the McLennan County Appraisal District as required by the Tax Code; and

WHEREAS, notice of a public hearing on the budget for the City of Hewitt, Texas, for the fiscal year 2021-2022 was theretofore published at least fifteen (15) days in advance of said public hearing; and

WHEREAS, the City Manager of the City of Hewitt has submitted to the City Council a proposed budget of the revenues and expenditures of conducting the affairs of the City and providing a complete financial plan for 2021-2022; and

WHEREAS, the City Council has received the City Manager's proposed budget, a copy of which proposed budget and all supporting schedules have been filed with the City Secretary of the City of Hewitt and available for public inspection on the city's website;

WHEREAS, a public hearing on the said budget was duly held on the 9th day of August 2021, and all interested persons were given an opportunity to be heard for or against any item thereof;

WHEREAS, Texas Local Government Code Sec. 102.007(c) requires that adoption of a budget that raises more property tax revenue than generated in the previous year requires a record vote of the City Council to ratify the property tax increase reflected in the budget in addition to and separate from the record votes to approve the ordinance adopting the annual budget and the ordinance adopting the tax rate for the current tax year; and

WHEREAS, the City Council has adopted the 2021-2022 fiscal year budget which will require the City to raise more revenue from property taxes than in the prior year's fiscal budget by an amount of \$457,669 which is an 8.1% increase that is included in the 2021-2022 fiscal year budget revenues. The property tax revenue to be raised from new property added to the tax roll this year is \$78,244.

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

SECTION 1: That the City Council hereby adopts and approves the proposed budget of the City of Hewitt, providing a complete financial plan for the ensuing fiscal year, as submitted to the City Council by the City Manager, and the same is hereby, in all things adopted and approved as the budget of the City for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022.

SECTION 2: That the City Manager shall cause copies of the budget to be filed with the City Secretary and the County Clerk of McLennan County.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

SECTION 4: That it is hereby officially found and determined that the meeting at which this Ordinance is adopted was noticed and has been open to the public as required by law.

SECTION 5: The property tax increase reflected in the 2021-2022 Fiscal Year Budget is hereby ratified.

SECTION 6: This ordinance shall take effect immediately from and after its passage as the last and Charter in such cases provide.

The City Council voted separately and additionally to ratify the increase in property tax revenues reflected in the adopted FY 2021-2022 budget by a vote of _____ AYES to _____ NAYS with _____ abstentions.

PASSED AND APPROVED this the 16th day of August 2021.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 10

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on ratification of the property tax increase reflected in the budget.

STAFF RECOMMENDATION/ITEM SUMMARY:

According to the Local Government Code, Chapter 102, Municipal Budget, Section 102.007 (c), the governing body is required to ratify the property tax increase reflected in the budget.

This budget will raise more revenue from property taxes than last year's budget by an amount of \$457,669 which is an 8.10% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$78,244.

FISCAL IMPACT:

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

SUGGESTED MOTION:

"I move to ratify the property tax increase reflected in the budget."

ATTACHMENTS:



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 11

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Briefing and discussion concerning Financial Statements ending July 31, 2021.

STAFF RECOMMENDATION/ITEM SUMMARY:

The financial statements ending July 31, 2021 were sent electronically to city council on August 9, 2021. This is an opportunity for the council to ask any questions or make comments.

FISCAL IMPACT:

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

SUGGESTED MOTION:

No action required.

ATTACHMENTS:

None.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 12

SUBMITTED BY: Kevin Reinke, Utilities Director

ITEM DESCRIPTION:

Consideration and action to ratify the expenditure of \$49,600 to replace submersible pump at Lift Station 2-1.

STAFF RECOMMENDATION/ITEM SUMMARY:

This item is to seek ratification for expenses to replace one 150 hp. submersible pump. Due to the extensive damage to the original pump, Jurgensen Pump recommended purchasing a new submersible pump instead of rebuilding the original equipment.

FISCAL IMPACT:

Amount Budgeted – \$40,000.00

Line Item in Budget – 20-50375-91-00

SUGGESTED MOTION:

I move to ratify the expenditure of \$49,600 to Jurgensen Pump, LLC to purchase a new submersible pump for lift station #1.

ATTACHMENTS:

Quotes attached



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

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

Date	Estimate #
7/12/2021	4498

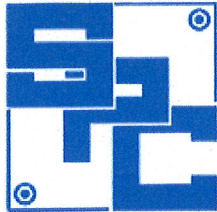
REGULATED BY THE TEXAS
 DEPARTMENT OF LICENSING &
 REGULATIONS PO BOX 12157
 AUSTIN, TX 78711
 LICENSE #54576

Name / Address
City of Hewitt P.O. Box 219 Hewitt, TX 76643

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

Project
Lift Station #1

Description	Qty	Cost	Total
Lift Station #1 Fairbanks Morse 5" D5436MV 150 HP / 3PH / 460V 1785 RPM 1900 GPM @ 186' TDH 15.1" Impeller S/N: 10290938 ABS / Sulzer XFP155J-CB2 PE1250/4, 168HP / 3PH / 460V Pump with Flange Adapter to Fit Fairbanks Elbow Lead Time ----- 3 Weeks	1	49,600.00	49,600.00
Quote valid for 30 days!		Subtotal	\$49,600.00
		Sales Tax (0.00)	\$0.00
		Total	\$49,600.00

**Smith Pump Company, Inc.**

301 MB Industrial Blvd

Waco, TX 76712 US

Phone: 800-299-8909

Fax: 254-776-0023

www.smithpump.com

Quote No: 31860**Tuesday, July 20, 2021**

Page: 1

Prepared For:**City of Hewitt**

finance2@cityofhewitt.com

200 Patriot Court

Hewitt, TX 76643

Phone: 254 666 6171

Fax: 254 666 3741

Shipping: Kevin Reinke**City of Hewitt**

finance2@cityofhewitt.com

200 Patriot Court

Hewitt, TX 76643

Shipping Method

Bestway

Freight Terms

FOB Shipping Point

Payment Terms

Net 30 Days

Thank you for the opportunity to present our quotation for your upcoming project. Please give us a call if you require additional information.

Sincerely,

Christopher Burress

christopherb@smithpump.com

Line: 1

Part ID: 0902

Rev: 0

New Replacement Pump

(1) New Replacement Fairbanks Morse Pump Model D5436

- 150HP, 1783 rpm, 460V/3ph, 5" pump, 3" solids handling, 60' power cord

Lead Time: 13-14 weeks ARO

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA				*

Line: 2

Part ID: 4303

Rev: 0

Field Service - Installation & Start Up

Field Service Technician to install new pump & perform start up

Includes:

1. Labor

2. Mileage to/from Jobsite

* Half day quoted, actual hours consumed will be charged *

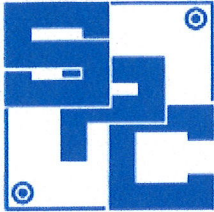
Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA				*

* Indicates which quantity price is included in the Total

Total:**\$61,325.00**

Salesperson: TXWEST - Christopher Burress

Prices are Valid Until Thursday, August 19, 2021



Smith Pump Company, Inc.

301 MB Industrial Blvd
Waco, TX 76712 US

Phone: 800-299-8909
Fax: 254-776-0023
www.smithpump.com

Quote No: 31860

Tuesday, July 20, 2021

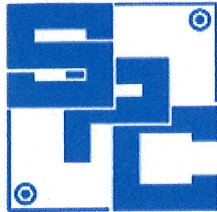
Page: 2

ACCEPTED BY: _____

PRINTED NAME: _____

PURCHASE ORDER (IF APPLICABLE): _____

SIGNED ON DATE: _____



Smith Pump Company, Inc.

301 MB Industrial Blvd
Waco, TX 76712 US

Phone: 800-299-8909

Fax: 254-776-0023

www.smithpump.com

Quote No: 31860

Tuesday, July 20, 2021

Page: 3

Terms and Conditions

1. **Applicability** - These Terms and Conditions of Sale ("Terms") shall govern all sales of equipment or services to Customer. These Terms supersede any prior written or oral agreement, understanding, representation or promise and any pre-printed or standard terms and conditions contained in Customer's request for quote, purchase order, invoice, order acknowledgement or similar document. These Terms may not be amended, supplemented, changed or modified except by concurrent or subsequent written agreement signed by an authorized representative of both Smith Pump Company ("SPCO") and Customer. SPCO's acknowledgement of Customer's purchase order shall not constitute acceptance of any terms or conditions contained therein which are in any way inconsistent with the Terms. Any additional or different terms or conditions included in any acceptance of this quotation are expressly disclaimed and rejected in advance, and unless there is prior mutual agreement otherwise, shall not become a part of any contract resulting from this quotation.
2. **Price** - Unless otherwise stated in this quotation, all prices are FOB shipping point. All transportation, insurance and similar charges incident to delivery shall be borne by the Customer. This quotation is valid for thirty (30) days only. Shipping dates are approximate and are based on prompt receipt of all necessary information. In the case of delay in furnishing complete information to SPCO, dates of shipment may be extended for a reasonable time. In the event SPCO provides transport services, these will be quoted as a lump sum price based on destination and shipping mode. In the event Customer requests a delay or suspension in the completion and/or shipment of equipment or services covered by this quotation, or any part thereof, for any reason, the parties shall agree upon any cost and/or scheduling impact of such delay and all such costs to Customer's account. Any delay period beyond thirty (30) days after original scheduled shipment date shall require Customer to (i) take title and risk of loss of any equipment covered by this quotation, and (ii) make arrangements for the storage of such equipment with SPCO or other party. SPCO's invoice, which is contractually based on shipment, shall be issued upon SPCO's readiness to ship the equipment covered by this quotation. SPCO shall not be liable for delay and delivery due to causes beyond its reasonable control including, but not limited to, acts of God, acts of government, acts of Customer, fires, labor disputes, boycotts, floods, epidemics, quarantine restrictions, war, insurrection, terrorism, riot, civil or military authority, freight embargos, transportation shortages or delays, unusually severe weather or inability to obtain necessary labor, materials or manufacturing facilities due to such causes. In the event of any such delay, the date of delivery shall be extended for a length of time equal to the period of the delay.
3. **Warranty** - SPCO warrants new equipment or parts to be free from defects in materials and workmanship for a period of eighteen (18) months from the date of shipment or twelve (12) months from the date of startup or initial use, whichever comes first. SPCO SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENTIAL, INCIDENTAL, SPECIAL OR LIQUIDATED DAMAGES. NO EXPRESSED OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE SHALL APPLY. Repairs performed by SPCO are warranted against defects in workmanship and/or materials for a period of twelve (12) months from the date of shipment. SPCO will not be responsible for any removal or reinstallation charges or transportation charges in cases where equipment has failed under these warranty conditions. SPCO's sole obligation and Customer's sole remedy under this warranty is repair or replacement at SPCO's election. Customer agrees to provide SPCO reasonable and clear access to any equipment covered by this warranty which may include removal of materials or structures as well as supplying any equipment, materials or structures which are necessary to provide reasonable access to the equipment being repaired or replaced. Costs to remove and/or reinstall equipment for warranty purposes shall be the responsibility of Customer. Replacement parts or repairs furnished under this warranty shall be subject to warranty provisions herein for the remaining warranty period. All equipment repaired or replaced will be re-warranted only for the remainder of the original warranty period. SPCO does not warrant the equipment covered by this quotation or any repair/replacement part against the effects of erosion, corrosion, or normal wear and tear due to operation or the environment. The warranty and remedies set forth herein are conditioned upon proper storage, installation, use and maintenance of the equipment covered by this quotation in all material respects, and in accordance with SPCO's written recommendations. Customer must notify SPCO in writing of any warranty claim during the warranty period or within thirty (30) days thereafter. SPCO will not be liable under this warranty if warranted goods have been exposed or subjected to any (1) maintenance, repair, installation, handling, packaging, transportation, storage, operation, or use which is improper or otherwise not in compliance with SPCO's instructions, (2) alteration, modification or repair by anyone other than SPCO or those specifically authorized by SPCO, (3) accident, contamination, foreign object damage, abuse, neglect, or negligence after shipment to Customer, (4) damage caused by failure of a SPCO supplied product not under warranty or by any hardware or software not supplied by SPCO, (5) use of counterfeit or replacement parts that are not manufactured by the manufacturer of goods provided by SPCO or approved by SPCO for use in goods provided by SPCO, or (6) goods which are normally consumed in operation or which have normal life inherently shorter than the warranty period including, but not limited to, consumables (e.g. lamps, batteries, storage capacitors).
4. **Payment** - All prices are net cash to be paid thirty (30) days after date of invoice. Customer agrees to make payment within that period. Discounts will apply only as stated on the invoice. Invoices unpaid for thirty (30) days after issuance shall bear interest at the highest lawful rate due and payable on any invoiced account, which is delinquent and not paid within the stated terms. Should Customer for any reason fail to pay in accordance with these terms, Customer agrees to pay all collection costs, attorney's fees and expenses incurred in collecting payment. If Customer's financial condition is or becomes unsatisfactory to SPCO, SPCO reserves the right to (a) require payment from Customer on a cash in advance basis, (b) require a letter of credit or other acceptable security before shipment, (c) cancel shipment at any time prior to delivery without further obligation or liability on SPCO's part, (d) terminate any contract or obligation on the part of SPCO, or (e) require other special payment terms acceptable to SPCO to assure payment. All extensions of credit are subject to the approval of SPCO's credit department and management.
5. **Joint Check Agreement** - If Customer fails to pay laborers and materialmen within thirty (30) days after payment by SPCO, SPCO will have the right to make future payments by check payable jointly to Customer and laborers or materialmen to the extent of unpaid indebtedness arising out of the job. SPCO will credit joint checks against the contract sum on the next payment application.
6. **Taxes** - The amount of all federal, state or local taxes applicable to the sale, use, delivery or transportation of the equipment or services sold hereunder and all duties, imports, tariffs, and other similar levies shall be added to the contract price and paid by the Customer except where the Customer shall furnish an appropriate certificate of exemption.
7. **Property Damage** - SPCO shall not be responsible for damage to topsoil or groundcover in connection with the work or service performed under this contract. SPCO shall not be responsible for claims arising from the pumping of water onto the ground which is necessary in connection with the service or work provided by SPCO. The customer agrees to hold SPCO harmless from claims arising out of damage caused by the pumping of water onto the ground.
8. **Startup** - If the equipment supplied pursuant to this quotation has a warranty requirement, qualified SPCO personnel must be present during the initial equipment startup and commissioning. Failure to request and assure the presence of qualified SPCO personnel will void any warranty herein. Requests for startup must occur at least seven (7) days prior to the scheduled date of the startup.
9. **Limitation of Liability** - The remedies set forth herein are exclusive and the total liability of SPCO with respect to this quotation, and any contract for goods or services arising from this quotation, or for any breach thereof, whether based on contract, warranty, torts (including negligence), indemnity, strict liability or otherwise, shall not exceed the quotation or sales price of the specific equipment or service which gives rise to the claim.
10. **Setoff** - All amounts that Customer owes SPCO under this quotation shall be due and payable in accordance with the terms of the quotation. Customer shall not setoff such amounts or any portion thereof, whether or not liquidated, against sums which Customer asserts are due to it, its parent, affiliates, subsidiaries or other division under other transactions with SPCO.
11. **Customer Cancellation** - Customer may cancel this order only upon written notice and payment to SPCO of reasonable and proper cancellation charges. In the event of cancellation, Customer must pay for all material, expense and labor costs incurred by SPCO in connection with the materials and services to be provided pursuant to this quotation, as well as all expenses relating to any specially fabricated materials and restocking charges.
12. **Assignment** - Neither party may assign this order or any portion thereof without the advance, written consent of the other party, which consent shall not be unreasonably withheld.
13. **Waiver/Severability** - Failure by SPCO to assert all or any of its rights upon any breach by Customer shall not be deemed a waiver of such rights either with respect to such breach or any subsequent breach, nor shall any waiver be implied from the acceptance of any payment. No waiver of any right shall extend to or affect any other right Customer may possess nor shall such waiver extend to any subsequent similar or dissimilar breach. If any portion of these Terms are determined to be illegal, invalid or unenforceable for any reason, such provision shall be deemed stricken for the purposes of the dispute in question and all other provisions shall remain in full force and effect.
14. **Applicable Law** - The contract involving the sale of the equipment and services covered by this quotation shall be interpreted in accordance with the laws of the State of Texas. This contract is performable in McLennan County, Texas and venue for any court action in any way relating to or arising out of this contract shall be McLennan County, Texas.



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 16, 2021

AGENDA ITEM #: 13

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Consideration and action on acceptance of the Sunflower Ridge Subdivision detention pond improvement dedication.

STAFF RECOMMENDATION/ITEM SUMMARY:

At the time of plat approval and dedication of public improvements (streets, utilities) in the Sunflower Ridge subdivision, the detention pond that serves the subdivision did not meet the City of Hewitt specifications to accept the improvement at that time. Now, the detention pond meets the City's specifications that includes the detention pond and concrete pilot channel that now is constructed in the bottom of the pond.

The developer now requests to dedicate this improvement to the City of Hewitt.

FISCAL IMPACT:

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

SUGGESTED MOTION:

I move to accept the dedication deed from Big C Land Development, L.L.C.

ATTACHMENTS:

Deed
Final Plat Sunflower Ridge Addition

DEDICATION DEED

Grantor: Big C Land Development, L.L.C.
P.O. Box 249
Hewitt, McLennan County, Texas 76643

Grantee: City of Hewitt, Texas
200 Patriot Court
Hewitt, McLennan County, Texas 76643

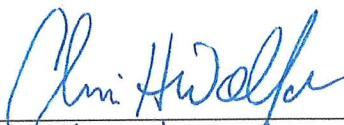
Property: Being Lot 22, Block 1 of the Sunflower Ridge Addition to the City of Hewitt, McLennan County, Texas as shown on the Final Plat of said Addition on file as Document No. 2017007703 in the Official Public Records of McLennan County, Texas (hereinafter "Property").

Benefit to the Public: The Property has upon it a drainage detention pond which is necessary to provide adequate drainage in the area.

Grant: Grantor, dedicates to the public and grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Acceptance: By the signature of its authorized representative below, the Grantee accepts the dedication on behalf of the public and accepts the conveyance of the Property.

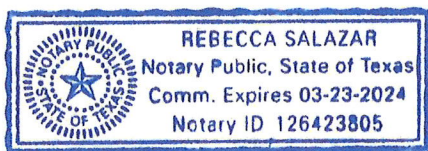
BIG C LAND DEVELOPMENT, L.L.C.


By: Chris H. Wolfe, a Manager

STATE OF TEXAS

COUNTY OF McLENNAN

This instrument was acknowledged before me on June 7, 2021, by Chris H. Wolfe, a Manager of Big C Land Development, L.L.C., on behalf of said limited liability company.




Notary Public, State of Texas
My commission expires: 3-23-2024

CITY OF HEWITT, TEXAS

By: Steve Fortenberry, Mayor

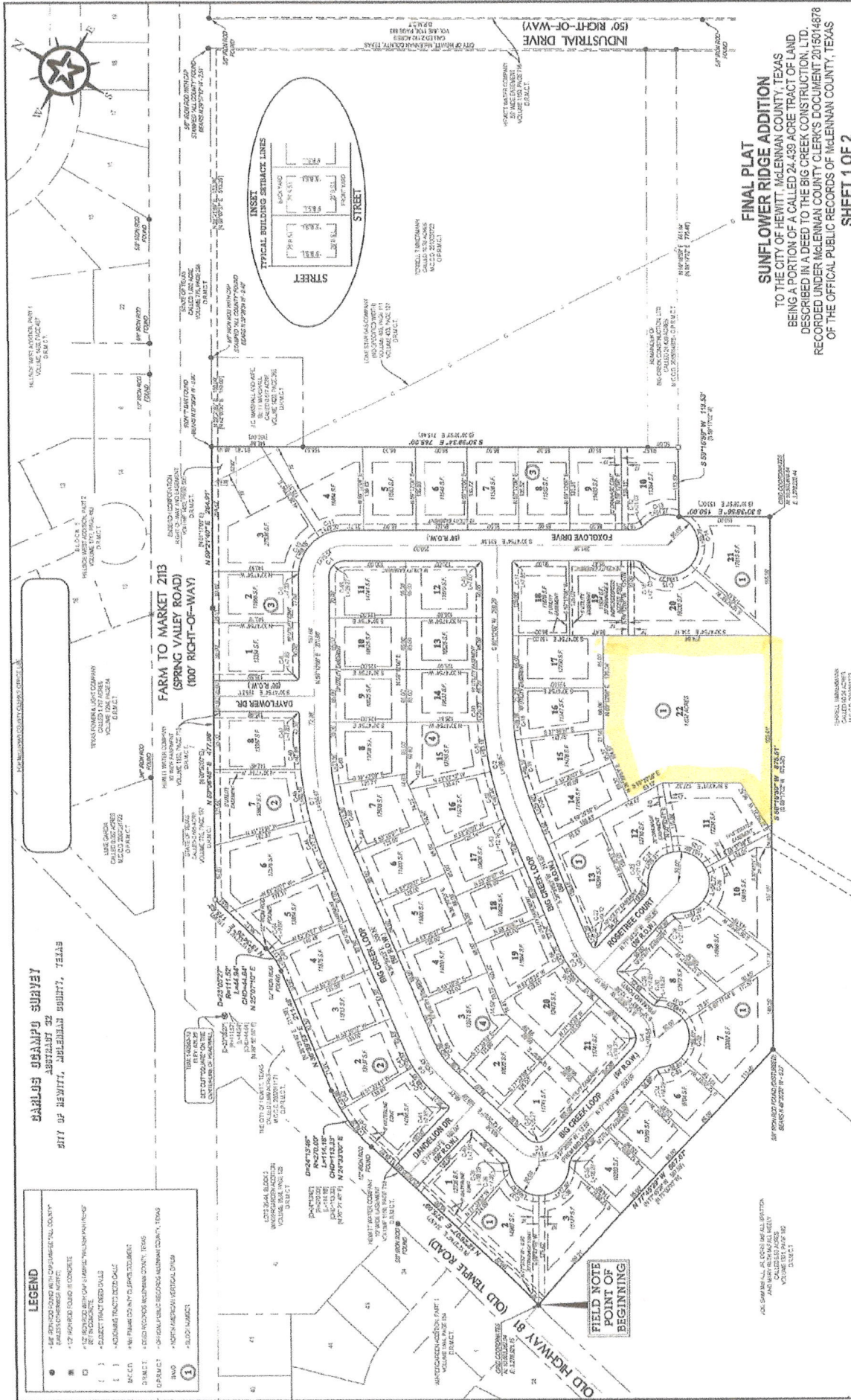
STATE OF TEXAS

COUNTY OF McLENNAN

This instrument was acknowledged before me on June ____, 2021, by Steve Fortenberry,
Mayor of the City of Hewitt, Texas.

Notary Public, State of Texas

My commission expires: _____



FINAL PLAT
SUNFLOWER RIDGE ADDITION
TO THE CITY OF HEWITT, MALENNAN COUNTY, TEXAS
BEING A PORTION OF A CALLED 24.439 ACRES TRACT OF LAND
DESCRIBED IN A DEED TO THE BIG CREEK CONSTRUCTION, LTD.
RECORDED UNDER MALENNAN COUNTY, CLERK'S DOCUMENT 201501487
OF THE OFFICIAL PUBLIC RECORDS OF MALENNAN COUNTY, TEXAS

[illegible][illegible]

CONTACT

FROM NEW YORK COUNTY OFFICE

CITY OF SEATTLE LEGAL
 CLERK'S OFFICE
 400 WEST 4TH AVE
 SEATTLE, WASHINGTON 98101
 PHONE 462-2200
 FAX 462-2200
 E-MAIL CLERK@SEATTLE.GOV

10th DAY OF March 2011 BY THE CITY OF SEATTLE
 PLANNING AND ZONING COMMISSION & THE CITY OF SEATTLE LEGAL CLERK

Charles D. Jensen
 CHAIRMAN

Eva Marinova
 CITY CLERK

City Available
 2011-2012

55° 40' 00" N
106° 00' 00" W

Texas 811
Now select below.
Call now 811.

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