



**CITY OF HUTCHINS
CITY COUNCIL MEETING
AGENDA**

**Monday, March 04, 2024 at 5:30 PM
Hutchins Community Center, 500 N. Hickman St.**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Hutchins City Council to be held on March 4, 2024, with Work Session beginning at 5:30 p.m. and Regular Session beginning at 6:30 p.m. at the Hutchins City Hall Council Chambers, 321 N. Main Street, Hutchins, Texas, at which time the following items will be discussed and considered.

City Council Members

Mayor Mario Vasquez
Mayor Pro Tem Steve Nichols
Councilmember Brenda Campbell
Councilmember Dominic Didehbani
Councilmember Raymond Elmore
Councilmember Demarcus Odom

A. WORK SESSION: 5:30 p.m.

1. Conduct an interview with North Star Place Branding + Marketing in relation to choosing a firm to conduct the Rebranding Initiative. Presented by: Katherine Lindsey, Assistant to the City Administrator

North Star Place Branding + Marketing, March 4th
BrandEra Inc., March 18th
Pavlik and Associates, LP, April 1st

B. REGULAR SESSION: 6:30 p.m.

C. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

2. Roll call and announce a quorum present: Mayor Vasquez

D. INVOCATION AND PLEDGE OF ALLEGIANCE

E. CITIZEN COMMENTS - *This agenda item provides an opportunity for citizens to address the City Council on any matter that is not posted on the agenda. Anyone wishing to address the City Council should complete a Citizen Comments Form and submit it to the City Secretary prior to the start of the City Council meeting. There is a three (3) minute time limit for each citizen to speak. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decision at this time.*

F. CONSENT AGENDA - *All items presented in the Consent Agenda require no deliberation by the Council. Each Council member has the opportunity of removing an item from this agenda so that it may be considered separately.*

3. Discuss and consider Resolution R2024-03-1175 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC. Presented by: Katherine Lindsey, Assistant to the City Administrator.
4. Discuss and consider Resolution R2024-03-1176 AUTHORIZING MEMBERSHIP IN THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION. Presented by: Katherine Lindsey, Assistant to the City Administrator
5. Consider approval of City Council meeting minutes for January 2024. Presented by: Cynthia Olguin, City Secretary

G. PUBLIC HEARINGS

6. Consider a request by applicant Muhammad Hayat, of Pearl Contracting Corp. (representing property owner Sameer Pichumani “Charger Logistics”) to replat the 16.53-acre tract of land legally described as Being all of Lot 1R, Block A, Charger Global Distribution LTD Addition, an addition to the City of Hutchins, Dallas County, Texas, said tract being more particularly described as 1333 W. Wintergreen Road. Presented by: Tim Rawlings, Building Official.
7. Consider a request by applicant City of Hutchins to replat the 5.00 acres tract of land situated in the Benjamin Matthews Survey, Abstract Number 898, City of Hutchins, Dallas County, Texas, and being part of Kanady’s Addition, and being part of that tract of land described in deed to Hutchins Sunrise, LP, as recorded in Volume 2003041, Page 5081, D.R.D.C.T. said tract being more particularly described as 400 N J.J. Lemmon. Presented by: Tim Rawlings, Building Official

H. PRESENTATIONS

8. Present staffing updates: add position/eliminate position Presented by: Karen Steward, Director of Human Resources
9. 2023 Hutchins Police Department racial profiling report. Presented by: Steve Perry Police Chief, Benny Puckett Lieutenant
10. Presentation of the 2023 Police Department annual report. Presented by: Steve Perry, Jon Lindley, Benny Puckett
11. Results of Animal Shelter Study Presented by: Steve Perry, and Ron Hobbs

I. REGULAR AGENDA - *As authorized by Section 551.071 of the Texas Government Code, the City Council reserves the right to convene in Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.*

12. Discuss and consider a request for a replat submitted by Charger Logistics Replat Presented by: Tim Rawlings
13. Discuss and consider a request for a replat for Hutchins City Hall Replat Presented by: Tim Rawlings
14. Discuss and consider Resolution R2024-03-1177 accepting bids received in association with the City’s Sidewalk Improvements at UPRR & Palestine Street Project; authorizing the City

Administrator to execute an agreement with the apparent low bidder CCGMG, LLC Series B of Dallas, Texas in an amount not to exceed \$27,115.00; and providing for an effective date.
Presented by: Robert McWayne

J. EXECUTIVE SESSION

15. The Hutchins City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in §551.087. Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision to a business prospect:

1) KTN DP TERMINAL CENTER. Presented by: Guy Brown HEDC Executive Director

K. RECONVENE INTO REGULAR SESSION

16. Take action as a result of Executive Session, if any.

L. ITEMS OF COMMUNITY INTEREST

17. Dallas County Elections - Primary Elections, Hutchins City Hall Council Chamber, 321 N. Main St.

Election Day: Tue, March 5, 7 am – 7 pm

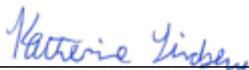
Parks and Recreation Board meeting, Tuesday, March 5, 2024, at 6:30 p.m., Hutchins Community Center, 500 W. Hickman St.

Atwell Public Library Board meeting, Tuesday, March 19, 2024, at 6:30 p.m., Atwell Public Library, 300 N. Denton St.

M. ADJOURN

CERTIFICATION

I certify that a copy of the March 4, 2024, agenda of items to be considered by the Hutchins City Council was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website www.cityofhutchins.org, in accordance with Chapter 551 of the Texas Government Code. Posted on Friday, March 1, 2024, before 5:30 p.m.



Katherine Lindsey
Assistant to the City Administrator

ACCESSIBILITY STATEMENT

The meeting location is wheelchair accessible from the front door. Request for special services must be received at least 48 hours in advance of scheduled meeting. For assistance, please call the office of the City Secretary at 972-225-6121 or email the City Secretary at colquin@cityofhutchins.org.



STAFF REPORT

MEETING DATE:	March 4, 2024
MEETING TYPE:	City Council
SUBMITTED BY:	Katherine Lindsey
AGENDA CAPTION:	Conduct an interview with North Star Place Branding + Marketing in relation to choosing a firm to conduct the Rebranding Initiative. Presented by: Katherine Lindsey, Assistant to the City Administrator

Background Information

On October 2, 2023, the City began advertising Bid No. 2023-10 Professional Marketing Services – Rebranding Initiative. The two primary goals of the project are as follows:

1. Generate strategy to drive resident and business appeal, as well as regional retail and restaurant traffic, with consistent branding within the organization that portrays the City as a desirable place to live and work.
2. Lay the foundation for future strategic planning and everyday decision making by way of identifying and articulating the City’s purpose, desires, and values in the form of official mission, vision, and value statements.

The exact type of deliverables will remain at the City Council’s discretion and will be included in the contract.

The chosen firm will help lead the project by way of conducting market research, focus groups, and presenting drafts of the deliverables to the City Council.

North Star Place Branding + Marketing is one of the three top ranked firms to be interviewed. The other two are BrandEra Inc. and Pavlik and Associates, LP.

Budget Implications

The project was included in this year’s budget. The cap is \$75,000 and includes replacement costs of stationery, vehicle decals, uniform shirts, and similar products. If a firm is not able to provide printing and production costs themselves, then \$20,000 of the total should be reserved for this purpose.

Operational Impact

The rebranding project will allow the City to be more fully prepare for strategic planning, and better portray itself to new residents, businesses, and external stakeholders in reflection of the new website, new City Hall building, residential developments, and other initiatives.

Legal Review

NA

Staff Recommendation

NA

Supporting Documentation and Attachments

NA



STAFF REPORT

MEETING DATE:	March 4, 2024
MEETING TYPE:	City Council
SUBMITTED BY:	Katherine Lindsey
AGENDA CAPTION:	Discuss and consider Resolution R2024-03-1175 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC. Presented by: Katherine Lindsey, Assistant to the City Administrator.

Background Information

Purpose of the Resolution

The City of Hutchins is a member of a 169-member city coalition known as the Steering Committee of Cities Served by Oncor (Steering Committee). The resolution approves the assessment of a ten cent (\$0.10) per capita fee to fund the activities of the Steering Committee.

Why this Resolution is Necessary

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over three decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of “Be It Resolved” Paragraphs

I. The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City’s membership.

II. This paragraph authorizes payment of the City’s assessment to the Steering Committee in the amount of ten cents (\$0.10) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

III. This paragraph requires payment of the 2024 assessment be made and a copy of the resolution be sent to the Steering Committee.

Payment of Assessment

A copy of the resolution should be mailed with payment of the fee to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor.*

Budget Implications

Membership requires the City to pay a fee in the amount of ten cents (\$0.10) per capita, based on population. This brings the invoice total to \$602.00. It is the same as last year.

Operational Impact

Membership will allow the City to stay informed on matters regarding state legislative bills, Oncor, and ERCOT, and better benefit from related advocacy efforts.

Legal Review

The Resolution was drafted and approved by Thomas Brocato, the attorney representing the Steering Committee.

Staff Recommendation

Staff recommends that the Council make a motion to approve the Resolution authorizing continued participation with the steering committee of cities served by Oncor; and authorizing the payment of ten cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.

Supporting Documentation and Attachments

Invoice

City of Arlington, c/o Oncor Cities
 Steering Committee
 Attn: Brandi Stigler
 101 S. Mesquite St., Ste. 300
 MS # 63-0300
 Arlington, TX 76010

Date	Invoice #
1/8/2024	24-73

Bill To
City of Hutchins

Item	Population	Per Capita	Amount
2024 Membership Assessment	6,020	0.10	602.00
Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste. 300, MS #63-0300, Arlington, Texas 76010			Total \$602.00

2023 OCSC Newsletter

Steering Committee of
Cities Served by
Oncor

2023 YEAR IN REVIEW ISSUE

This past year was an active one for the Steering Committee of Cities Served by Oncor. This Year in Review edition of the OCSC newsletter highlights significant 2023 events and looks ahead to 2024.

2023 RATE CASE NEWS

Oncor Rate Request Cut by Quarter Billion Dollars *OCSC Represents Consumer Interests in Rate Case*

An order cutting Oncor's annual revenues by \$13 million — or .2 percent — received final Public Utility Commission authorization on August 24, 2023.

In a rate case filed in May 2022, the Dallas-based utility initially sought a \$251 million revenue increase, or 4.5 percent over its 2021 test year revenues of \$5,560,081,218. The administrative law judge hearing the case rejected that proposal with an initial Proposal for Decision ("PFD") adopted on April 6 and then the Commission reversed several findings in its Order on Rehearing adopted on June 30. In an August 24 vote, the Commission declined to extend the timeline for further consideration of the case.

As a result of the PUC's decision, Oncor has had its initial rate request slashed by more than a quarter-billion dollars. The PUC's decision will also lead to smaller bill increases for customers than they otherwise would have experienced under the company's initial proposal. The Steering Committee of Cities Served by Oncor ("OCSC") participated in the rate case on behalf of the cities in its coalition and their citizens.

Details

Oncor in a May 13, 2022, rate-case filing initially

sought a \$5,810,772,332 revenue requirement based on a 7.05 percent overall rate of return. The administrative law judge's PFD from April 6 would have decreased the utility's revenues by \$247 million, or by 4.4 percent.

However, the PUC's June 30 Order on Rehearing modifies that earlier PFD and will award the company a 6.65 percent rate of return on a \$5,547,515,324 revenue requirement. The approved revenue requirement represents a .2 percent reduction from the company's 2021 test year revenues of \$5,560,081,218.

Despite the utility's revenues remaining nearly unchanged under the order, residential customers nonetheless will see a bill increase because of the approved class cost-allocation methodology.

More specifically, an average residential customer would have experienced a \$7.22 monthly increase under the company's filed rate case, and Oncor would have benefited from an 11.2 percent increase in residential class revenues. Under the adopted Order on Rehearing, an average residential customer will experience a \$3.10 increase in monthly bills, and the company will benefit from a 6.1 percent increase in residential class revenues, according to an analysis by OCSC.

The Commission in its June 30 Order also agreed with an earlier recommendation by an administrative law judge that disallowed the utility's requested recovery of \$23.5 million from rate base. The PUC likewise agreed with the administrative law judge disallowing Oncor's requested annual amortization of \$851,000 for costs associated with an acquisition adjustment.

However, the PUC reversed an administrative law judge's determination that Oncor should not recover any costs associated with its investments in temporary emergency electric energy facilities. The administrative law judge previously concluded that Oncor did not comply with the competitive bidding requirements and that its use of mobile-generation units exceeded the limited purposes permitted under law. The PUC disagreed with both conclusions.

Oncor provides transmission and distribution services to approximately 13 million customers and interconnects approximately 3.8 million homes and businesses in Texas. Its service area covers more than 54,000 square miles, extending from the Red River to just north of Austin, and includes much of east Texas, west Texas, and parts of the Panhandle. Oncor owns, operates, and maintains more than 140,000 circuit miles of transmission and distribution lines and more than 1,100 substations and switching stations.

More information concerning this rate case can be found on the PUC website, under Docket No. 53601. Oncor's previous base-rate case was filed on March 17, 2017, in Docket No. 46957.

Other 2023 Oncor Rate Filings and Regulatory News

Energy Efficient Cost Recovery Factor Filing (55074)

On May 31, 2023, Oncor filed an application to establish its Energy Efficiency Cost Recovery Factor (EECRF) for the upcoming 2024 year. OCSC intervened in the case and identified aspects of the requested increase that were unreasonable based on Oncor's previous use of its EECRF budget.

In its original filing, Oncor sought a 2024 EECRF of \$72,399,769. After settlement negotiations, Oncor agreed to reduce its request by \$125,000.

The PUC approved the settlement on Sept. 14, 2023. More information can be found on the PUC website under Docket No. 55074.

Oncor Files Two 2023 DCRFs; PUC Rejects Hearings (55190, 55525)

On June 29, 2023, Oncor Electric Delivery Company filed a Distribution Cost Recovery Factor ("DCRF") application to increase its distribution revenues by \$152,777,465. The PUC approved the application on November 3, but with \$268,528 transmission expenses removed. With that modification, Oncor's authorized DCRF application will allow the utility to recover an additional \$152,508,937 from customers on an annual basis. The DCRF charge on residential bills associated with this DCRF filing will be .002847 per kilowatt hour, or about \$3.70 monthly for a customer using 1,300 kilowatt hours. More information can be found about the DCRF in PUC Docket 55190.

On September 15, Oncor submitted a second DCRF application for 2023. Under it, the utility seeks to increase its distribution revenues by another \$56,536,428. However, under a settlement agreement with the Oncor Cities Steering Committee and others, the utility agreed to reduce its recovery by \$3 million. The DCRF charge on residential bills under the revised agreement will be .002491 per kilowatt hour, or about \$3.24 monthly for a customer using 1,300 kWh monthly.

On Dec. 14, 2023, the PUC approved the settlement in the second DCRF, which can be found under PUC Docket 55525. The combined new DCRF charge (with changes from both 55190 and 55525) will be .005338, or about \$6.94 for a customer using 1,300 kWh monthly.

PUC Commissioner: No Right to Hearings in DCRF Cases

In a discussion of the second DCRF on Nov. 30, PUC commissioners agreed unanimously that parties have no right to hearings in DCRF proceedings. Chair Kathleen Jackson said she came to this conclusion because of the Legislature’s adoption of Senate Bill 1015 in 2023 that includes a 60-day deadline for consideration of DCRF cases. Jackson further explained that since DCRF proceedings are interim rate adjustments, the opportunity for a hearing will occur in the next base rate proceeding. More information can be found in Docket 55525.

Oncor to Pay Penalty for Reliability Violations (55804)

Oncor will pay \$322,000 in penalties for repeated service and quality violations, under a 2023 settlement agreement.

The agreement, which Public Utility Commission staff posted on November 30, still requires approval by agency commissioners. Under it, Oncor agrees that it committed multiple violations of the PUC’s service and quality standards during 2020 and 2021. Each of the violations pertained to the agency’s System Average Interruption Duration and System Average Interruption Frequency Indexes, or “SAIDI” and “SAIFI,” respectively.

By way of background, SAIFI measures the average number of service interruptions per customer — a figure calculated by summing the number of customers interrupted for each event and dividing that figure by the total number of customers. SAIDI, meanwhile, measures the average interruption time on a per-customer basis, and is expressed in minutes. All else equal, lower SAIDI and lower SAIFI scores represent better reliability.

However, according to the Nov. 30 proposed settlement agreement, Oncor exceeded average SAIDI and SAIFI scores by more than 300 percent on multiple occasions and on multiple feeders. Oncor gave varied reasons for the violations — on some occasions, the company blamed high-wind events and lightning strikes. On others, the company cited incidents involving public vehicles, such as trucks striking overhead lines.

Meanwhile, PUC staff, said that “Oncor’s failure to maintain reliable electric distribution service presents a hazard to the health and safety of its customers.

“The most immediate health and safety risk is borne by customers who rely on electricity-dependent medical equipment, such as breathing machines and battery-powered mobility devices,” the staff continued in its Nov. 30 PUC filing. “However, extended service interruptions during periods of extreme temperatures pose a risk to the health of all customers, especially those who may be elderly, sick, or otherwise vulnerable to prolonged exposure to hot or cold temperatures.”

More information can be found on the PUC website, under Docket No. 55804.

2023 ERCOT NEWS

ERCOT Approves Fee Increase

ERCOT’s budget will grow 40 percent in 2024 — adding nearly \$119 million to its current \$287 million budget, under newly authorized spending projections.

Much of the increase will come from a 13.5 percent increase in the System Administration Fee on wholesale energy — or from 55 cents per megawatt hour to 63 cents. The PUC approved the change on Nov. 2 on a 4-0 vote, after two hours of deliberation.

The grid operator initially sought a 71-cent fee, and then revised its request downward to 69 cents per mWh. But even that revised request received pushback from commissioners. “I asked (ERCOT) the question, ‘Is there anything on your wish list that you didn’t put in here?’ And the answer was no... That tells me there’s not a lot of budget scrutiny,” Commissioner Jimmy Glotfelty said at the Nov. 2 meeting.

ERCOT will begin collecting the higher fee in January, and it will remain in effect through at least 2025. ERCOT CEO Pablo Vegas has said the organization likely will not seek another increase prior to 2028.

ERCOT, also known as the Electric Reliability Council of Texas, does not charge the System Administration Fee directly to end-user bills, but to middlemen in the

wholesale electricity market. Even still, a typical residential customer could expect to pay about \$1.20 per month downstream because of the ERCOT charge and the proposed increase.

The System Administration Fee finances most ERCOT operations, and, with the adoption of proposed adjustments, will account for \$330 million of the organization's \$424 million in 2024 revenue, according to

ERCOT Board Members Pay Nearly Doubles

ERCOT board members had their pay nearly doubled under a PUC order that becomes effective in July 2023.

Approved by the PUC during the previous month, the change increased base compensation for ERCOT board members from \$87,000 per year to \$160,000. In addition, the PUC approved increases in supplementary compensation for the board chair, board vice chair and for ERCOT committee chairs. Under the changes, the board chair's supplementary pay goes from \$12,800 to \$35,000; the vice chairs' supplemental pay goes from \$7,500 to \$15,000; and the supplemental pay for ERCOT committee chairs goes from \$5,600 to \$25,000.

ERCOT, in requesting the increases, said that compensation levels for board members have remained unchanged for almost 11 years.

Heat Wave Prompts Record Demand on ERCOT Grid

Power demand hit record highs inside ERCOT on at least a dozen occasions during the summer of 2023, with residential consumers and businesses cranking up their air conditioners for hours on end.

However, ERCOT, also known as the Electric Reliability Council of Texas, maintained sufficient resources to meet demand. ERCOT manages the electricity grid for about 90 percent of the state's power load.

In descending order, some of the peak usage records broken include the 85,435 megawatts consumed on August 10; the 83,961 MW consumed on August 9; the 82,539 megawatts consumed on July 18; the 81,911 megawatts on July 17; the 81,406 megawatts on July 13; and the 81,351 megawatts on July 12. One megawatt can power around 200 U.S. homes on a hot summer day.

Last summer, ERCOT consumers set 11 peak demand records.



Texas Gets Federal Money for ERCOT Grid

In 2023, the federal government allocated \$60.6 million to be directed to electric utilities in Texas to strengthen power grid infrastructure.

The U.S. Department of Energy announced the grant awards on July 6, explaining that the funding is intended to help the state's power grid withstand extreme weather events.

"These grants will help modernize the electric grid to reduce impacts of extreme weather and natural disasters while enhancing power sector reliability," U.S. Secretary of Energy Jennifer Granholm said in a statement.

State emergency officials will develop parameters for how to use the money, according to media reports. *The Texas Tribune* reports that the funding could go toward programs such as trimming trees around power lines or improving how equipment functions in extreme heat or cold.

Texas policymakers have focused various legislative and regulatory initiatives on grid dependability ever since the winter outages of 2021 that led to several hundred deaths.

PUC Commissioner, ERCOT Market Monitor Resign

Two key figures overseeing the state's power grid — Public Utility Commissioner Will McAdams and ERCOT Independent Market Monitor Carrie Bivens — submitted their resignations in 2023.

McAdams was first appointed to the PUC after Winter Storm Uri that left millions without power. He resigned from the commission effective in December.

The PUC on Nov. 9 also confirmed that Carrie Bivens, the independent market monitor for the Texas grid,

would be resigning. Her departure came shortly after she raised questions about the potential billion-dollar-plus cost of a new ancillary service — the ERCOT Contingency Reserve Service — approved by the Public Utility Commission.

Ms. Bivens is an employee of Virginia-based Potomac Economics, which currently holds the Independent Market Monitor contract for Texas. However, that contract is set to expire soon, and the PUC recently has issued a Request for Proposal for a new contract term.

88th Texas Legislature Recap: Electric Legislation

Before adjourning *sine die* on May 29, 2023, lawmakers of the 88th Regular Session of the Texas Legislature considered hundreds of bills that relate to electric and gas issues — including many filed in response to the devastating winter storm of 2021. Below we describe the final outcomes of some of the major bills relating to electricity issues, with descriptions of bills that passed and those that didn't.

Adopted Legislation

Bills relating to significant electricity issues that **received approval** during the 88th Regular Session include:

- **HB 1500**, by Rep. Justin Holland and Sen. Charles Schwertner, is the PUC, OPUC and ERCOT "Sunset" bill. **Many recommendations submitted by city groups such as the Steering Committee of Cities Served by Oncor ("OCSC") in advance of this year's session and prior ones were included in the final, adopted version of HB 1500.** These include requirements for a more deliberative process by the PUC for issuing directives to ERCOT; the creation of a cost cap on the expensive and unproven Performance Credit Mechanism market overhaul endorsed by the PUC; protections against the potential misuse by generators of Voluntary Mitigation Plans; and an increased penalty cap for market manipulation violations. The contents of several Senate bills that otherwise failed during the 88th Texas Legislature likewise made it into the final, adopted version of HB 1500. This included language from Senate Bill 1287, by Sen. Phil King, to cap ERCOT system interconnection costs.

with costs over the cap borne by the interconnecting generator and not ratepayers; and language from SB 7, by Sen. Charles Schwertner, that (among other things) establishes a new Ancillary Service for dispatchable generation resources that can remain operational for at least four hours.

- **SB 2627**, by Sen. Schwertner and Rep. Carol Alvarado, will allocate \$5 billion in tax dollars to create a low-interest loan program to incentivize building new generation facilities. The legislation likewise finances construction completion bonuses for and provides funding for system hardening in non-ERCOT areas.
- **SB 1015**, by Sen. Phil King and Rep. David Spiller, allows electric utilities to make Distribution Cost Recovery Factor (DCRF) filings twice per year (as opposed to current law that limits filings to once a year). **At the urging OCSC and the Texas Coalition for Affordable Power (“TCAP”), a separate city group, lawmakers removed a provision that would have limited city regulatory oversight over DCRF proceedings and made other improvements to this legislation.**
- **SB 1016**, by Sen. King and Rep. Jay Dean, creates a presumption in a utility rate proceeding that employee salaries and benefits are reasonable if based on a compensation study no more than three years old.
- **SB 2011**, by Sen Schwertner and Rep. Shelby Slawson, raises the cap on enforcement penalties on ERCOT market manipulation violations from \$25,000 per violation per day to \$1 million per violation per day. It also requires more frequent updating of voluntary mitigation plans.

Failed Legislation

Bills relating to significant electricity issues from the 88th Regular Session that failed to become law include:

- **HB 3042**, by Rep. David Spiller, and **SB 1889**, by Drew Springer, relate “to the consideration of the proportion of long-term debt and equity capitalization in establishing the rates of electric utilities.” These companion bills would have modified rules for the calculation of debt and equity ratios for electricity ratemaking purposes — but to the detriment of ratepayers. **TCAP, OCSC and another city group, the Atmos Cities Steering Committee (“ACSC”), opposed this legislation.**
- **SB 1291**, by Sen. King, would have undermined the ability of municipalities to receive reimbursement for participating in electric utility rate cases. **TCAP, OCSC and ACSC opposed this legislation.**
- **SB 6**, by Sen. Schwertner, called for the creation of a multi-billion-dollar taxpayer-funded program to finance the construction of backup generation. A similar bill, **SB 1377** by Sen. Tan Parker, also failed to win approval.
- **SB 2010**, by Sens. Charles Schwertner and Phil King, related “to required reporting by the wholesale electric market monitor for the ERCOT region.” The Legislature adopted it on May 18. The governor vetoed it a month later. Had SB 2010 taken effect, it would have required the PUC to submit to the Legislature an annual report describing incidences of ERCOT market abuse during the previous 12 months. According to media reports, the bill was among dozens that the governor axed as part of his strategy to break an impasse over property tax legislation.

2024 OCSC Meetings
 March 5
 June 6—Virtual
 September 12
 December 12—Virtual

OCSC Officers
 Chair—Paige Mims
 Vice Chair—Don Knight
 Secretary—Lupe Orozco
 Treasurer—David Johnson

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato
 (512) 322-5857
 tbrocato@lglawfirm.com

Jamie Mauldin
 (512) 322-5890
 jmauldin@lglawfirm.com

OCSC Master List of Members (169 Total)

1. Addison	49. Edgecliff Village	97. Lamesa	145. Snyder
2. Allen	50. Ennis	98. Lancaster	146. Southlake
3. Alvarado	51. Eules	99. Lavon	147. Springtown
4. Andrews	52. Everman	100. Lewisville	148. Stephenville
5. Anna	53. Fairview	101. Lindale	149. Sulphur Springs
6. Archer City	54. Farmers Branch	102. Lindsay	150. Sunnyvale
7. Argyle	55. Fate	103. Little River Academy	151. Sweetwater
8. Arlington	56. Flower Mound	104. Malakoff	152. Temple
9. Azle	57. Forest Hill	105. Mansfield	153. Terrell
10. Bedford	58. Forney	106. McKinney	154. The Colony
11. Bellmead	59. Fort Worth	107. Mesquite	155. Trophy Club
12. Belton	60. Frisco	108. Midland	156. Tyler
13. Benbrook	61. Frost	109. Midlothian	157. University Park
14. Beverly Hills	62. Gainesville	110. Murchison	158. Venus
15. Big Spring	63. Garland	111. Murphy	159. Waco
16. Breckenridge	64. Garrett	112. New Chapel Hill	160. Watauga
17. Bridgeport	65. Glenn Heights	113. North Richland Hills	161. Waxahachie
18. Brownwood	66. Grand Prairie	114. Northlake	162. Westover Hills
19. Buffalo	67. Granger	115. O'Donnell	163. Westworth Village
20. Burkburnett	68. Grapevine	116. Oak Leaf	164. White Settlement
21. Burleson	69. Gunter	117. Oak Point	165. Wichita Falls
22. Caddo Mills	70. Haltom City	118. Odessa	166. Willow Park
23. Cameron	71. Harker Heights	119. Ovilla	167. Wilmer
24. Canton	72. Haslet	120. Palestine	168. Woodway
25. Carrollton	73. Henrietta	121. Pantego	169. Wylie
26. Cedar Hill	74. Hewitt	122. Paris	
27. Celina	75. Highland Park	123. Parker	
28. Centerville	76. Honey Grove	124. Plano	
29. Cleburne	77. Howe	125. Pottsboro	
30. Coahoma	78. Hudson Oaks	126. Prosper	
31. Colleyville	79. Hurst	127. Ranger	
32. Collinsville	80. Hutchins	128. Red Oak	
33. Colorado City	81. Hutto	129. Rhome	
34. Comanche	82. Iowa Park	130. Richardson	
35. Commerce	83. Irving	131. Richland Hills	
36. Coppell	84. Jolly	132. River Oaks	
37. Copperas Cove	85. Josephine	133. Roanoke	
38. Corinth	86. Justin	134. Robinson	
39. Cross Roads	87. Kaufman	135. Rockwall	
40. Crowley	88. Keene	136. Rosser	
41. Dallas	89. Keller	137. Rowlett	
42. Dalworthington Gardens	90. Kemp	138. Royse City	
43. De Soto	91. Kennedale	139. Sachse	
44. DeLeon	92. Kerens	140. Saginaw	
45. Denison	93. Killeen	141. Sansom Park	
46. Duncanville	94. Krum	142. Seagoville	
47. Early	95. Lake Worth	143. Seymour	
48. Eastland	96. Lakeside	144. Sherman	

**CITY OF HUTCHINS, TEXAS
RESOLUTION NO. R 2024-03-1175**

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Hutchins is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Steering Committee at its December 2023 meeting set a budget for 2024 that compels an assessment of ten cents (\$0.10) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, THAT:

SECTION 1. That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Hutchins and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

SECTION 2. The City is further authorized to pay its assessment to the Steering Committee of ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

SECTION 3. A copy of this Resolution and the assessment payment check made payable to “*Steering Committee of Cities Served by Oncor*” shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

DULY RESOLVED AND ADOPTED by the City Council of the City of Hutchins, Texas, this the 4th day of March 2024.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Katherine Lindsey

AGENDA CAPTION: Discuss and consider Resolution R2024-03-1176 AUTHORIZING MEMBERSHIP IN THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION. Presented by: Katherine Lindsey, Assistant to the City Administrator

Background Information

Purpose of the Resolution

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of 185 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 185 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City’s membership in ACSC.
- II. This paragraph authorizes payment of the City’s assessment to the ACSC in the amount of five cents (\$0.05) per capita.
- III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to “*Atmos Cities Steering Committee*” and mailed to Brandi Stigler, Atmos Cities Steering Committee, c/o Arlington City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

Budget Implications

Membership requires the City to pay a fee in the amount of five cents (\$0.05) per capita, based on population. This brings the invoice total to \$301.00. This is the same as last year.

Operational Impact

Membership will allow the City to stay informed on matters regarding state legislative bills, Atmos, and ERCOT, and better benefit from related advocacy efforts.

Legal Review

The Resolution was drafted and approved by Thomas Brocato, the attorney representing the Steering Committee.

Staff Recommendation

Staff recommends that the Council make a motion to approve the Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos cities steering committee to fund regulatory and related activities related to Atmos Energy Corporation.

Supporting Documentation and Attachments

- 1. Atmos Cities Steering Committee Resolution 2024
- 2. 2024 ACSC Invoice
- 3. Memorandum
- 4. ACSC 2024 Year in Review
- 5. ACSC Master List of Members – July 2023
- 6. Contact Form

**CITY OF HUTCHINS, TEXAS
RESOLUTION NO. R 2024-03-1176**

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.

WHEREAS, the City of Hutchins is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, THAT:

SECTION 1. That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutchins and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

SECTION 2. The City is further authorized to pay its 2024 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

SECTION 3. A copy of this Resolution and approved assessment fee payable to “Atmos Cities Steering Committee” shall be sent to:

Brandi Stigler
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

DULY RESOLVED AND ADOPTED by the City Council of the City of Hutchins, Texas,
this the 4th day of March 2024.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary

City of Arlington, c/o Atmos Cities Steering Committee
 Attn: Brandi Stigler
 101 S. Mesquite St., Ste 300
 MS #63-0300
 Arlington, TX 76010

Invoice

Date	Invoice #
2/7/2024	24-83

Bill To
City of Hutchins

Item	Population	Per Capita	Amount
2024 Membership Assessment	6,020	0.05	301.00

Please make check payable to: Atmos Cities Steering Committee and mail to Atmos Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste 300, MS #63-0300, Arlington, Texas 76010	Total	\$301.00
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REQUEST FOR CONTACT INFORMATION
January, 2024

CONTACTS

Please provide contact information for the following coalitions:

- OCSC (Oncor Cities Steering Committee)
- ACSC (Atmos Cities Steering Committee)
- TCCFUI (Texas Coalition of Cities for Utility Issues)

Please type or print clearly *MAIN CONTACT*

Name:	Katherine Lindsey
Title:	Assistant to the City Administrator
City of:	Hutchins
Address:	321 N Main Street, Hutchins, TX 75141
Phone:	972-225-6121 ext. 120
Fax:	972-225-5559
Email:	klindsey@cityofhutchins.org

ADDITIONAL CONTACT

Name:	Cynthia Olguin
Title:	City Secretary
City of:	Hutchins
Address:	321 N Main Street, Hutchins, TX 75141
Phone:	972-225-6121 ext. 130
Fax:	972-225-5559
Email:	colguin@cityofhutcins.org

ADDITIONAL CONTACT

Name:	James Quin
Title:	City Administrator
City of:	Hutchins
Address:	321 N Main Street, Hutchins, TX 75141
Phone:	972-225-6121
Fax:	
Email:	j.quin@cityofhutchins.org

(Please complete and return to: Thomas Brocato @ tbrocato@lglawfirm.com).

CONTACT TO SEND INVOICES OR CHECKS

Name:	Katherine Lindsey
Title:	Assistant to the City Administrator
City of:	Hutchins
Address:	321 N Main Street, Hutchins, Texas 75141
Phone:	972-225-6121 ext. 120
Fax:	972-225-5559
Email:	klindsey@cityofhutchins.org

Please duplicate if more room needed.

2023 ACSC Newsletter



2023 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2023 that impacted ACSC and what's on the horizon next year.

Atmos 2023 Rate Case Round-Up

Atmos Pipeline-Texas will increase the amount it collects on its system for transporting gas by \$12 million annually — or by 1.66 percent — under a settlement agreement approved in December 2023 by state regulators.

This change to the company's "transportation revenue requirement" will affect home rates, albeit indirectly. The company's previous transportation revenue requirement was \$723 million annually. Under the settlement, it now goes to \$735 million. However, even with the increase, the company has accepted \$105 million less under the settlement than the \$839,982,742 it initially sought.

Various intervenors, including the Atmos Cities Steering Committee and other city representatives, reached a unanimous settlement with Atmos in the case during October 2023. The Railroad Commission approved the settlement on December 13 without discussion.

Background of the Case

- On May 19, 2023, Atmos Pipeline-Texas, a Division of Atmos Energy Corporation, filed paperwork at the Railroad Commission to change its rates. ACSC intervened in the rate case, engaged consultants, conducted discovery, and identified aspects of the Atmos request that it found unreasonable.
- The company's overall revenue requirement (which includes extraneous pass-through costs to third parties) will be \$841,924,105 under the settlement, which is \$109 less than the \$951.1 million the company originally sought.
- The adopted changes will result in a capacity charge of \$18.80038 per million British thermal units of MDQ (where MDQ is defined as the maximum daily quantity of gas over the pipeline system). This represents a \$.30614 increase over the current capacity charge of \$18.49424 — or an increase of 1.66 percent.
- The new capacity charge under the approved settlement agreement remains less than the \$21.25 initially requested by APT.
- The company will operate under an approved cost of equity of 11.45 percent under the approved settlement — as opposed to the company's initial request of 13.5 percent.
- This is the company's first full rate case since 2016. More information can be found on the Railroad Commission website, under Case No. 00013758.

OTHER 2023 RATE MATTERS

- On February 24, 2023, Atmos Energy filed for a GRIP rate adjustment for customers within the unincorporated areas of its Mid-Tex Division. Under the adjustment, the monthly customer charge would increase from \$34.29 per month to \$38.38 per month — an increase of \$5.09. More information can be found on the Railroad Commission website, at Case No. 00012759.
- On February 24, 2023, Atmos Energy filed for a GRIP adjustment for customers within the unincorporated areas of its West Texas Division. Under the adjustment, the customer charge would increase from \$27.99 per month to \$31.49 per month — an increase of \$3.50. More information can be found on the Railroad Commission website, at Case No. 00012760.
- On March 31, 2023 Atmos Energy filed for a rate increase for its Mid-Tex service areas under an interim ratemaking process known as the Rate Review Mechanism. In its filing, the company requested a rate increase of \$165.9 million on a system-wide basis. This was reduced to \$156.1 million due to limitations in the RRM tariff. After ACSC consultants prepared a report detailing various adjustments, the company agreed to settle the case for \$142 million. This amounts to a \$23.9 million reduction from the company’s initial request. It includes payment of an additional \$19.5 million for the securitization regulatory assert expenses related to Winter Storm Uri. For residential customers, the agreement will result in a 70-cent increase in the customer charge, from \$21.55 per month to \$22.25. The settlement was approved by all parties in September, and the rates went into effect in October.
- On March 31, 2023, Atmos Energy filed for a rate increase for its West Texas service areas under the Rate Review Mechanism process. In its filing, the company requested a \$12.1 million increase for WTX Cities. This was reduced to \$11.4 million due to limitations in the RRM tariff. After ACSC consultants prepared a report detailing various adjustments, the company agreed to settle the case for \$8.4 million. This amounts to a reduction of \$3.7 million to the company’s initial request. It includes \$2.7 million for the securitization regulatory assert expenses related to Winter Storm Uri. Under the settlement, the customer charge will increase by .70 cents per month from \$18.27 to \$18.97. The settlement was approved by all parties in September, and the rates went into effect in October.

About GRIP and RRM Like the separate Gas Reliability Infrastructure process, the RRM process allows for annual rate increases to reflect capital investments by the utility over the preceding 12 months. Various cities and city coalitions have objected to GRIP as piecemeal ratemaking because GRIP does not allow for an evaluation of rising revenues or declining expenses that may offset the need for rate increases. Additionally, under the GRIP process, cities cannot challenge any portion of the rate filing as unreasonable.

For those reasons the Atmos Cities Steering Committee negotiated the Rate Review Mechanism with Atmos as a substitute for GRIP. The RRM has no existence in statute, but rather exists only pursuant to city ordinances. Environs (areas outside municipal limits) are subject to GRIP, and some non-ACSC member cities have chosen to remain under GRIP.

Atmos Customers Face 16 Years of Winter Storm Charges

Texas gas utility customers can expect to pay at least \$4 more each month for the next 16 years because of a few days of high-cost gas, according to bond financing information released in 2023.

The natural gas was consumed during Winter Storm Uri in 2021 and reached prices as high as \$100 per million British thermal units — or more than 33 times higher than average. Utility customers needed the gas to heat their homes during the crisis and rather than engaging in their

customary practice of charging customers promptly for it, utilities instead deferred the costs for later recovery through a bond-financing arrangement.

In 2021 adopted House Bill 1520 that authorized the bond financing arrangement, which is known as securitization. In October 2023, the Texas Railroad Commission issued a press release providing more details of the resulting charges. According to the agency, securitization charges of \$1.10 per thousand cubic feet (mcf) for

residential customers began going onto bills of nine participating utilities.

The billing charges may be adjusted periodically as financial conditions warrant. For a typical residential utility consuming using 3.9 mcf of gas each month, the “Customer Rate Relief Charge” will add \$4.29 to bills.

Participating Utilities

Under the bond financing arrangement, Atmos Energy has securitized approximately \$2 billion in fuel costs, CenterPoint approximately \$1.1 billion and Texas Gas Service about \$197.3 million. Other utilities to receive recovery through securitized debt include Corix Utilities (Texas) Inc.; EPCOR Gas Texas Inc.; Rockin’ M Gas; SiEnergy, LP; Summit Utilities Arkansas; Texas Gas Service Company, a Division of ONE Gas, Inc. (excluding the West Texas Service Area); and Universal Natural Gas, LLC.

Under a settlement with Atmos C Committee and others, Atmos agreed to reduce its recovery by more than \$9 million. Similarly, CenterPoint agreed to reduce its recovery by \$39.7 million under a settlement with a separate city group.

By law, gas distribution utilities such as Atmos, CenterPoint and TGS cannot profit from the sale of the gas commodity, but instead pass those costs directly to end users without markups. However, some gas suppliers made massive profits from the price surge, according to reports.

More information about the Texas Natural Gas Securitization Finance Corporation at their website, can be found [here](#). The Texas Railroad Commission also has released information about the gas charges, that can be found [here](#).

Railroad Commission Penalizes Atmos for Service Quality

On February 7, 2023, the Texas Railroad Commission closed its investigation into Atmos Energy service disruptions during a cold weather event that occurred in late December of 2022.

In its investigation, the agency’s Oversight and Safety Division (“OCD”) determined that the gas utility’s extensive, localized service interruptions from December 22 through December 26 constituted violations of the Railroad Commission’s Quality of Service rules. Atmos’ cold weather contingency planning fell short, and the utility lacked sufficient staffing at its call centers to adequately respond to customer concerns, according to OCD.

The Railroad Commission referred the alleged rule violations to the Enforcement Section of its Office of General Counsel, according to filings at the agency.

The Texas Railroad Commission began examining Atmos after more than 2,300 customers lost service or had their service curtailed during the winter storm late last year. Both Gov. Greg Abbott and local city officials complained about what they described as the company’s lack of planning before the event and called for the inquiry.

In a January 13 filing with the agency, Atmos Energy said the service interruptions were not due to an inability to obtain natural gas supplies — as occurred during Winter Storm Uri in 2021 — but “primarily due to instances of capacity constraints where demand exceeded our contingency plans in localized areas.” The company highlighted its emergency planning efforts, but noted that “going forward, we recognize the need to have even more robust contingency planning and to enhance our redundant capabilities.”

More about the Railroad Commission inquiry can be found on the agency’s website, under Case No. 00012215.

ACSC Welcomes New Member

In 2023, the Atmos Cities Steering Committee welcomed New Fairview, a city of 14,000 residents in Wise County, as its newest member. Located along US 81/SH 287 and FM 407 in the DFW Metroplex, the city is nearly 16 square miles in size — which makes it the largest in Wise County by land area. New Fairview joined ACSC in May, 2023.

Growing from a settlement called Illinois Community, the city was called Fairview until 1999, when it changed its name to distinguish it from several other “Fairviews” in Texas. To maintain a quieter, more rural atmosphere, residential lots are legally limited to a minimum size of 1 acre. Welcome New Fairview!

Atmos Billing Errors

Some Atmos customers received unwelcomed surprises in their natural gas bills during the summer of 2023 — unexpected past due amounts.

The charges, however, were in error. Atmos, in comments to its local NBC affiliate, acknowledged that it delivered erroneous bills in July to some of its customers, and that in some cases the mistakes were substantial. For instance, one Atmos customer reported to the media that he received a bill incorrectly showing a \$2,000 past-due amount, when he owed only \$45.

Atmos said that fewer than 3 percent of its outgoing bills were in error. However — given that Atmos serves more than 2 million customers statewide — that means that tens of thousands of people may have been affected.

Atmos says that after becoming aware of the errors it began notifying customers via email, when possible. The company also told the NBC affiliate in Dallas that corrected bills are being sent out, and that customers will not be charged late fees because of the errors.

88th Texas Legislature Recap: Gas Legislation

Approximately 300 bills relating to electric and gas utilities, their customers and energy markets were filed during the 88th Texas Legislature, which adjourned *sine die* on May 29, 2023. However, most bills pertained to electric issues — as opposed to gas issues — and only about 40 of them overall made it to the finish line. An even fewer number of gas-related bills won passage.

Below is a final status summary of several bills of significance relating to gas utility issues.

- **PASSED: HB 2263**, by Rep. Drew Darby, relating to the authority of a natural gas local distribution company to offer energy conservation programs,” adds a new subsection to the Gas Utility Regulatory Act that would allow retail gas distribution systems to create energy conservation programs while also creating rules for rate recovery outside a typical ratemaking proceeding. The legislation passed out of both chambers and was sent to the governor on May 30. Sen. Bryan

Hughes authored the Senate companion, **SB 1050**.

- **FAILED: House Bill 2128**, by Rep. Ernest Bailes, is intended to limit price gouging on natural gas sales during declared disasters. This is another bill that arose from legislative concerns over high natural gas prices charged by suppliers during Winter Storm Uri. The House Business and Industry Committee conducted a hearing on HB 2128 on April 17, but the legislation proceeded no further.
- **FAILED: House Bill 2262**, by Rep. Drew Darby, “relating to gas utility alternative gas expenses and infrastructure investments,” would have allowed gas utilities to include “alternative gas” in their portfolios and recover the costs of purchasing it. HB 2262 also provides for a presumption that alternative gas costs included in rates are prudent, reasonable, and necessary. The bill defines “alternative gas” as fuel with a lower carbon content than natural gas. HB 2262 made it through most of the legislative process before dying in the Senate. The Senate companion, SB



1049 by Sen. Bryan Hughes, never received a hearing.

- **FAILED: SB 1701 and HB 4788**, by Sen. Nathan Johnson and Rep. Rafael Anchia respectively, would have mandated changing the agency name of the Railroad Commission of Texas. Neither bill received any traction during the 88th Texas Legislature.
- **FAILED: SB 1291, Sen. King**, “relating to the reimbursement of a municipality’s expenses in a ratemaking proceeding for electric or gas utilities.” This legislation would have restricted

city participation in electric and gas utility making by restricting municipal reimbursement in such matters. It was referred to the Senate Business and Commerce committee in early March but proceeded no further.

- **FAILED: SB 1501 and HB 4099**, by Sen. Joan Huffman and Rep. Greg Bonnen respectively, would have allocated tax dollars to pay off securitization borrowing costs assessed by gas utilities to pay for fuel charges from Winter Storm Uri. A similar provision in a supplemental budget bill, **Senate Bill 30**, also failed to win approval.

Railroad Commission Agency Recap 2023

Texas Railroad Commission Considers Rules Pertaining to Energy Conservation Programs

On September 19, 2023, staff at the Texas Railroad Commission proposed new rules to implement House Bill 2263, legislation from the 2021 session pertaining to the creation of energy conservation programs by gas utilities.

The rules, if given final approval, would modify 16 Texas Administrative Code §7.480, relating to Energy Conservation Programs. **The Atmos Cities Steering Committee is participating in this rulemaking matter.**

The proposed changes include the following:

- A proposed new subsection (a) that states the Railroad Commission has exclusive original jurisdiction over energy conservation programs implemented by gas distribution utilities, and that political subdivisions shall not limit, restrict, or otherwise prevent an eligible customer from participating in such programs based on the type or source of energy delivered through it.
- A proposed new subsection (c) that lists the general requirements for a gas utility to recover the costs it incurs for the implementation of an Energy Conservation Program. A gas distribution utility must apply for each service area in which it seeks to implement an Energy Conservation Program to recover those costs.
- A proposed subsection (d)(1) that lists the items to be included in initial applications and a proposed subsection (d)(2) that lists the items to be included in subsequent applications, and that details timing requirements for subsequent applications.
- A proposed new subsection (f) that describes what the Energy Conservation Program portfolio must accomplish, including that it be designed to overcome barriers to the adoption of energy-efficient equipment, technologies, and processes, and to change customer behavior as necessary. The portfolio may also include measures such as direct financial incentives, technical assistance, discounts or rebates, and weatherization for low-income customers.
- A proposed new subsection (j) requires gas utilities to file an annual Energy Conservation Program report each year such a portfolio is implemented. The report shall be filed no later than 45 days following the end of the utility’s program year.

The Commission accepted comments on the rulemaking through late October and is expected to issue final approval in February or March 2024.

The status of Commission rulemakings in progress is available at www.rrc.texas.gov/general-counsel/rules/proposed-rules.

Railroad Commission Sets Emergency Disconnection Fines

On November 15, 2023, the Texas Railroad Commission adopted new rules pertaining to improper gas utility service disconnections during extreme weather emergencies.

The new rules, which correspond to provisions of Senate Bill 3 adopted in 2021 after Winter Storm Uri, include a classification system for fines that can be assessed for improper disconnections, as well as new prohibitions against demanding full payment of utility bills during weather emergencies.

The rules modify 16 Texas Administrative Code §7.460. Among the highlights:

- The new rules contemplate four categories of disconnection violations — Class A, Class B, Class C and Class D — with fines ranging from \$3,000

to more than \$5,000 per violation.

- Under the new classification matrix for fines, a utility that improperly disconnects a customer for 24 hours or more during a weather emergency and with temperatures lower than 10 degrees would be subject to a Class B violation fine of \$5,000. If the same company had a history of repeated violations, then it would become a Class A violation of more than \$5,000.
- Under the new rules, any demand by a utility for full payment of a bill during a weather emergency could increase the severity of fines. Any good faith effort to remedy a violation could decrease the severity of fines.

The new rules can be found online, [here](#).

Railroad Commission Conducts more than 7000 Weatherization Inspections

In November 2023, the Texas Railroad Commission reported that it conducted more than 7,200 weatherization inspections of critical natural gas infrastructure during the winter and summer seasons.

It also reported that the inspection process began again on December 1, 2024 when operators faced a deadline to submit attestations summarizing what weatherization methods they utilized at their facilities. The agency says that RRC inspections by its Infrastructure Division will begin again right after that deadline.

“The RRC has been in contact with operators as we get ready for the next winter inspection season,” the agency reported in November. Agency officials said it had conducted two webinars in November to walk operators through reporting requirements and the inspection process.

As per Senate Bill 3, adopted in 2021, the Railroad Commission implemented weatherization and critical designation rules that includes an inspection process of critical facilities.

2024 ACSC Meetings
 March 5
 June 6 - Virtual
 September 12
 December 12 - Virtual

2024 Officers
 Chair—Jennifer Richie (Waco)
 Vice Chair—Meg Jakubik (Bedford)
 Secretary—Lupe Orozco (Keller)
 Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato
(512) 322-5857
tbrocato@lglawfirm.com

Jamie Mauldin
(512) 322-5890
jmauldin@lglawfirm.com

MEMORANDUM

TO: Atmos Cities Steering Committee
FROM: Jennifer Richie, Chair, Atmos Cities Steering Committee
DATE: January 8, 2024
RE: **Action Needed - 2024 Atmos Cities Steering Committee Membership Assessment Invoice**

On December 7, 2023, the Atmos Cities Steering Committee (“ACSC”) held a quarterly meeting with representatives from Atmos Energy. During the meeting, the group held a discussion of upcoming natural gas issues and approved the assessment for ACSC membership. Using the population-based assessment protocol previously adopted by ACSC, the assessment for 2024 is a per capita fee of \$0.05. This is the same amount as was adopted for 2019-2023.

ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of the residential and small commercial customers within the cities. Cities are the only consumer advocates that work to keep natural gas rates reasonable. The work undertaken by ACSC has saved ratepayers millions of dollars in unreasonable charges. In order to continue to be an effective voice at the Railroad Commission, at the Legislature, and in the courts, ACSC must have your support. Please take action to pay the membership assessment as soon as possible. Payment of the membership assessment fee shall be deemed to be in agreement with the terms of the ACSC participation agreement.

Although ACSC does not require that your city take action by resolution to approve the assessment, some members have requested a model resolution authorizing payment of the 2024 membership assessment. To assist you in the assessment process, we have provided the following documents for your use:

- ACSC 2023 Year in Review
- Model resolution approving the 2024 assessment (optional, provided for those cities that have requested a resolution to authorize payment)
- Model staff report supporting the resolution
- List of Atmos Cities Steering Committee members
- 2024 Assessment invoice
- 2023 Assessment invoice and statement (only included if not yet paid)
- Blank member contact form to update the distribution lists

Please forward the membership assessment fee and, if applicable, the signed resolution to Brandi Stigler, Atmos Cities Steering Committee, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Atmos Cities Steering Committee*.

If you have any questions, please contact ACSC Chair Person, Jennifer Richie (254/750-5688). ACSC’s counsel, Thomas Brocato (tbrocato@lglawfirm.com) at 512/322-5857 is also available to assist you.

ACSC Master List of Members (185 Total)

Section F, Item 4.

- | | | |
|----------------------------|-----------------------|---------------------------|
| 1. Abilene | 52. Denton | 103. Killeen |
| 2. Addison | 53. DeSoto | 104. Krum |
| 3. Albany | 54. Draper | 105. Lake Dallas |
| 4. Allen | 55. Duncanville | 106. Lakeside |
| 5. Alvarado | 56. Early | 107. Lake Worth |
| 6. Angus | 57. Eastland | 108. Lancaster |
| 7. Anna | 58. Edgecliff Village | 109. Lavon |
| 8. Archer City | 59. Emory | 110. Lewisville |
| 9. Argyle | 60. Ennis | 111. Little Elm |
| 10. Arlington | 61. Euless | 112. Little River |
| 11. Aubrey | 62. Everman | Academy |
| 12. Azle | 63. Fairview | 113. Lorena |
| 13. Bedford | 64. Farmers Branch | 114. Madisonville |
| 14. Bellmead | 65. Farmersville | 115. Malakoff |
| 15. Belton | 66. Fate | 116. Mansfield |
| 16. Benbrook | 67. Flower Mound | 117. McKinney |
| 17. Beverly Hills | 68. Forest Hill | 118. Melissa |
| 18. Blossom | 69. Forney | 119. Mesquite |
| 19. Blue Ridge | 70. Fort Worth | 120. Midlothian |
| 20. Bowie | 71. Frisco | 121. Murphy |
| 21. Boyd | 72. Frost | 122. Newark |
| 22. Bridgeport | 73. Gainesville | 123. New Fairview |
| 23. Brownwood | 74. Garland | 124. Nocona |
| 24. Bryan | 75. Garrett | 125. North Richland Hills |
| 25. Buffalo | 76. Georgetown | 126. Northlake |
| 26. Burkburnett | 77. Glenn Heights | 127. Oak Leaf |
| 27. Burleson | 78. Grand Prairie | 128. Ovilla |
| 28. Caddo Mills | 79. Grapevine | 129. Palestine |
| 29. Canton | 80. Groesbeck | 130. Pantego |
| 30. Carrollton | 81. Gunter | 131. Paris |
| 31. Cedar Hill | 82. Haltom City | 132. Parker |
| 32. Celeste | 83. Harker Heights | 133. Pecan Hill |
| 33. Celina | 84. Haskell | 134. Petrolia |
| 34. Centerville | 85. Haslet | 135. Plano |
| 35. Cisco | 86. Hewitt | 136. Ponder |
| 36. Clarksville | 87. Highland Park | 137. Pottsboro |
| 37. Cleburne | 88. Highland Village | 138. Prosper |
| 38. Clyde | 89. Honey Grove | 139. Quitman |
| 39. College Station | 90. Hurst | 140. Red Oak |
| 40. Colleyville | 91. Hutchison | 141. Reno (Parker County) |
| 41. Colorado City | 92. Hutto | 142. Rhome |
| 42. Comanche | 93. Iowa Park | 143. Richardson |
| 43. Commerce | 94. Irving | 144. Richland |
| 44. Coolidge | 95. Justin | 145. Richland Hills |
| 45. Coppell | 96. Kaufman | 146. River Oaks |
| 46. Corinth | 97. Keene | 147. Roanoke |
| 47. Crandall | 98. Keller | 148. Robinson |
| 48. Cross Roads | 99. Kemp | 149. Rockwall |
| 49. Crowley | 100. Kennedale | 150. Roscoe |
| 50. Dalworthington Gardens | 101. Kerens | 151. Rowlett |
| 51. Denison | 102. Kerrville | 152. Royce City |

ACSC Master List of Members (185 Total)

153. Sachse
154. Saginaw
155. Sansom Park
156. Seagoville
157. Seymour
158. Sherman
159. Snyder
160. Southlake
161. Springtown
162. Stamford
163. Stephenville
164. Sulphur Springs
165. Sweetwater
166. Temple
167. Terrell
168. The Colony
169. Trophy Club
170. Tyler
171. University Park
172. Venus
173. Vernon
174. Waco
175. Watauga
176. Waxahachie
177. Westlake
178. Westover Hills
179. Westworth Village
180. Whitesboro
181. White Settlement
182. Wichita Falls
183. Wilmer
184. Woodway
185. Wylie



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Cynthia Olguin

AGENDA CAPTION: Consider approval of city council meeting minutes for January 2024. Presented by: Cynthia Olguin, City Secretary

Background Information

Consider approval of the meeting minutes for the following dates:

- January 2, 2024, Regular City Council Meeting
- January 16, 2024, Regular City Council Meeting

Budget Implications

N/A

Operational Impact

N/A

Legal Review

N/A

Staff Recommendation

Staff recommend approval of the minutes.

Supporting Documentation and Attachments



**CITY OF HUTCHINS
CITY COUNCIL MEETING
MINUTES**

**Tuesday, January 02, 2024 at 6:00 PM
City Hall, 321 N. Main Street**

A Meeting of the Hutchins City Council was held on Tuesday, January 2, 2024, with a Work Session at 6:00 p.m. and a Regular Session at 6:30 p.m. at Hutchins City Hall Council Chambers, located 321 N. Main Street, Hutchins, Texas, at which time the following items were discussed and considered.

A. WORK SESSION - 6:00 p.m.

1. Discuss Roadway Impact Fees

Mayor Vasquez opened the Work Session at 6:00 p.m. Council Members present:
Mayor Mario Vasquez
Mayor Pro Tem Steve Nichols
Councilmember Brenda Campbell
Councilmember Dominic Didehbani
Councilmember Raymond Elmore
Councilmember Demarcus Odom

Robert McWayne, the Interim Director of Public Works, presented the roadway impact fees for both residential and commercial properties from surrounding cities. He explained that the fees charged by Hutchins were higher than other cities because they were based on the total acreage of the project while other cities assessed fees based on the square footage of the building. Lee Hollingsworth from Bartlett and West presented a summary of the task that was assigned to his firm in 2018. He explained that the last impact fee study was conducted by the City and the decision was made to calculate costs per unit per vehicle mile and acreage.

The council discussed whether changing the fees would be beneficial for the city when it is already near commercial buildout. One option was to keep the fees the same and encourage builders to request fee waivers. The EDC Director, Guy Brown, suggested that the city should keep the fees unchanged and incentivize companies to relocate to Hutchins. The council members agreed to maintain the current fees and incentivize companies by negotiating with them.
The Work Session was closed at 6:26 p.m.

B. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Mayor Vasquez called the meeting to order at 6:30 p.m. and announced a quorum.

PRESENT

Mario Vasquez
Steve Nichols
Brenda Campbell
Dominic Didehbani

Raymond Elmore
Demarcus Odom

C. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Brenda Campbell gave the invocation and Mayor Pro Tem Nichols led the Pledge of Allegiance.

D. CITIZEN COMMENTS

There were no citizen comments.

E. CONSENT AGENDA - *All items presented in the Consent Agenda require no deliberation by the Council. Each Council member has the opportunity of removing an item from this agenda so that it may be considered separately.*

2. Consider approval of city council meeting minutes for November 2023 and December 2023.

Motion made by Mayor Pro Tem Nichols, seconded by Councilmember Elmore to approve the Consent Agenda. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Raymond Elmore, Brenda Campbell, Dominic Didehbani, Demarcus Odom

Voting Nay: 0

F. REGULAR AGENDA - *As authorized by Section 551.071 of the Texas Government Code, the City Council reserves the right to convene in Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.*

Mayor Vasquez rearranged the agenda item order.

4. Discuss and Consider a Resolution of the City Council of the City of Hutchins, Texas, authorizing the City Administrator to purchase one Lemur 2 Drone Basic Kit from Brinc Drones, Inc., in the amount of \$14,999.00

Sargeant Frank Garcia presented a video demonstration of the Lemur Drone and answered council questions.

Motion made by Councilmember Elmore and seconded by Mayor Pro Tem Nichols to approve the Resolution approving the purchase of one Lemur 2 Drone in the amount of \$14,999. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

3. Southaven Sewer Project

Interim Public Works Director Robert McWayne presented the item and requested the reallocation of ARPA funds from Lancaster-Hutchins Road to the South Main sewer project to the design to

construct a portion of Main Street from the Shoreline Interceptor to Oak Creek Drive. The council is in support of the request and directed staff to proceed with the reallocation of funds.

Motion made by Councilmember Elmore and seconded by Mayor Pro Tem Nichols to approve the reallocation of ARPA funds from the Lancaster Hutchins Road project to the South Main sewer project. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

G. ITEMS OF COMMUNITY INTEREST

- 5. City Secretary Olguin announced the items of Community Interest and provided information for the funeral arrangements for former Congresswoman Eddie Bernice Johnson.

H. ADJOURN

Motion made by Councilmember Elmore, seconded by Councilmember Odom to adjourn the meeting. The meeting was adjourned at 7:01 PM.

Voting Yea: Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

PASSED AND APPROVED BY THE HUTCHINS CITY COUNCIL AT A REGULAR MEETING HELD ON THE 4th DAY OF MARCH 2024.

APPROVED:

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary



**CITY OF HUTCHINS
CITY COUNCIL MEETING
MINUTES**

**Tuesday, January 16, 2024 at 6:30 PM
City Hall, 321 N. Main Street**

A Regular Meeting of the Hutchins City Council was held on Tuesday, January 16, 2024, at 6:30 PM located at Hutchins City Hall Council Chambers, 321 N. Main Street, Hutchins, Texas, at which time the following items were discussed and considered.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

1. Roll Call by Mayor

Mayor Vasquez called the meeting to order at 6:30 p.m. and announced a quorum.

PRESENT

- Mario Vasquez
- Steve Nichols
- Brenda Campbell
- Dominic Didehbani
- Raymond Elmore
- Demarcus Odom

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem gave the invocation and Councilmember Didehbani led the Pledge of Allegiance.

C. CITIZEN COMMENTS

Aurora Madrigal, Trout Road, Hutchins, submitted a statement in opposition to the construction of a new fence at 1528 Trout Road.

Felix Madrigal, Trout Road, Hutchins, spoke in opposition to the construction of a new fence at 1528 Trout Road and spoke in support of enforcement of the city ordinances.

D. PUBLIC HEARINGS

2. Conduct a Public Hearing regarding a request for a 4B project at 101 S IH 45 Suite 9, Presented by: Guy Brown, EDC Director

EDC Director Guy Brown presented the item and explained that the grant was to help with the cost of a vent-a-hood for a new coffee/tea house that is being constructed at the location.

Mayor Vasquez opened the public hearing at 6:35 p.m.

Sonia Mancha, representing the applicant, will be assisting her son manage the shop. They will provide herbal teas, espresso, coffee, and healthy food options not found anywhere else in Hutchins. Business hours will be Monday through Friday from 5 am - 5 pm and half day Saturday. The owner hopes to open the second week of February.

The public hearing was closed at 6:39 p.m.

3. Conduct a Public Hearing to consider a request for a Specific Use Permit for truck sales and storage at 1301 E. Wintergreen Road. Presented by Tim Rawlings, Building Official

Building Official Tim Rawlings presented the item and introduced Chris Cate, representing Provident Realty Advisors. Councilmember Didehbani asked for clarification on the zoning for truck sales. Mayor Pro Tem Nichols expressed his concern with truck parts lying around the facility. Mayor Vasquez expressed his concern over noise issues in surrounding residential neighborhoods.

Mayor Vasquez opened the public hearing at 6:43 p.m.

During the meeting, Mr. Cate provided the location of the proposed tenant as 1301 E. Wintergreen Road, which is currently zoned as light industrial. He mentioned that the proposed tenant is the largest used truck dealer in the country, and the lease is subject to the approval of the SUP. Mr. Cate explained that "storage" would be considered inventory for sale, and the SUP would be a much better use than what the current zoning allows. He also addressed the noise issues and confirmed that work hours would be from Monday to Friday, 7 am to 5 pm, and on Saturdays from 8 am to 3 pm.

Building Official Rawlings reminded the council that they have the option of proposing hours of operation in the SUP.

Mayor Vasquez closed the public hearing at 6:56 p.m.

E. PRESENTATIONS

4. LGI Presentation. Presented by Tim Rawlings, Building Official

Elaine Torres, Vice President of Land Development for LGI provided an update on the number South Haven project. Phase A has been completed and building permits have been submitted to the city and they are estimating fifteen months to build out each phase. The development includes greenspace in each phase. Homes range from 11-1200 square feet to over 2,000 square feet with average pricing ranging from \$279,900 up to \$350,000. Other items of discussion included the exterior covering and state law that prohibits cities from requiring brick exterior; HOA responsible for maintaining splash pad and dog park, lot size, and estimated timeframe for total buildout.

5. CIP Update Presented by: Robert McWayne, Interim Director of Public Works

The Interim Director of Public Works presented the Capital Improvement Projects status update and answered questions.

6. Hutchins 911 next generation project. Presented by: S. Perry, B. Blanton, Thomas Marsh (Carbyne).

Chief Perry introduced Thomas Marsh, representing Carbyne Inc. who presented their product and explained the state requirement for Next Generation 911 compliance. Mr. Marsh provided a summary of how their product allows for public and first responder communication via text, images, video, and voice calls. Mr. Marsh outlined the other product modules including GPS location tracking, geospatial routing, multimedia sharing, cloud-based call handling system, IP-based ES Inet, incident mapping, and cyber security capabilities.

F. REGULAR AGENDA - *As authorized by Section 551.071 of the Texas Government Code, the City Council reserves the right to convene in Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.*

7. Discuss and consider Resolution R2024-01-1164 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING A 4B PROJECT FOR THE PURPOSE OF INFRASTRUCTURE IMPROVEMENTS FOR PROPERTY LOCATED AT 101 SOUTH INTERSTATE 45, SUITE 9, HUTCHINS, TEXAS; AUTHORIZING THE HEDC EXECUTIVE DIRECTOR TO EXECUTE THE FINAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. PRESENTED BY: Guy Brown, EDC Director

Motion made by Councilmember Odom and seconded by Councilmember Didehbani to approve Resolution R2023-01-1164. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom.

Voting Nay: 0

8. Discuss and consider ORDINANCE 2024-01-1187 OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF HUTCHINS, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING BY GRANTING A SPECIFIC USE PERMIT (“SUP”) WITH SPECIAL CONDITIONS TO ALLOW A TRUCK SALES AND STORAGE FACILITY ON LAND ZONED LIGHT INDUSTRIAL (“LI”) CONSISTING OF ±7.925 ACRES OF LAND, SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 499, CITY OF HUTCHINS, DALLAS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 1301 EAST WINTERGREEN ROAD, HUTCHINS, PRESENTED BY; Tim Rawlings, Building Official

Motion made by Mayor Pro Tem Nichols and seconded by Councilmember Elmore to approve the Ordinance 2024-01-1187 with the inclusion of hours of operation as Monday through Friday from 7 am to 5 pm and Saturday from 8 am - 3 pm and closed on Sundays. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

9. Discuss and consider Resolution R2024-01-1163 of the City of Hutchins, Casting Its Vote for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District. Presented by: Cynthia Olguin, City Secretary

Motion made by Mayor Pro Tem Nichols and seconded by Councilmember Elmore to approve the Resolution 2024-01-1163 casting their vote for Brett Franks. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

10. Consider and act on Resolution No. R2024-01-1165 APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF HUTCHINS AND RENÉ BATES AUCTIONEERS, INC. (RBAI) TO CONDUCT ONLINE AUCTIONS OF SURPLUS INVENTORY FOR THE CITY OF HUTCHINS; AND PROVIDING FOR AN EFFECTIVE DATE. Presented by: Katherine Lindsey, Assistant to the City Administrator

Motion made by Councilmember Elmore and seconded by Councilmember Campbell to approve Resolution R2024-01-1165. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom.

Voting Nay: 0

11. Consider and act on Resolution No. R2024-01-1166 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, DECLARING CERTAIN PROPERTY SURPLUS OR OBSOLETE, AND AUTHORIZING THE AUCTION OF SAME; AND PROVIDING FOR AN EFFECTIVE DATE. Presented by: Katherine Lindsey, Assistant to the City Administrator

Motion made by Councilmember Elmore and seconded by Councilmember Campbell to approve Resolution R2024-01-1166. All in favor, the motion passed.

Voting Yea: 5 – Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

G. ITEMS OF COMMUNITY INTEREST

12. City Secretary Olguin announced the items of Community Interest.

H. ADJOURN

Motion made by Councilmember Elmore, seconded by Councilmember Campbell to adjourn the meeting. The meeting was adjourned at 7:01 PM.

Voting Yea: Steve Nichols, Brenda Campbell, Dominic Didehbani, Raymond Elmore, Demarcus Odom

Voting Nay: 0

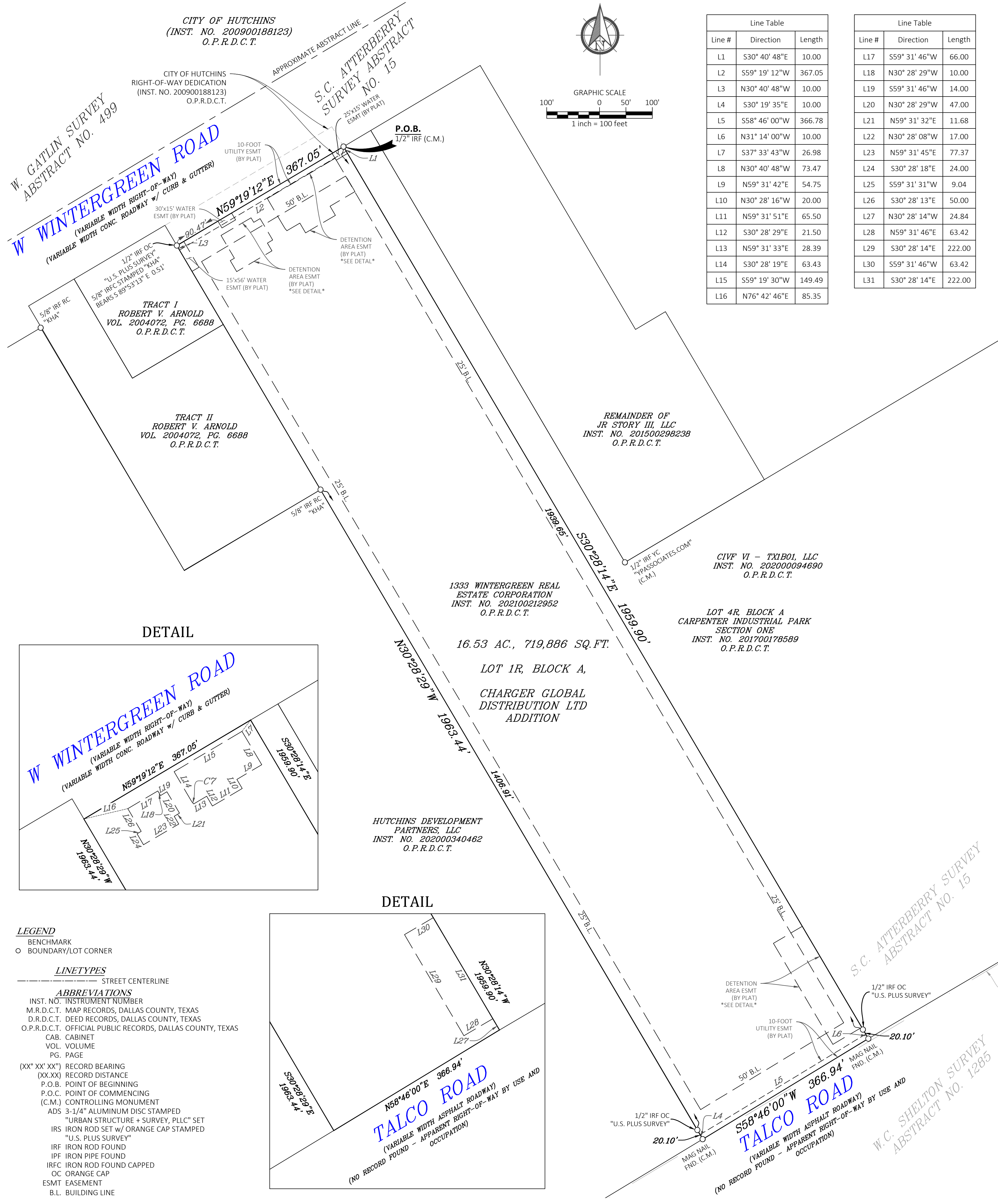
PASSED AND APPROVED BY THE HUTCHINS CITY COUNCIL AT A REGULAR MEETING HELD ON THE 4th DAY OF MARCH 2024.

APPROVED:

Mario Vasquez, Mayor

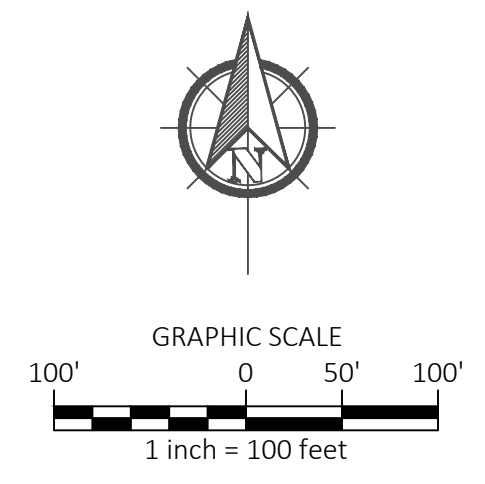
ATTEST:

Cynthia Olguin, City Secretary



Line #	Direction	Length
L1	S30° 40' 48"E	10.00
L2	S59° 19' 12"W	367.05
L3	N30° 40' 48"W	10.00
L4	S30° 19' 35"E	10.00
L5	S58° 46' 00"W	366.78
L6	N31° 14' 00"W	10.00
L7	S37° 33' 43"W	26.98
L8	N30° 40' 48"W	73.47
L9	N59° 31' 42"E	54.75
L10	N30° 28' 16"W	20.00
L11	N59° 31' 51"E	65.50
L12	S30° 28' 29"E	21.50
L13	N59° 31' 33"E	28.39
L14	S30° 28' 19"E	63.43
L15	S59° 19' 30"W	149.49
L16	N76° 42' 46"E	85.35

Line #	Direction	Length
L17	S59° 31' 46"W	66.00
L18	N30° 28' 29"W	10.00
L19	S59° 31' 46"W	14.00
L20	N30° 28' 29"W	47.00
L21	N59° 31' 32"E	11.68
L22	N30° 28' 08"W	17.00
L23	N59° 31' 45"E	77.37
L24	S30° 28' 18"E	24.00
L25	S59° 31' 31"W	9.04
L26	S30° 28' 13"E	50.00
L27	N30° 28' 14"W	24.84
L28	N59° 31' 46"E	63.42
L29	S30° 28' 14"E	222.00
L30	S59° 31' 46"W	63.42
L31	S30° 28' 14"E	222.00



SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

I, Clifford E. Cameron, registered professional land surveyor, licensed by the state of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the rules and regulations of the Texas Board of Professional Engineers and Land Surveyors and the City of Hutchins, Texas development codes and ordinances. I further affirm that monumentation shown hereon was either found or set as shown hereon under my direction and supervision.

Dated this the ___ day of _____, 2024.

David A. Minton, RPLS
Texas License No 62333

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared David A. Minton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the ___ day of _____, 2024.

Notary Public, in and for the State of Texas

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

The undersigned, the City Secretary of the City of Hutchins, Texas, hereby certifies that the foregoing replat of the Charger Global Distribution LTD Addition to the City of Hutchins was submitted to the appropriate Planning & Zoning Commission or City Council as required by the ordinances of the City of Hutchins on the ___ day of _____, 2024 and such body by formal action, then and there accepted the dedication of streets, alleys, pars, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

Witness my hand this ___ day of _____, 2024

Cynthia Olguin, City Secretary
City of Hutchins, Texas

FILED: _____

CAB: _____ PG. _____ P.R.D.C.T.

GENERAL NOTES

- Basis of bearings shown hereon are based on the state plane coordinate system of 1983 (NAD83, 2011) TXNC-4202, as derived by GNSS from the Trimble RTK network.
- Not all lot lines outside of the boundary of the subject property show hereon have been surveyed and are shown as graphical depiction based on recorded information and tax maps.
- The survey was performed without the benefit of a title commitment, abstract of title, or title report. The property could be subject to easements not shown hereon.
- Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law, and subject to fines and/or withholding of utilities and building permits.

SUMMARY TABLE:

Total Land Area	16.53 acres
	719,886 square feet
Building Area	13.55 acres
	590,103 square feet

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, 1333 Wintergreen Real Estate Corporation, is the owner of all of Lot 1R, Block A, Charger Global Distribution LTD Addition, an addition to the City of Hutchins, Dallas County, Texas, according to the Map thereof recorded in Instrument No. 202200085626, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), situated in the S.C. Atterberry Survey, Abstract No. 15, City of Hutchins, Dallas County, Texas; same being all of a tract of land described in Texas General Warranty Deed to 1333 Wintergreen Real Estate Corporation recorded in Instrument Number 202100212952, in the O.P.R.D.C.T.; said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found in the southeast right-of-way line of W Wintergreen Road (variable width right-of-way), same being the west corner of Lot 4R, Block A, Carpenter Industrial Park Section One, recorded in Instrument Number 201700178589, in the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), same also being the north corner of said Lot 1R, Block A;

THENCE South 30 degrees 28 minutes 14 seconds East, along the common line of said Lot 1R, Block A, and said Lot 4R, Block A, passing an iron rod with orange cap, stamped "U.S. Plus Survey" found on-line for reference at a distance of 1939.79 feet, and continuing a total distance of 1,959.90 feet to a Mag Nail found in the approximate centerline of Talco Road (No record found - apparent right-of-way by use and occupation), to the south corner of said Lot 4R, Block A, same being the east corner of said Lot 1Rm Block A;

THENCE South 58 degrees 46 minutes 00 seconds West, along the approximate centerline of said Talco Road, a distance of 366.94 feet to a Mag Nail found for the east corner of a tract of land described by Special Warranty Deed to Hutchins Development Partners, LLC recorded in Instrument Number 20200340462, (D.R.D.C.T.), same being the south corner of said Lot 1R, Block A;

THENCE North 30 degrees 28 minutes 29 seconds West, departing the centerline of said Talco Road, along the northeast line of said Hutchins Development Partners, LLC tract, passing at a distance of 20.10 feet, a 1/2-inch iron rod with orange cap stamped "U.S. Plus Survey" found online for reference, and also passing at a distance of 1,427.01 feet, a 5/8-inch iron rod with a red cap stamped "KHA" found for the east corner of tract of land described as a Special Warranty Deed to Robert V. Arnold, recorded in Volume 2004075, Page 6688, (D.R.D.C.T.), and continuing for a total distance of 1,963.44 feet to a 1/2-inch iron rod with orange cap stamped, "U.S. Plus Survey" found for the west corner of said Lot 1R, Block B, and being in the southeast right-of-way line of said W Wintergreen Road, from which a 5/8-inch iron rod with red cap stamped "KHA" bears South 89 degrees 53 minutes 13 seconds East a distance of 0.51 feet;

THENCE North 59 degrees 19 minutes 12 seconds East, along the southeast right-of-way line of said W Wintergreen Road, a distance of 367.05 feet to the **POINT OF BEGINNING** and containing 719,886 square feet or 16.53 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Sameer Pichumani the undersigned authority, does hereby adopt this plat designating the herein above described property as Charger Global Distribution LTD Addition, Lot 1, Block A an addition to the City of Hutchins, Dallas County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of the City of Hutchins and all public utilities desiring to use, or using same, no buildings, fences, trees, shrubs, signs, or other improvements shall be constructed or placed upon, over, or across the easement strips on said plat. The City of Hutchins and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easement strips, and the City of Hutchins and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. a blanket easement of a five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes, street is hereby granted to the City of Hutchins for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

OWNER: 1333 Wintergreen Real Estate Corporation a Delaware Corporation

By: _____ Date: _____
Sameer Pichumani, Vice President

PROVINCE OF ONTARIO §
REGION OF PEEL §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared Sameer Pichumani, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ___ day of _____, 2024.

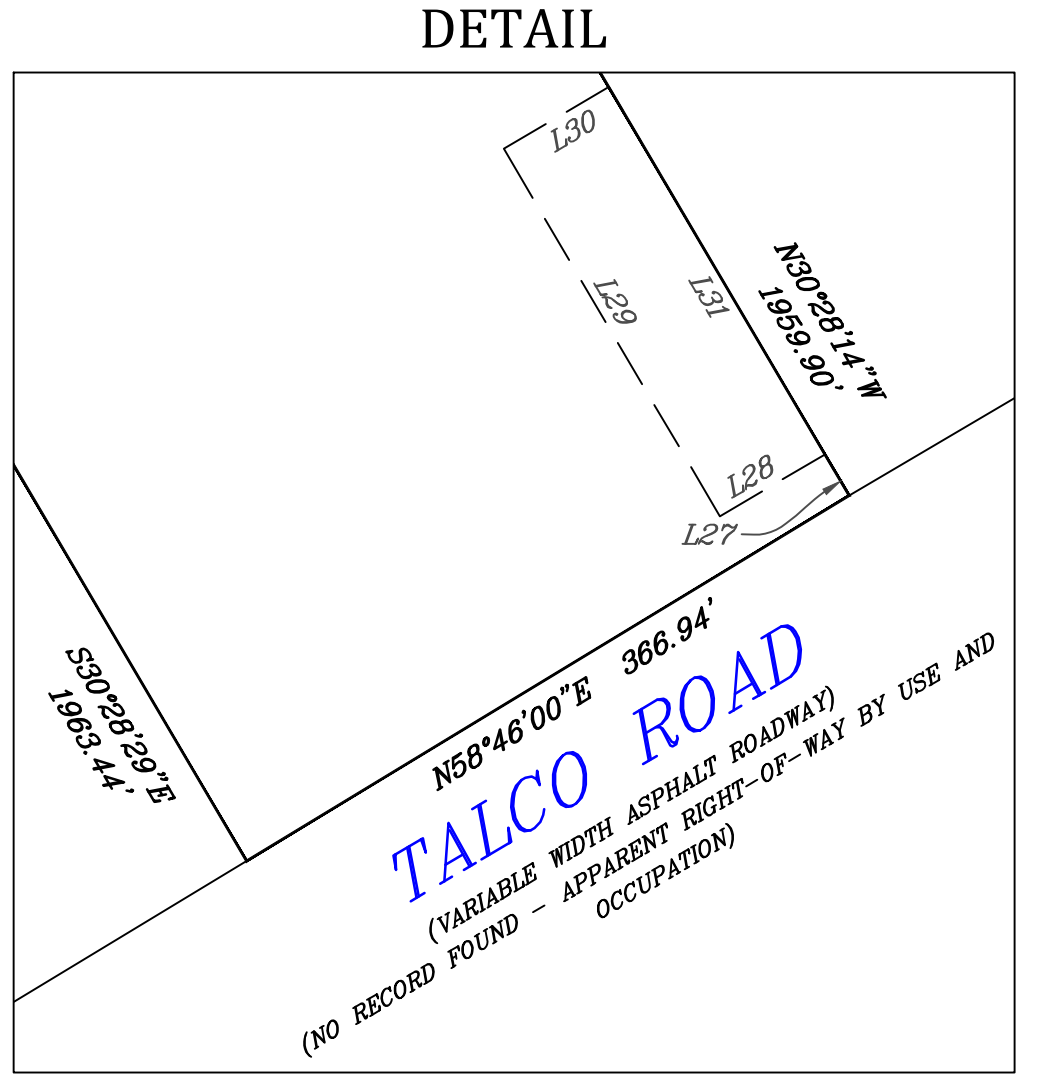
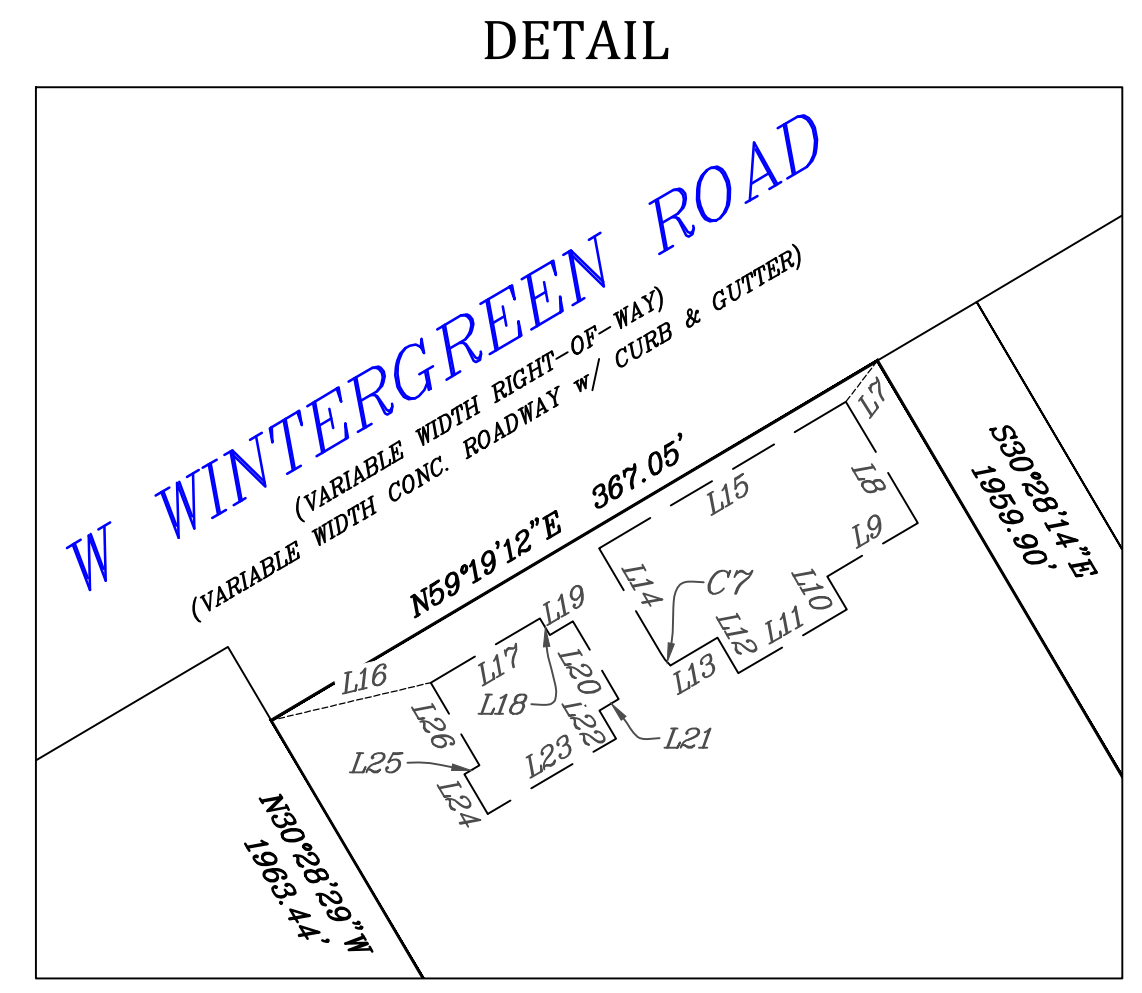
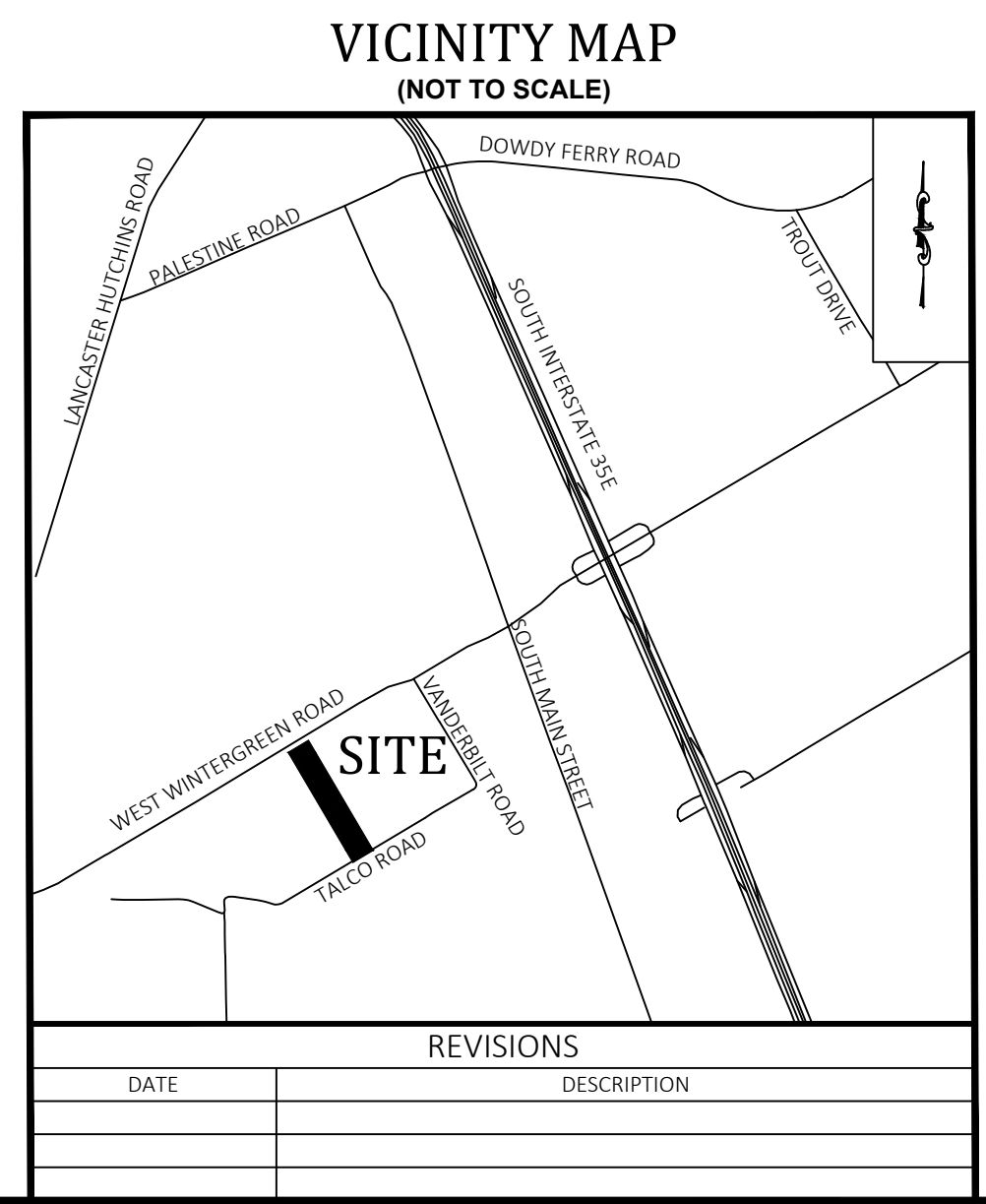
Notary Public, in and for the Province of Ontario, Canada

No variances from the General Development Ordinance Requested:
Approved for Preparation of Final Plat
Joseph Matthews, Chairman, Planning & Zoning Commission
City of Hutchins, Texas

PURPOSE NOTE:
The purpose of this plat is to dedicate new easements.

REPLAT
CHARGER GLOBAL DISTRIBUTION LTD ADDITION
LOT 1, BLOCK A
16.53 ACRES / 719,886 SQUARE FEET
ZONING: LIGHT INDUSTRIAL
OUT OF THE S.C. ATTERBERRY SURVEY, ABSTRACT NO. 15
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS

URBAN STRATEGY
1100 E. Campbell, Suite 210
Richardson, Texas 75081
Firm Registration #F-20194610, 214-369-2339
www.urbanstrategy.us



- LEGEND**
- BENCHMARK
 - BOUNDARY/LOT CORNER
- LINETYPES**
- STREET CENTERLINE
- ABBREVIATIONS**
- INST. NO. INSTRUMENT NUMBER
 - M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - CAB. CABINET
 - VOL. VOLUME
 - PG. PAGE
 - (XX° XX' XX") RECORD BEARING
 - (XX.XX) RECORD DISTANCE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - (C.M.) CONTROLLING MONUMENT
 - ADS 3-1/4" ALUMINUM DISC STAMPED
 - "URBAN STRUCTURE + SURVEY, PLLC" SET
 - IRS IRON ROD SET w/ ORANGE CAP STAMPED
 - "U.S. PLUS SURVEY"
 - IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - IRFC IRON ROD FOUND CAPPED
 - OC ORANGE CAP
 - ESMT EASEMENT
 - B.L. BUILDING LINE

REVISIONS

DATE	DESCRIPTION

FILE NAME: SW-21591-REPLAT-2023-WTH.DWG
DATE PLOTTED: 01/22/2024 10:11:31 AM
PLOTTER: HP DesignJet T1100e
PLOTTER DRIVER: HP-GL/PS-EMUL
PLOTTER MODEL: HP DesignJet T1100e
PLOTTER SERIAL: 12792024.3.1.F2 PM



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Tim Rawlings

AGENDA CAPTION: Consider a request by applicant Muhammad Hayat, of Pearl Contracting Corp. (representing property owner Sameer Pichumani "Charger Logistics") to replat the 16.53-acre tract of land legally described as Being all of Lot 1R, Block A, Charger Global Distribution LTD Addition, an addition to the City of Hutchins, Dallas County, Texas, said tract being more particularly described as 1333 W. Wintergreen Road. Presented by: Tim Rawlings

Background Information

Muhammad Hayat of Pearl Contracting Corp. on behalf of Sameer Pichumani/Charger Logistics has made application to replat 1333 W. Wintergreen Road Lot 1, Block A Charger Global Distribution LTD Addition for the purpose of adding new required easements. Staff has reviewed the replat and all needed items have been corrected, the replat meets the standards of the City of Hutchins.

Budget Implications

N/A

Operational Impact

N/A

Legal Review

N/A

Staff Recommendation

Staff recommends approval

Supporting Documentation and Attachments

Copy of Replat



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Tim Rawlings

AGENDA CAPTION: Consider a request by applicant City of Hutchins to replat the 5.00 acres tract of land situated in the Benjamin Matthews Survey, Abstract Number 898, City of Hutchins, Dallas County, Texas, and being part of Kanady’s Addition, and being part of that tract of land described in deed to Hutchins Sunrise, LP, as recorded in Volume 2003041, Page 5081, D.R.D.C.T. said tract being more particularly described as 400 N J.J. Lemmon. Presented by: Tim Rawlings, Building Official

Background Information

The City of Hutchins has made application to replat 400 N J.J. Lemmon Lot 1, Block A Hutchins Addition for the purpose of the addition of more land.

Staff has reviewed the replat and all needed items have been corrected, the replat meets the standards of the City of Hutchins.

Budget Implications

N/A

Operational Impact

N/A

Legal Review

N/A

Staff Recommendation

Staff recommends approval.

Supporting Documentation and Attachments

HEREAS, the City of Hutchins and Hutchins Sunrise, LP are the owners of a 5.00 acre tract of land situated in the Benjamin Matthews Survey's Addition, an addition to the Hutchins Addition, as recorded in Volume Q, Page 281, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being all of a tract of land described in a deed to the City of Hutchins, as recorded in Instrument Number 202300097741, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and being part of 2003941, 5081, D.R.D.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the north end of a corner clip at the intersection of the northeast right-of-way line of J.J. Lemmon Street (a 100-foot wide right-of-way) with the northwestern line of Lancaster Hutchins Road (a said Hutchins right-of-way), said corner being the most southerly southerly corner of said Hutchins Sunrise tract;

THENCE North 30 degrees 51 minutes 58 seconds West, along the common said northwestern right-of-way line of N. J.J. Lemmon Street and the southwest line of said City of Hutchins tract, a distance of 495.00 feet to a 1/2-inch iron rod with an adjacent plat cap stamp of the herein described tract, referred to as "with cap") set for the northwest corner of the herein described tract;

THENCE South 03 degrees 51 minutes 58 seconds East, continuing over and across said Hutchins Sunrise tract, a distance of 260.08 feet to a 1/2-inch iron rod with an adjacent plat cap stamp of the herein described tract, said corner being on the southeast line of said Hutchins Sunrise tract;

THENCE North 59 degrees 08 minutes 02 seconds East, along the north line of said City of Hutchins tract and over and across said Hutchins Sunrise, LP, tract, a distance of 544.52 feet to a 1/2-inch iron rod with cap set for the north corner of the herein described tract;

THENCE North 84 degrees 43 minutes 58 seconds West, along said corner clip, a distance of 51.93 feet to the POINT OF BEGINNING AND CONTAINING 218,839 square feet or 5.00 acres of land, more or less.

OWNERS' DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, CITY OF HUTCHINS AND HUTCHINS SUNRISE, LP, acting through its undersigned agent, does hereby adopt this plat designating the herein above described property as, HUTCHINS ADDITION, LOT 1, BLOCK A, an addition to the City of Hutchins, Dallas County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown hereon, and does hereby dedicate the easement strips and all public utilities for mutual use and benefit of the City of Hutchins and Hutchins Sunrise, LP, and improvements shall be constructed or placed upon, over or across the easement strips on said plat. The City of Hutchins and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, signs or other improvements or growths which may in any way encroach upon said easement strips on the City of Hutchins and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing from all or parts of their respective systems, without of necessity at any time of procuring permits of any kind, and a five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appearances fire hydrant valves, water meters, meter boxes, street lights) is hereby granted to the City of Hutchins for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Hutchins, Texas.

WITNESS my hand, this the _____ day of _____, 2024.

CITY OF HUTCHINS

City of Hutchins, Owner

STATE OF TEXAS
 COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of 2024.

Notary Public in and for the State of Texas

HUTCHINS SUNRISE, LP

Hutchins Sunrise, LP, Owner

STATE OF TEXAS
 COUNTY OF DALLAS

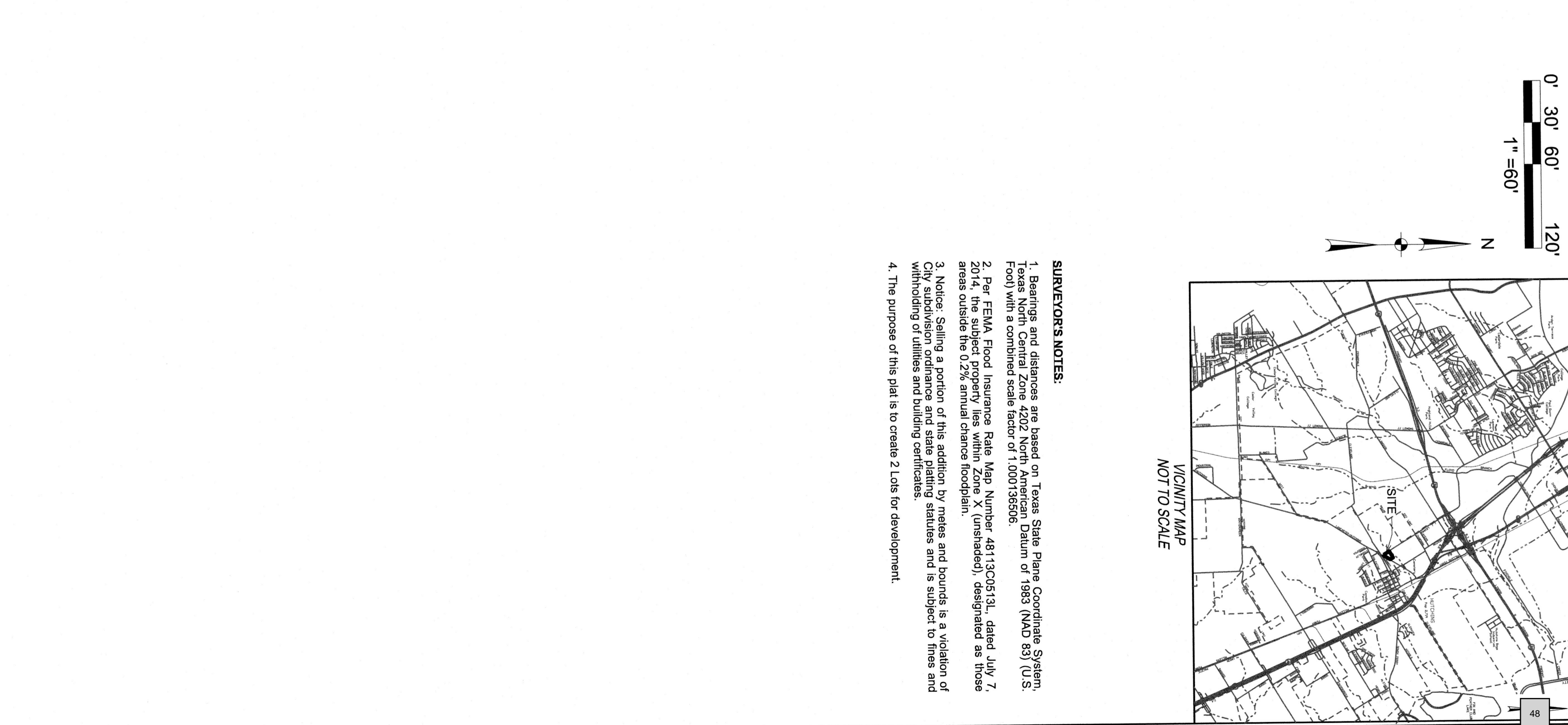
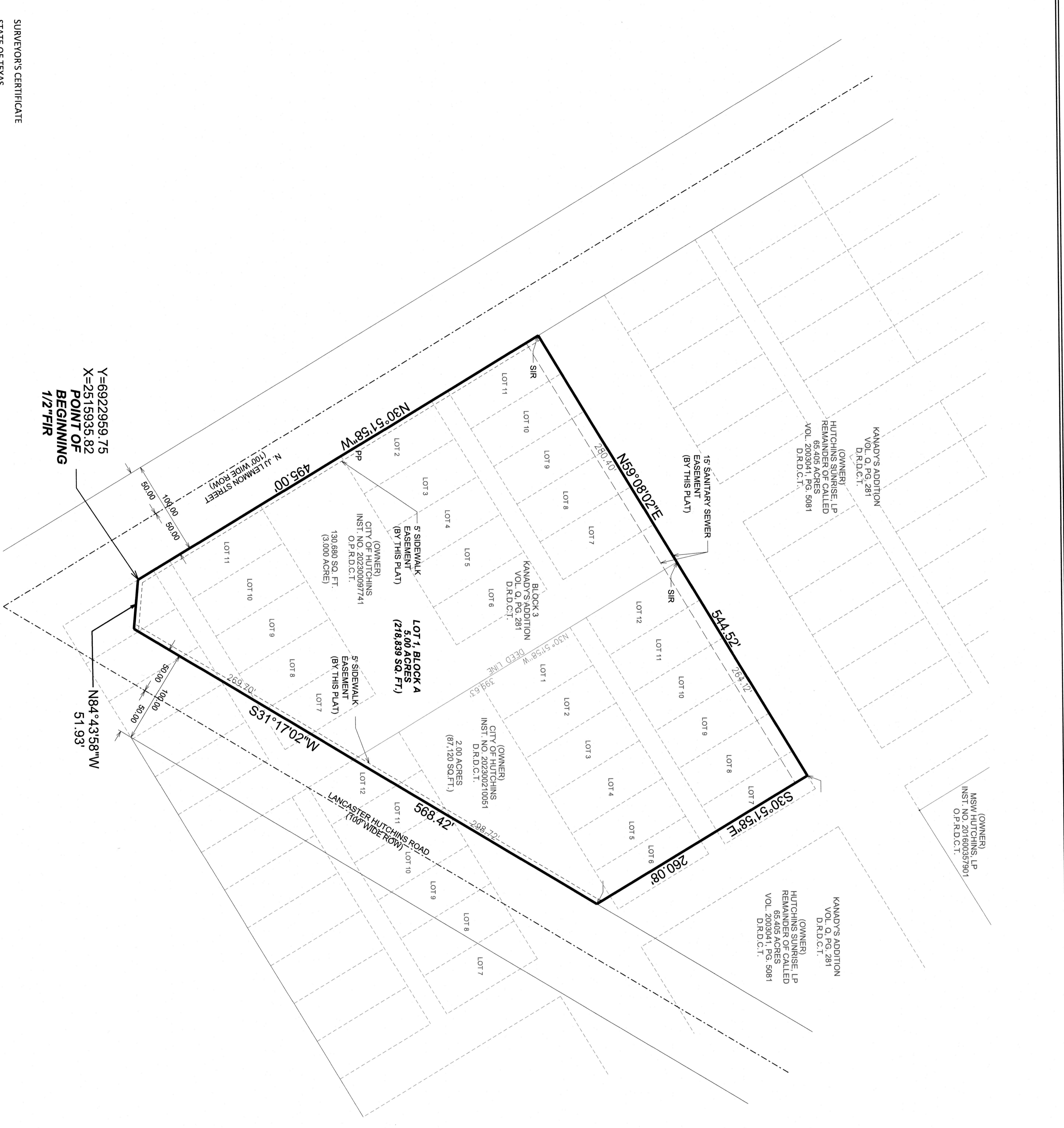
BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of 2024.

Notary Public in and for the State of Texas

LEGEND

D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
 S.Q.F.T. SQUARE FEET
 VOL. VOLUME
 INST. INSTRUMENT
 NO. NUMBER
 SE SINGLE FAMILY
 FIC FOUND IRON ROD WITH PLASTIC CAP
 SIR SET 1/2" IRON ROD WITH A YELLOW CAP STAMPED "GEONAV"



- SURVEYOR'S NOTES:**
1. Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North datum of 1983 (NAD 83) (U.S. foot) with a combined scale factor of 1.00155566.
 2. Per FEMA Flood Insurance Rate Map Number 4811300513L, dated July 7, 2014, the subject property lies within Flood Hazard Area (unshaded), designated as those areas outside the 0.2% annual chance floodplain.
 3. Notice: Staking a portion of this addition by metes and bounds is a violation of City subdivision ordinance and shall state staking statutes and is subject to fines and withholding of utilities and building certificates.
 4. The purpose of this plat is to create 2 Lots for development.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
 COUNTY OF DALLAS

This is to certify that I, Joel C. Howard, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision from an actual survey made by me or under my supervision.

Joel C. Howard, S.P.L.S., P.L.S.
 Texas R.F.S. No. 6267

STATE OF TEXAS
 COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Joel C. Howard, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL BY THE CITY OF HUTCHINS

All variances from the General Development Ordinance Approved by City Council.

Mario Vasquez, Mayor, City of Hutchins

The undersigned, the City Secretary of the City of Hutchins, hereby certifies that the foregoing final plat of LANCASTER ADDITION, LOTS 1 & 2, BLOCK A, Addition to the City of Hutchins was submitted to the General Development Ordinance as set forth by the ordinances of the City of Hutchins on the _____ day of _____, 2023, and including acceptance of the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and further authorized the acceptance thereof by City Staff, signing as hereinabove subscribed in the capacity stated in accordance with City Ordinances.

Witness my hand this the _____ day of _____, 2023.

CITY SECRETARY,
 City of Hutchins, Texas

OWNER:
 HUTCHINS SUNRISE, LP
 P.O. BOX 249
 COLLETVILLE, TEXAS 76034
 EMAIL:

GEONAV
 SURVEYING • MAPPING • SCANNING

3410 MIDCOURT RD., SUITE 110, CARROLLTON, TEXAS 75006
 (972) 245-2409 PROJECT NUMBER: 3133
 SCALE 1"=60'
 18P.L.S. FIRM NO. 10194205

DATED: NOVEMBER 2, 2023 DRAWN BY: LEO

REPLAT
 HUTCHINS ADDITION
 LOT 1, BLOCK A
 BEING A REPLAT
 OF BLOCK 3 OF
 KANADY'S ADDITION
 BENJAMIN MATTHEWS SURVEY,
 ABSTRACT NO. 898
 TOWN OF HUTCHINS,
 DALLAS COUNTY, TEXAS
 ZONED (R) RETAIL



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council Meeting

SUBMITTED BY: Karen Steward

AGENDA CAPTION: Add position/eliminate position Presented by: Karen Steward,
Director of Human Resources

Background Information

In the current budget, we have a position for a Police Administrative Assistant. We want to eliminate this position and add a new Dispatcher position.

Budget Implications

No budget implications.

Operational Impact

N/A

Legal Review

N/A

Staff Recommendation

Staff recommends eliminating the Police Administrative Assistant and creating a new Dispatcher position.

Supporting Documentation and Attachments

N/A



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Chief Steve Perry

AGENDA CAPTION: 2023 Hutchins Police Department racial profiling report.
Presented by: Steve Perry Police Chief, Benny Puckett Lieutenant

Background Information

In 2001 The Texas Legislature with intent to address racial profiling issues enacted the Texas Racial profiling law. In 2009 Texas legislatures modified the racial profiling law adding new requirements. In 2017 Texas legislatures again made changes to the Texas racial profiling law which enacted the Sandra Bland Act and made changes to racial and ethnic designations. The Texas Racial Profiling law requires that Police departments across the State of Texas to have an independent audit of traffic contact data and to report the finding to the governing body. Hutchins Police department contacts have been reviewed by Del Carmen and Associates and the following report has been prepared in accordance with State law.

Budget Implications

N/A

Operational Impact

Report complies with State law reporting requirements.

Legal Review

N/A

Staff Recommendation

N/A

Supporting Documentation and Attachments

Power Point/PDF file



STAFF REPORT

MEETING DATE:	March 4, 2024
MEETING TYPE:	Regular Council Meeting
SUBMITTED BY:	Chief Perry
AGENDA CAPTION:	Presentation of the 2023 Police Department annual report. Presented by: Steve Perry, Jon Lindley, Benny Puckett

Background Information

Presentation of the 2023 Hutchins Police Department annual report.

Budget Implications

N/A

Operational Impact

The annual report gives a snapshot of calls for service, crime, motor vehicle accidents, use of force trends, injuries, and motor vehicle pursuit trends. Staff uses the annual report information to develop training and limit liability to the City of Hutchins.

Legal Review

N/A

Staff Recommendation

N/A

Supporting Documentation and Attachments

Power Point (2023 Annual Report)



STAFF REPORT

MEETING DATE:	March 4, 2024
MEETING TYPE:	Regular Council Meeting
SUBMITTED BY:	Chief Perry
AGENDA CAPTION:	Results of Animal Shelter Study Presented by: Steve Perry, and Ron Hobbs

Background Information

On October 2, 2023, council approved an agreement with Ron Hobbs Architectural Firm to conduct a feasibility study for the construction of a new animal shelter and study the renovation of the current City Hall facility to an Animal Shelter. Ron Hobbs has prepared his report and will report on his findings.

Budget Implications

N/A

Operational Impact

Information is provided to the city council to use in the decision-making process for the City of Hutchins Animal Shelter.

Legal Review

N/A

Staff Recommendation

N/A

Supporting Documentation and Attachments

Power Point (Ron Hobbs Architectural firm)

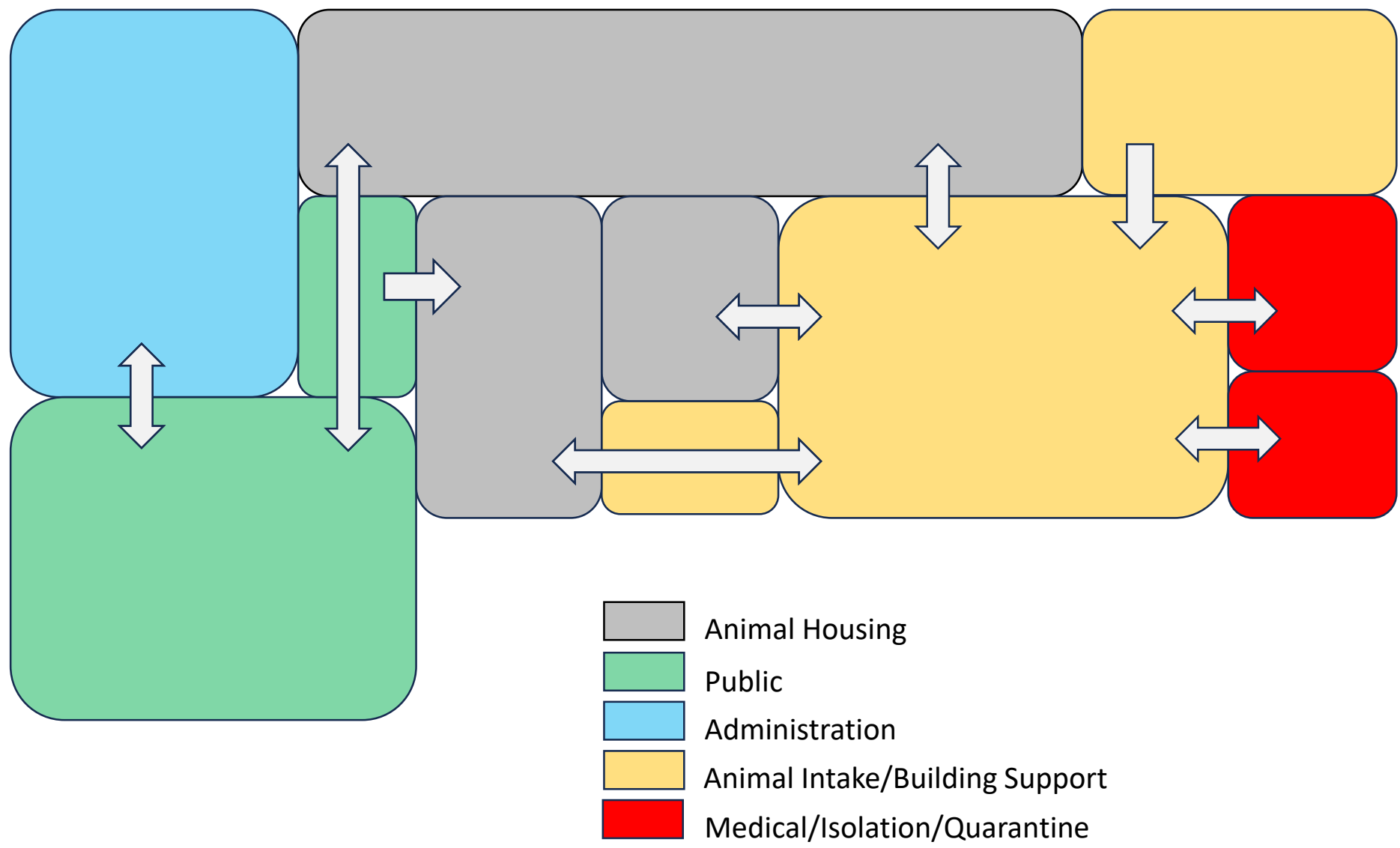


Hutchins Animal Control

Administration	1,121 sf
Public Areas	1,904 sf
Animal Housing	1,645 sf
Building Support	1,289 sf
<u>Building Support</u>	<u>900 sf</u>
Total	6,857 sf

ANIMAL SHELTER					CURRENT NEEDS			NOTES		
Room Number	Room Name	Number of Animals/Year	Length of Stay	Occupant Load	Design Factor	#Number of Rooms	Staff	SF Needs	Totals	Notes
Administration										
A1	Supervisor's Office				150		1	150	1,121	
A2	Staff Offices				120		-	-		
A3	Work Space				100		1	100		
A4	Conference Room			6	35			150		
A5	Staff Toilets/Shower							100		
A6	Lockers			6	20			100		
A7	BreakRoom/Kitchen							100		
A8	Server							50		
A9	Records							30		
A10	Storage							50		
A11										
	Circulation				35%			291		
Public Areas									1,904	
P1	Lobby							500		
P2	Reception							200		
P3	Classroom/Education			20	20			400		
P4	Adoption Rooms - Dogs				50	-		-		
P5	Cat Condos				100	1		100		
P6	Meet-n-Greet				100	1		100		
P7	Retail				50	-		-		
P8	Supplies							50		
P9	Public Toilet				60	1		60		
	Circulation				35%			494		
ANIMAL HOUSING									1,645	
H1	Dog Kennels	300	30		40	25		986		
H2	Cat Cages	50	35		15	5		72		
H3	Feral Cats				-	10		-		
H4	Isolation/Quarantine			4	40			160		
	Circulation				35%			426		
BUILDING SUPPORT									1,289	
WS1	Receiving							150		
WS3	Bathing/Cleaning							100		
WS4	Food Preparation							150		
WS5	Food Storage							150		
WS6	Misc. Storage							100		
WS7	Chemical Storage							50		
WS8	Medical/Lab							180		
WS9	Freezer							25		
WS10	Custodian							50		
	Circulation				35%			334		
BUILDING SUPPORT									900	
BS1	Salvage							600		
BS2	Fire Riser							70		
BS3	Electrical							50		
BS4	Mechanical							120		
	Circulation				35%			60		
Totals							2	6,857		

Section H, Item 11.







Site Options

Section H, Item 11.



Site "B"

2.75 acres

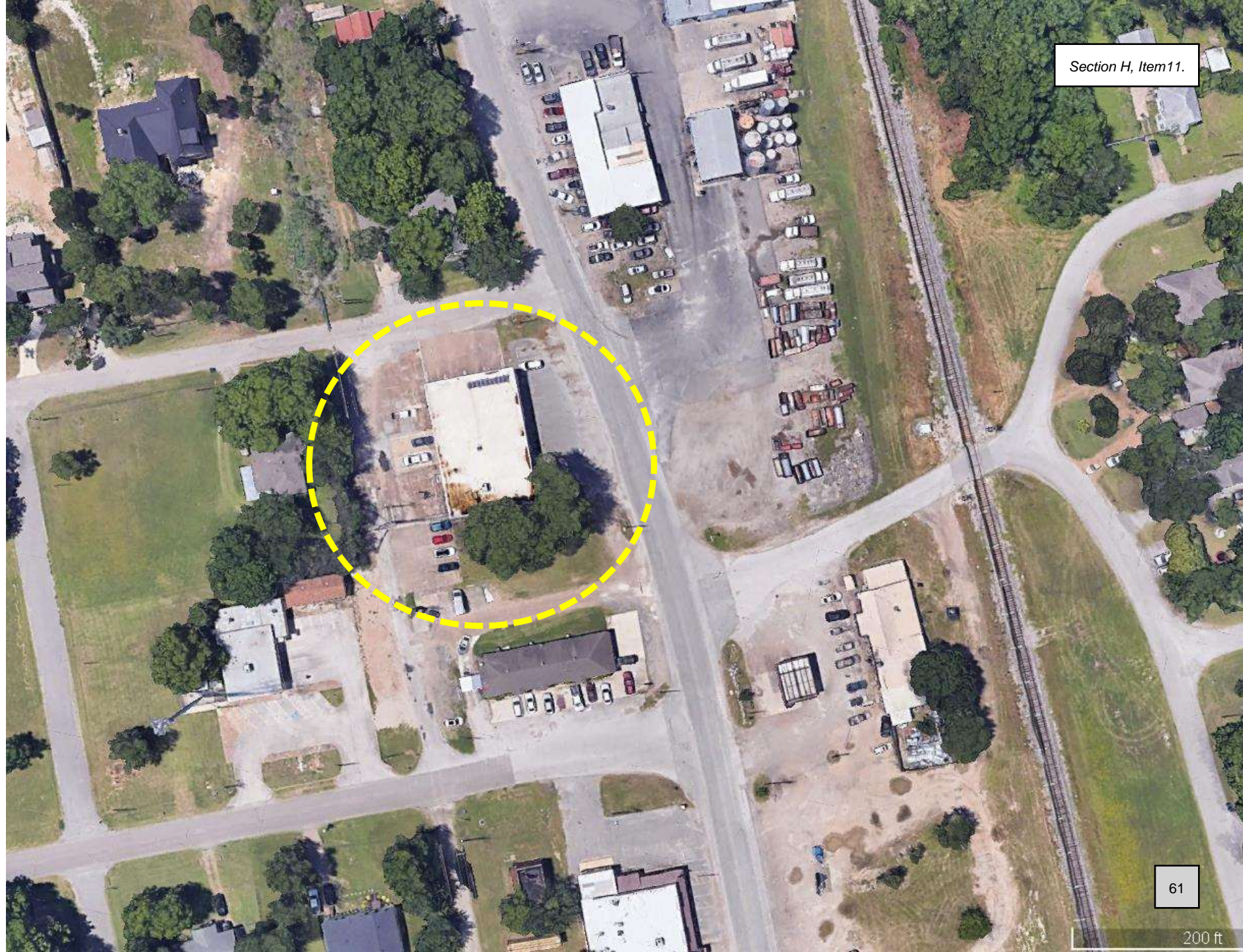


Site "C"

5.51 acres



Site "F"



Section H, Item 11.

	Site "B"	Site "C"	Existing City Hall
Construction Costs	\$5,527,000	\$5,527,000	\$3,428,675
Utilities/Landscaping	\$50,000	\$50,000	\$30,000
FF&E/Fees/Misc.	\$655,400	\$667,400	\$462,400
Land Cost	\$412,000 (2.75 acres)	\$826,500 (5.51 acres)	\$0.00
Sub-Total	\$6,644,400	\$7,070,900	\$3,921,075
10% Contingency	\$664,440	\$707,090	\$392,107
Total	\$7,308,840	\$7,777,990	\$4,313,182

Land cost is based on \$150,000/acre

Costs of Recent DFW Animal Shelter Projects

Sachse = \$806/sf
Mansfield = \$967/sf
Corsicana = \$562/sf



STAFF REPORT

MEETING DATE: March 4, 2024

MEETING TYPE: City Council

SUBMITTED BY: Tim Rawlings
Charger Logistics Replat by: Tim Rawlings

AGENDA CAPTION:

Background Information

Muhammad Hayat of Pearl Contracting Corp. on behalf of Sameer Pichumani/Charger Logistics has made application to replat 1333 W. Wintergreen Road Lot 1, Block A Charger Global Distribution LTD Addition for the purpose of adding new required easements.

Staff has reviewed the replat and all needed items have been corrected, the replat meets the standards of the City of Hutchins.

Budget Implications

N/A

Operational Impact

N/A

Legal Review

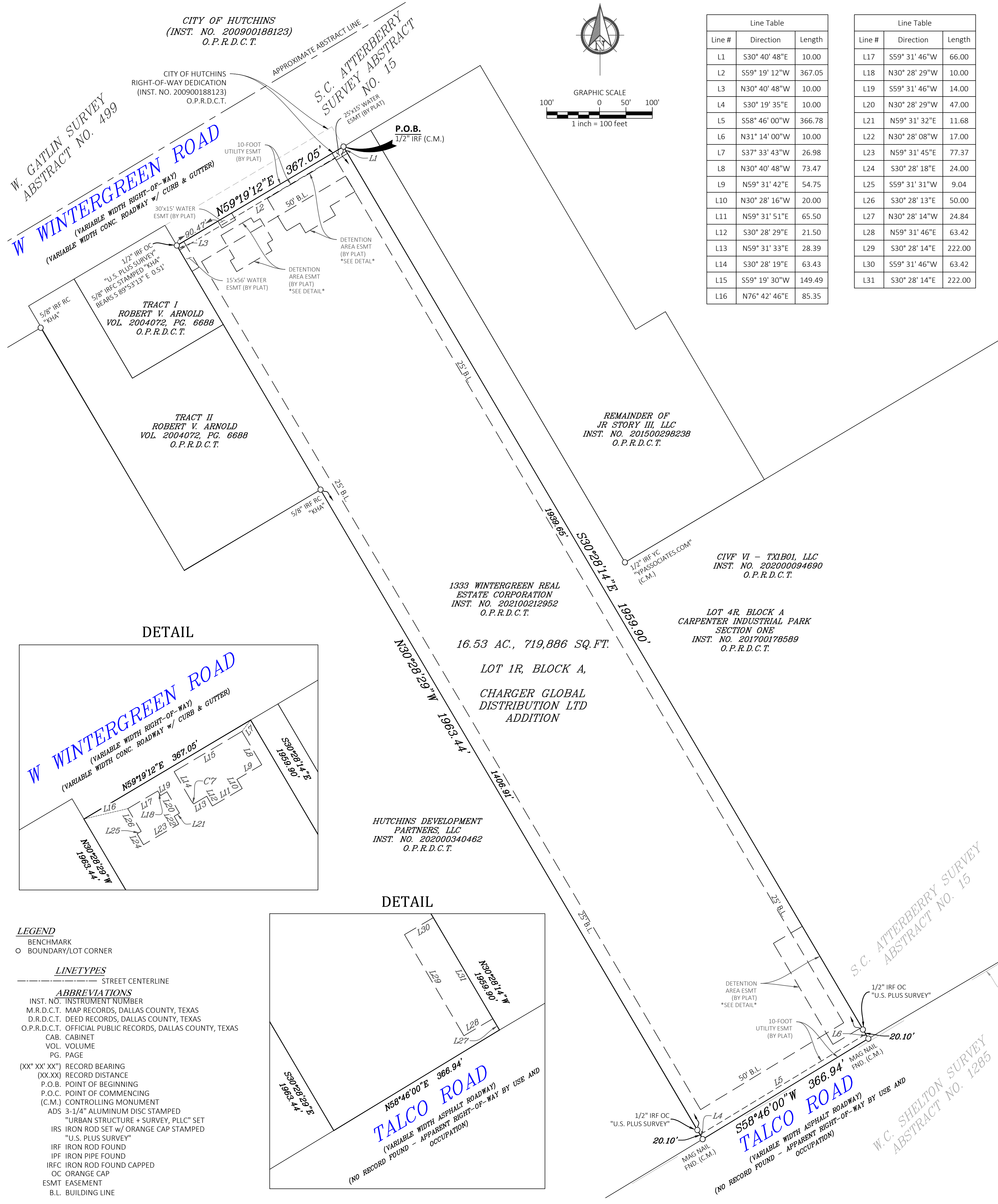
N/A

Staff Recommendation

Staff recommends approval

Supporting Documentation and Attachments

Copy of Replat

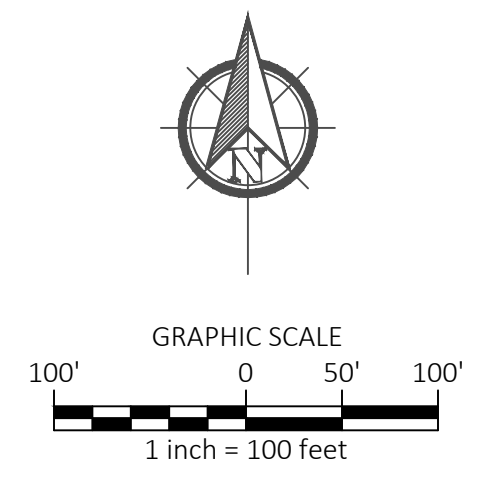


Line Table

Line #	Direction	Length
L1	S30° 40' 48"E	10.00
L2	S59° 19' 12"W	367.05
L3	N30° 40' 48"W	10.00
L4	S30° 19' 35"E	10.00
L5	S58° 46' 00"W	366.78
L6	N31° 14' 00"W	10.00
L7	S37° 33' 43"W	26.98
L8	N30° 40' 48"W	73.47
L9	N59° 31' 42"E	54.75
L10	N30° 28' 16"W	20.00
L11	N59° 31' 51"E	65.50
L12	S30° 28' 29"E	21.50
L13	N59° 31' 33"E	28.39
L14	S30° 28' 19"E	63.43
L15	S59° 19' 30"W	149.49
L16	N76° 42' 46"E	85.35

Line Table

Line #	Direction	Length
L17	S59° 31' 46"W	66.00
L18	N30° 28' 29"W	10.00
L19	S59° 31' 46"W	14.00
L20	N30° 28' 29"W	47.00
L21	N59° 31' 32"E	11.68
L22	N30° 28' 08"W	17.00
L23	N59° 31' 45"E	77.37
L24	S30° 28' 18"E	24.00
L25	S59° 31' 31"W	9.04
L26	S30° 28' 13"E	50.00
L27	N30° 28' 14"W	24.84
L28	N59° 31' 46"E	63.42
L29	S30° 28' 14"E	222.00
L30	S59° 31' 46"W	63.42
L31	S30° 28' 14"E	222.00



SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

I, Clifford E. Cameron, registered professional land surveyor, licensed by the state of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the rules and regulations of the Texas Board of Professional Engineers and Land Surveyors and the City of Hutchins, Texas development codes and ordinances. I further affirm that monumentation shown hereon was either found or set as shown hereon under my direction and supervision.

Dated this the ___ day of _____, 2024.

David A. Minton, RPLS
Texas License No 62333

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared David A. Minton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the ___ day of _____, 2024.

Notary Public, in and for the State of Texas

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

The undersigned, the City Secretary of the City of Hutchins, Texas, hereby certifies that the foregoing replat of the Charger Global Distribution LTD Addition to the City of Hutchins was submitted to the appropriate Planning & Zoning Commission or City Council as required by the ordinances of the City of Hutchins on the ___ day of _____, 2024 and such body by formal action, then and there accepted the dedication of streets, alleys, pars, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

Witness my hand this ___ day of _____, 2024

Cynthia Olguin, City Secretary
City of Hutchins, Texas

FILED: _____

CAB: _____, PG. _____, P.R.D.C.T.

GENERAL NOTES

1. Basis of bearings shown hereon are based on the state plane coordinate system of 1983 (NAD83, 2011) TXNC-4202, as derived by GNSS from the Trimble RTK network.
2. Not all lot lines outside of the boundary of the subject property show hereon have been surveyed and are shown as graphical depiction based on recorded information and tax maps.
3. The survey was performed without the benefit of a title commitment, abstract of title, or title report. The property could be subject to easements not shown hereon.
4. Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law, and subject to fines and/or withholding of utilities and building permits.

SUMMARY TABLE:

Total Land Area	16.53 acres
	719,886 square feet
Building Area	13.55 acres
	590,103 square feet

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, 1333 Wintergreen Real Estate Corporation, is the owner of all of Lot 1R, Block A, Charger Global Distribution LTD Addition, an addition to the City of Hutchins, Dallas County, Texas, according to the Map thereof recorded in Instrument No. 202200085626, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), situated in the S.C. Atterberry Survey, Abstract No. 15, City of Hutchins, Dallas County, Texas; same being all of a tract of land described in Texas General Warranty Deed to 1333 Wintergreen Real Estate Corporation recorded in Instrument Number 202100212952, in the O.P.R.D.C.T.; said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found in the southeast right-of-way line of W Wintergreen Road (variable width right-of-way), same being the west corner of Lot 4R, Block A, Carpenter Industrial Park Section One, recorded in Instrument Number 201700178589, in the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), same also being the north corner of said Lot 1R, Block A;

THENCE South 30 degrees 28 minutes 14 seconds East, along the common line of said Lot 1R, Block A, and said Lot 4R, Block A, passing an iron rod with orange cap, stamped "U.S. Plus Survey" found on-line for reference at a distance of 1939.79 feet, and continuing a total distance of 1,959.90 feet to a Mag Nail found in the approximate centerline of Talco Road (No record found - apparent right-of-way by use and occupation), to the south corner of said Lot 4R, Block A, same being the east corner of said Lot 1Rm Block A;

THENCE South 58 degrees 46 minutes 00 seconds West, along the approximate centerline of said Talco Road, a distance of 366.94 feet to a Mag Nail found for the east corner of a tract of land described by Special Warranty Deed to Hutchins Development Partners, LLC recorded in instrument Number 20200340462, (O.R.D.C.T.), same being the south corner of said Lot 1R, Block A;

THENCE North 30 degrees 28 minutes 29 seconds West, departing the centerline of said Talco Road, along the northeast line of said Hutchins Development Partners, LLC tract, passing at a distance of 20.10 feet, a 1/2-inch iron rod with orange cap stamped "U.S. Plus Survey" found online for reference, and also passing at a distance of 1,427.01 feet, a 5/8-inch iron rod with a red cap stamped "KHA" found for the east corner of tract of land described as a Special Warranty Deed to Robert V. Arnold, recorded in Volume 2004075, Page 6688, (O.R.D.C.T.), and continuing for a total distance of 1,963.44 feet to a 1/2-inch iron rod with orange cap stamped, "U.S. Plus Survey" found for the west corner of said Lot 1R, Block B, and being in the southeast right-of-way line of said W Wintergreen Road, from which a 5/8-inch iron rod with red cap stamped "KHA" bears South 89 degrees 53 minutes 13 seconds East a distance of 0.51 feet;

THENCE North 59 degrees 19 minutes 12 seconds East, along the southeast right-of-way line of said W Wintergreen Road, a distance of 367.05 feet to the **POINT OF BEGINNING** and containing 719,886 square feet or 16.53 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Sameer Pichumani the undersigned authority, does hereby adopt this plat designating the herein above described property as Charger Global Distribution LTD Addition, Lot 1, Block A an addition to the City of Hutchins, Dallas County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of the City of Hutchins and all public utilities desiring to use, or using same, no buildings, fences, trees, shrubs, signs, or other improvements shall be constructed or placed upon, over, or across the easement strips on said plat, the City of Hutchins and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easement strips, and the City of Hutchins and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone, a blanket easement of a five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes, street is hereby granted to the City of Hutchins for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

OWNER: 1333 Wintergreen Real Estate Corporationa Delaware Corporation

By: _____ Date: _____
Sameer Pichumani, Vice President

PROVINCE OF ONTARIO §
REGION OF PEEL §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared Sameer Pichumani, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ___ day of _____, 2024.

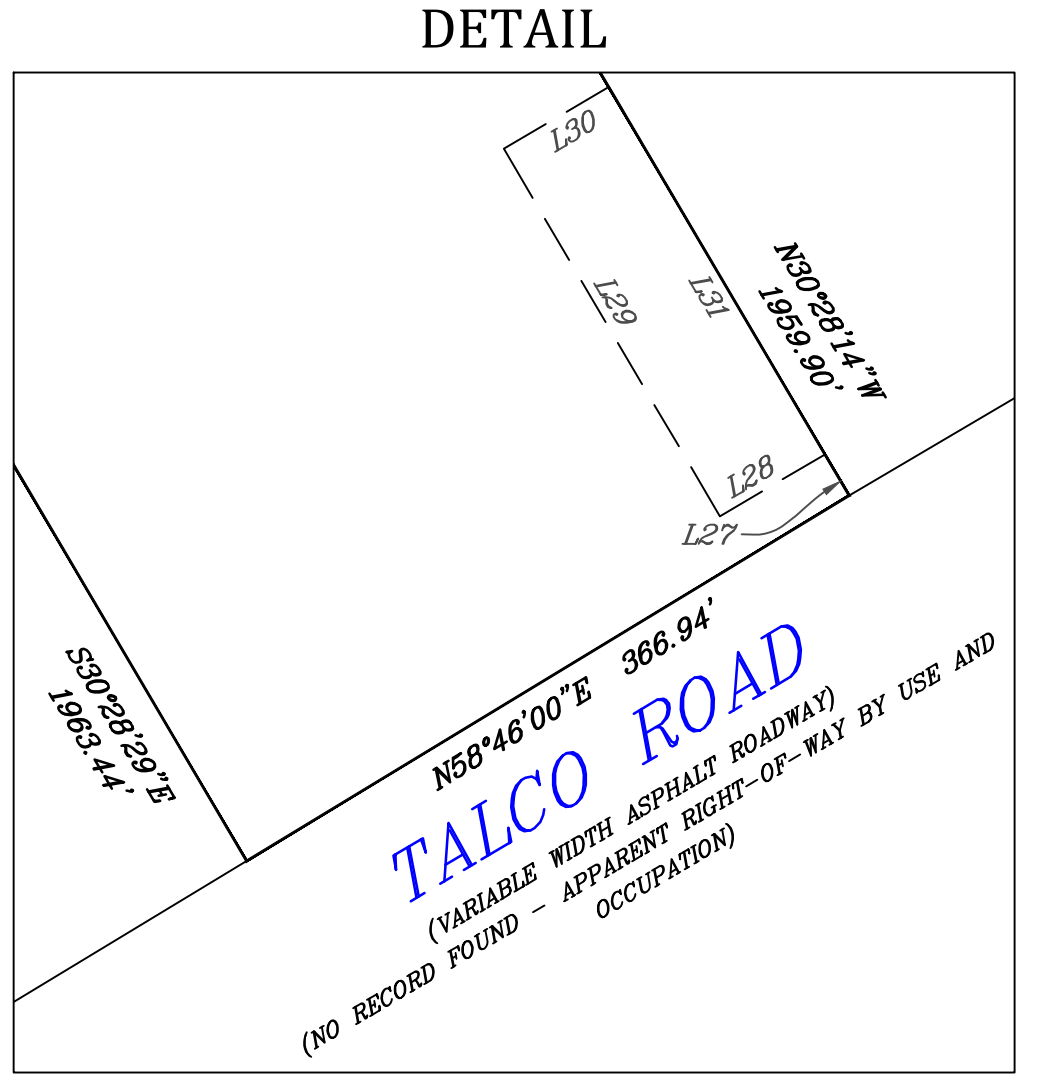
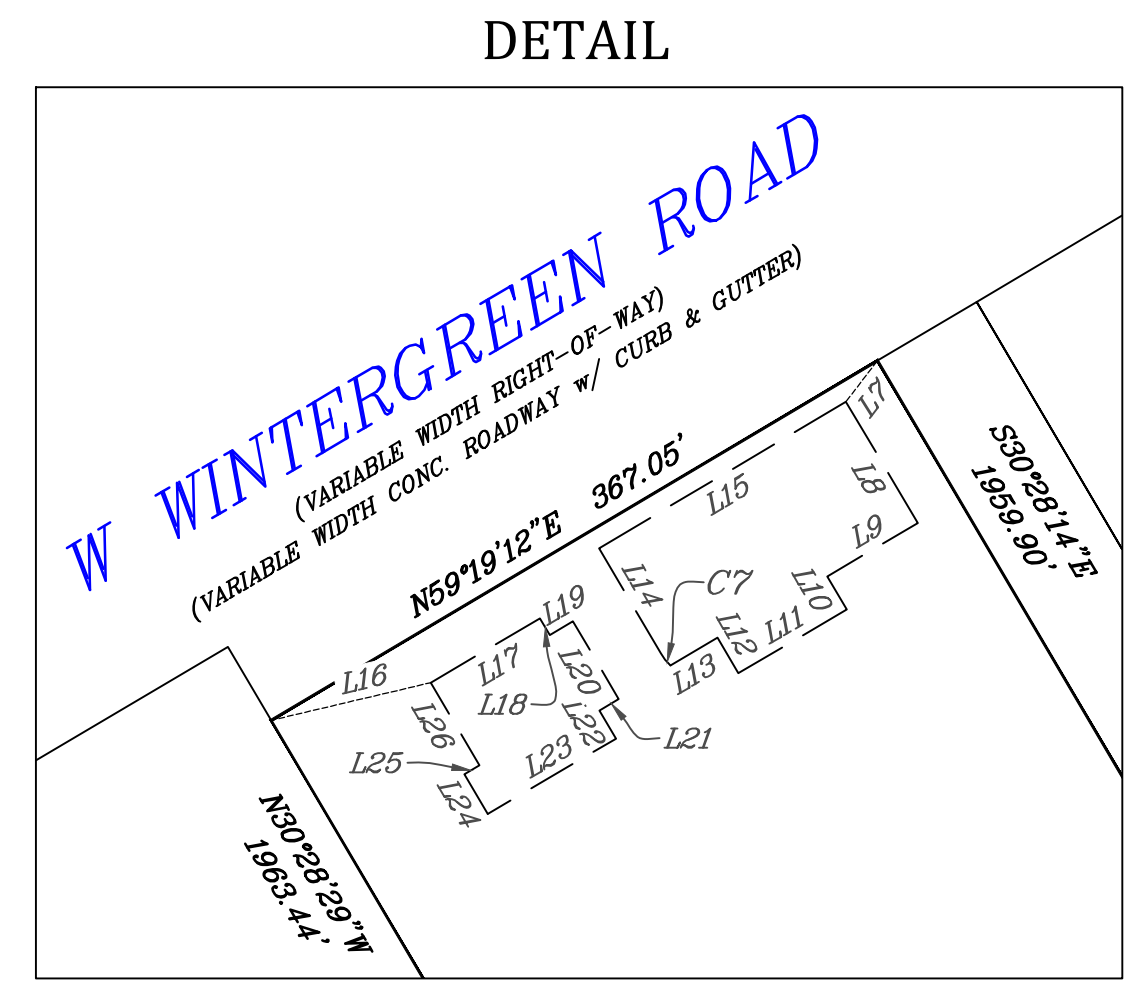
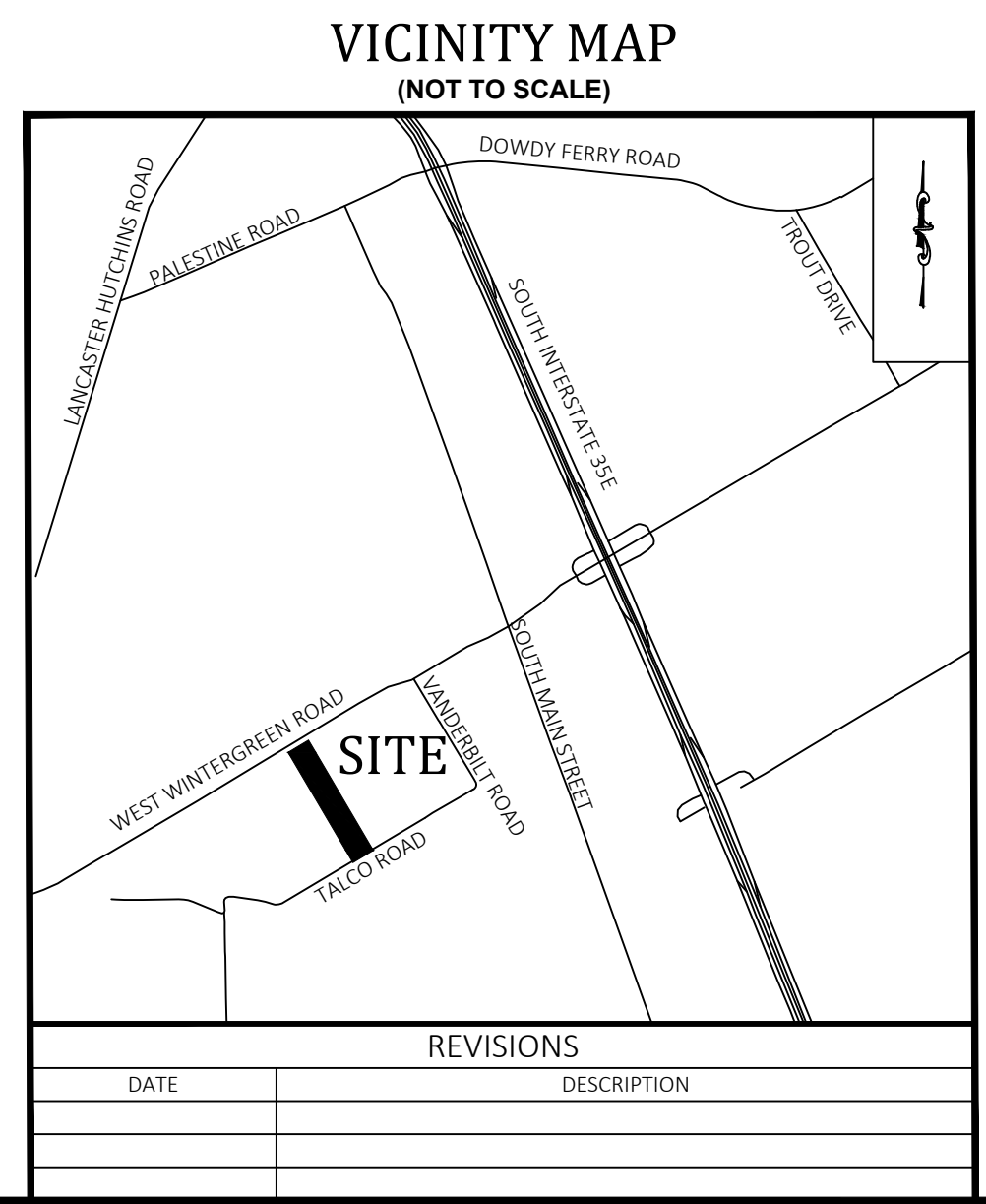
Notary Public, in and for the Province of Ontario, Canada

No variances from the General Development Ordinance Requested:
Approved for Preparation of Final Plat
Joseph Matthews, Chairman, Planning & Zoning Commission
City of Hutchins, Texas

PURPOSE NOTE:
The purpose of this plat is to dedicate new easements.

REPLAT
CHARGER GLOBAL DISTRIBUTION LTD ADDITION
LOT 1, BLOCK A
16.53 ACRES / 719,886 SQUARE FEET
ZONING: LIGHT INDUSTRIAL
OUT OF THE S.C. ATTERBERRY SURVEY, ABSTRACT NO. 15
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS

URBAN STRATEGY
1100 E. Campbell, Suite 210
Richardson, Texas 75081
Firm Registration #F-20194610, 214-369-2339
www.urbanstrategy.us



- LEGEND**
- BENCHMARK
 - BOUNDARY/LOT CORNER
- LINETYPES**
- STREET CENTERLINE
- ABBREVIATIONS**
- INST. NO. INSTRUMENT NUMBER
 - M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - CAB. CABINET
 - VOL. VOLUME
 - PG. PAGE
 - (XX° XX' XX") RECORD BEARING
 - (XX.XX) RECORD DISTANCE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - (C.M.) CONTROLLING MONUMENT
 - ADS 3-1/4" ALUMINUM DISC STAMPED
 - "URBAN STRUCTURE + SURVEY, PLLC" SET
 - IRS IRON ROD SET w/ ORANGE CAP STAMPED
 - "U.S. PLUS SURVEY"
 - IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - IRFC IRON ROD FOUND CAPPED
 - OC ORANGE CAP
 - ESMT EASEMENT
 - B.L. BUILDING LINE

REVISIONS

DATE	DESCRIPTION

FILE NAME: SW-21591-REPLAT-2023-WTH.DWG
DATE PLOTTED: 01/22/2024 10:11:51 AM
PLOTTER: HP DesignJet T1300
PLOTTER DRIVER: HP DesignJet T1300 PCL6
PLOTTER MODEL: HP DesignJet T1300
PLOTTER SERIAL: 12792024.3.1.F2.PM



STAFF REPORT

MEETING DATE: March 4, 2024
MEETING TYPE: City Council
SUBMITTED BY: Tim Rawlings
Hutchins City Hall Replat by: Tim Rawlings
AGENDA CAPTION:

Background Information

The City of Hutchins has made application to replat 400 N J.J. Lemmon Lot 1, Block A Hutchins Addition for the purpose of the addition of more land. Staff has reviewed the replat and all needed items have been corrected, the replat meets the standards of the City of Hutchins.

Budget Implications

N/A

Operational Impact

N/A

Legal Review

N/A

Staff Recommendation

Staff recommends approval.

Supporting Documentation and Attachments

HEREAS, the City of Hutchins and Hutchins Sunrise, LP are the owners of a 5.00 acre tract of land situated in the Benjamin Matthews Survey's Addition, an addition to the Hutchins Survey, as recorded in Volume Q, Page 281, of the Deed Records of Dallas County, Texas (D.B.C.T.), and being all of a tract of land described in a deed to the City of Hutchins, as recorded in Instrument Number 202300097741, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and being part of 200341, 5081, D.B.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the north end of a corner clip at the intersection of the northeast right-of-way line of J.J. Lemmon Street (a 100-foot wide right-of-way) with the northwestern line of Lancaster Hutchins Road (a said Hutchins Sunrise tract, said corner being the most southerly southerly corner of said Hutchins Sunrise tract);

THENCE North 30 degrees 51 minutes 58 seconds West, along the common said northwesterly right-of-way line of N. J.J. Lemmon Street and the southwest line of said City of Hutchins tract, a distance of 495.00 feet to a 1/2-inch iron rod with an adjacent corner cap stamp of the herein described tract, referred to as "with cap") set for the northwest corner of the herein described tract;

THENCE South 31 degrees 08 minutes 02 seconds East, along the north line of said City of Hutchins tract and over and across said Hutchins Sunrise, LP, tract, a distance of 260.08 feet to a 1/2-inch iron rod with cap set for the north corner of the herein described tract;

THENCE South 03 degrees 51 minutes 58 seconds East, continuing over and across said Hutchins Sunrise tract, a distance of 260.08 feet to a 1/2-inch iron rod with an adjacent corner cap stamp of the herein described tract, said corner being on the southeast line of said Hutchins Sunrise tract;

THENCE North 59 degrees 08 minutes 02 seconds West, along said common line, a distance of 568.42 feet to a 1/2-inch iron rod set for the south end of the aforementioned corner clip;

THENCE North 84 degrees 43 minutes 58 seconds West, along said corner clip, a distance of 51.93 feet to the **POINT OF BEGINNING AND CONTAINING 218,839 square feet or 5.00 acres of land, more or less.**

OWNERS' DEDICATION
 NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
 THAT, CITY OF HUTCHINS AND HUTCHINS SUNRISE, LP, acting through its undersigned agent, does hereby adopt this plat designating the herein above described property as, **HUTCHINS ADDITION, LOT 1, BLOCK A**, an addition to the City of Hutchins, Dallas County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown hereon, and does hereby dedicate the easement strips and all public utilities for mutual use and benefit same. No buildings, fences, trees, shrubs, signs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. The City of Hutchins and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, signs or other improvements or growths which may in any way encroach upon said Easement strips on the City of Hutchins and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing from all or parts of their respective systems, without of necessity at any time of procuring permits or other approvals, and without of the necessity of any other approval, from the City of Hutchins and public utility entities. The City of Hutchins and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing from all or parts of their respective systems, without of necessity at any time of procuring permits or other approvals, and without of the necessity of any other approval, from the City of Hutchins and public utility entities. The City of Hutchins and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting and maintaining the above named easements.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Hutchins, Texas.

WITNESS my hand, this the _____ day of _____, 2024.

CITY OF HUTCHINS

City of Hutchins, Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of 2024.

Notary Public in and for the State of Texas

HUTCHINS SUNRISE, LP

Hutchins Sunrise, LP Owner

STATE OF TEXAS
COUNTY OF DALLAS

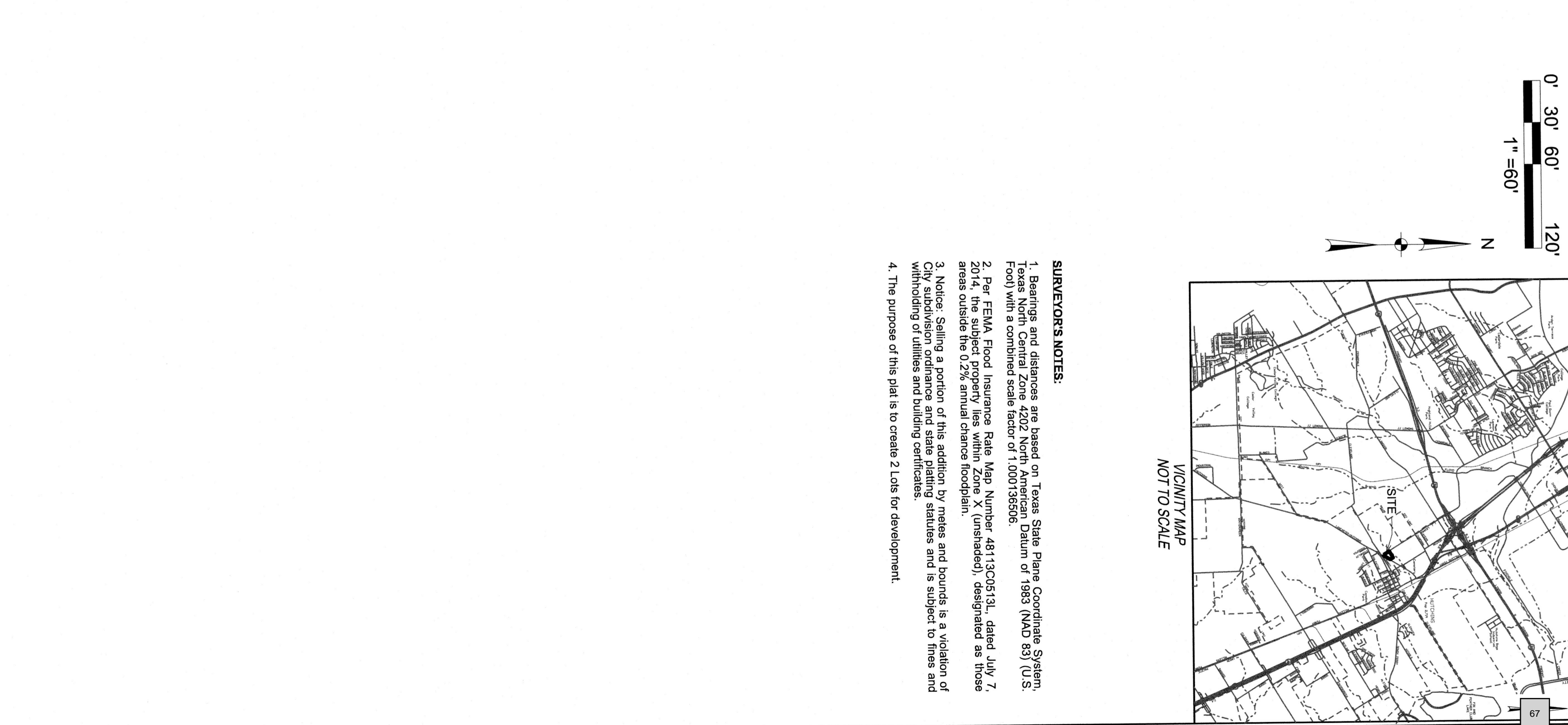
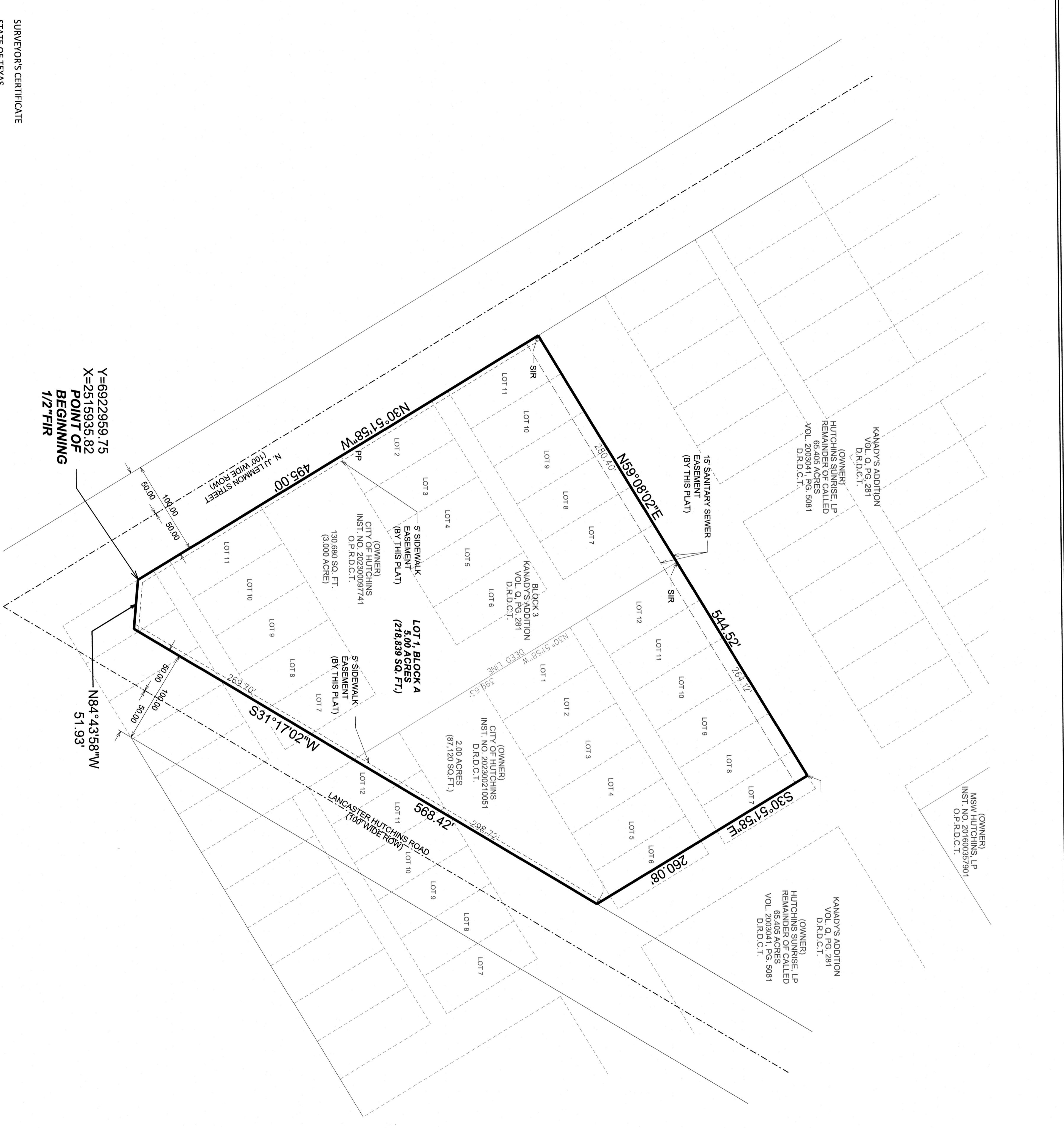
BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of 2024.

Notary Public in and for the State of Texas

LEGEND

D.B.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
 S.Q.F.T. SQUARE FEET
 VOL. VOLUME
 INST. INSTRUMENT
 NO. NUMBER
 SE SINGLE FAMILY
 FIC FOUND IRON ROD WITH PLASTIC CAP
 SIR SET 1/2" IRON ROD WITH A YELLOW CAP STAMPED "GEONAV"



SURVEYOR'S CERTIFICATE
STATE OF TEXAS
COUNTY OF DALLAS

This is to certify that I, **Joel C. Howard**, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision from an actual survey made by me or under my supervision.

Joel C. Howard, S.P.L.S., P.L.S.
 Texas R.F.S. No. 6267

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Joel C. Howard**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL BY THE CITY OF HUTCHINS

All variances from the General Development Ordinance Approved by City Council.

Mario Vasquez, Mayor, City of Hutchins

The undersigned, the City Secretary of the City of Hutchins, hereby certifies that the foregoing final plat of **LANCASTER ADDITION, LOTS 1 & 2, BLOCK A**, Addition to the City of Hutchins was submitted to the General Development Ordinance as set forth by the ordinances of the City of Hutchins on the _____ day of _____, 2023, and including acceptance of the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and further authorized the acceptance thereof by City Staff, signing as hereinabove subscribed in the capacity stated in accordance with City Ordinances.

Witness my hand this the _____ day of _____, 2023.

CITY SECRETARY
 City of Hutchins, Texas

OWNER:
 HUTCHINS SUNRISE, LP
 P.O. BOX 249
 COLLEVILLE, TEXAS 76034
 EMAIL:

OWNER:
 CITY OF HUTCHINS
 321 N. MAIN STREET
 HUTCHINS, TEXAS 75741
 EMAIL:

3410 MIDCOURT RD., SUITE 110, CARROLLTON, TEXAS 75006
3410 MIDCOURT RD., SUITE 110, CARROLLTON, TEXAS 75006
SCALE 1"=60'
18P/LS FIRM NO. 10194205

DATED: NOVEMBER 2, 2023 DRAWN BY: LEO

REPLAT
HUTCHINS ADDITION
LOT 1, BLOCK A
BEING A REPLAT
OF BLOCK 3 OF
KANADY'S ADDITION
BENJAMIN MATTHEWS SURVEY,
ABSTRACT NO. 898
TOWN OF HUTCHINS,
DALLAS COUNTY, TEXAS
ZONED (R) RETAIL

GEONAV
 SURVEYING • MAPPING • SCANNING



STAFF REPORT

MEETING DATE:	March 4, 2024
MEETING TYPE:	City Council
SUBMITTED BY:	Robert McWayne
AGENDA CAPTION:	Discuss and consider Resolution R2024-03-1177 accepting bids received in association with the City’s Sidewalk Improvements at UPRR & Palestine Street Project; authorizing the City Administrator to execute an agreement with the apparent low bidder CCGMG, LLC Series B of Dallas, Texas in an amount not to exceed \$27,115.00; and providing for an effective date. Presented by: Robert McWayne

Background Information

Staff had its third-party consultant Birkhoff, Hendricks and Carter handle the bid advertisement utilizing an online service called Civcast and ran the advertisement from January 18th to February 6th, 2024. During that time the item was viewed by 11 contractors and only 3 of those submitted sealed bids. On February 7th, 2024, at 1:30pm a bid opening was held at City Hall and the three bids were publicly opened and read. The three bids received were Estrada Concrete for \$45,555.00 (they are shown as “nonresponsive” as they did not fill the bid packet out correctly), Capko Concrete Structures, LLC for \$67,364.00 and CCGMG, LLC Series B for \$27,115.00.

Budget Implications

\$27,115.00

Operational Impact

N/A

Legal Review

Legal prepared the resolution.

Staff Recommendation

Staff recommends approving Resolution R2024-03-1177

Supporting Documentation and Attachments

**CITY OF HUTCHINS, TEXAS
RESOLUTION NO. R 2024-03-1177**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, ACCEPTING BIDS RECEIVED IN ASSOCIATION WITH THE UPRR CROSSING SIDEWALK PROJECT; AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE APPARENT LOW BIDDER CCGMG LLC, IN AN AMOUNT NOT TO EXCEED \$27,115.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City accepted bids for the UPRR Crossing Sidewalk Project (“the “Project”); and

WHEREAS, the City has accepted the apparent low bidder CCGMG LLC for the Project; and

WHEREAS, the City Council of the City of Hutchins finds it in the best interest to the residents and businesses of the City of Hutchins to accept the apparent low bidder, CCGMG LLC, for the Project in an amount not to exceed \$27,115.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, THAT:

SECTION 1. The City, acting through its governing body, hereby confirms that it accepts the bids that were received, opened publicly, and read aloud by the City’s Department of Public Works on March 4, 2024.

SECTION 2. The City, acting through its governing body, hereby confirms that it awards the Project to the apparent low bidder CCGMG LLC, at the submitted low bid amount of \$27,115.00 as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 4. For and on behalf of the City Council, the City Administrator is hereby authorized to negotiate and execute a contract with CCGMG LLC, in the amount not to exceed \$27,115.00 for the Project.

SECTION 5. This Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Hutchins, Texas, this the 4th day of March 2024.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary
(02-15-2024: 4862-2625-0661, v. 1)

EXHIBIT "A"
CCGMG LLC Bid

4862-2625-0661, v. 1

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
COOPER E. REINBOLD, P.E.

February 12, 2024

Mr. Robert McWayne
Assistant Director of Public Works
City of Hutchins
321 N. Main St.
Hutchins, Texas 75141

Re: Sidewalk Improvements at UPRR & Palestine Street

Dear Mr. McWayne:

We have checked the bids received 1:30 p.m. February 7, 2024, for the Sidewalk Improvements at UPRR & Palestine Street project. We are attaching a copy of the Bid Tabulation. The bid notice was uploaded to CivCast, and fourteen contractors reviewed the bid package.

The low bid was received from CCGMG, LLC Series B of Dallas, Texas in the amount of \$27,115.00.

We received a positive reference from the City of Irving, and they acknowledge they have worked with this contractor for several years. No other entity responded to our request for reference at this point in time.

Accordingly, based on the information we have available to us, we recommend that the City accept the bid of \$27,115.00 from CCGMG, LLC Series B LLC, and award them a construction contract in the amount of \$27,115.00.

We are available to discuss our recommendation further at your convenience.

Sincerely,



John W. Birkhoff, P.E.

Enclosures

TABULATION OF BIDS

Date: February 7, 2024

City of Hutchins
Sidewalk Improvements at UPRR & Palestine Street

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
Dallas, Texas

BID OF
CCGMG, L.L.C. Series B
709 Southgate Ln.
Dallas, TX 75217
Bryndis G. Perez Velazquez
469-324-7770
Berez@ccg-llc.org

BID OF
Capko Concrete Structures, L.L.C.
P.O. Box 426
Azle, TX 76098
John J. Capko
682-247-1035
john@capkococoncretestructures.com

BID OF
Estrada Concrete Company, L.L.C.
650 Skyline Drive
Hutchins, TX
Chris Leach
972-489-3145
cleach@estradaconcrete.com

Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
1	1	L.S.	Mobilization, Bonds, and Insurance	\$5,000.00	\$ 5,000.00	\$10,000.00	\$ 10,000.00	Non-Responsive	
2	33	S.Y.	Remove & Dispose of Reinforced Concrete Sidewalk	\$30.00	\$ 990.00	\$120.00	\$ 3,960.00	Non-Responsive	
3	17	L.F.	Full Depth Saw Cut	\$10.00	\$ 170.00	\$132.00	\$ 2,244.00	Non-Responsive	
4	75	S.Y.	Furnish & Place 4-Inch Reinforced Concrete Sidewalk	\$153.00	\$ 11,475.00	\$400.00	\$ 30,000.00	Non-Responsive	
5	5	S.Y.	Furnish & Place 4-Inch Hot Mix Asphalt Concrete	\$120.00	\$ 600.00	\$1,200.00	\$ 6,000.00	Non-Responsive	
6	48	S.Y.	Furnish & Place Compacted Borrow	\$60.00	\$ 2,880.00	\$170.00	\$ 8,160.00	Non-Responsive	
7	1	L.S.	Furnish, Install, Maintain & Remove Erosion Control Devices	\$1,000.00	\$ 1,000.00	\$3,000.00	\$ 3,000.00	Non-Responsive	
8	1	L.S.	Furnish, Install, Maintain & Remove Traffic Control and Barricades	\$5,000.00	\$ 5,000.00	\$4,000.00	\$ 4,000.00	Non-Responsive	
TOTAL					\$ 27,115.00		\$ 67,364.00		