



**CITY OF HUTCHINS  
CITY COUNCIL MEETING  
AGENDA**

**Monday, February 19, 2024 at 6:30 PM  
Hutchins Community Center, 500 W. 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 Monday, February 19, 2024, at 6:30 PM located at Hutchins Community Center, 500 W. Hickman St., 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. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT**

1. Roll Call by Mayor and announce a Quorum.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

- C. 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.*

**D. PRESENTATIONS**

2. Pavilion, Landscaping and Signage Update by: Ron Hobbs

- E. 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.*

3. Discuss and consider an appointment to the Atwell Public Library Board. Presented by: Cynthia Olguin, City Secretary
4. Discuss and consider crime watch signs. Presented by: Mayor Vasquez
5. Witt Road ROW Abandonment Presented by: Robert McWayne
6. Discuss and consider Resolution R2024-02-1172 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CITY OF HUTCHINS PERSONNEL MANUAL BY

AMENDING CHAPTER 3, TITLED "LEAVE", BY ADDING A NEW SECTION 3.14 TITLED "CATASTROPHIC LEAVE" SETTING FORTH REQUIREMENTS FOR CATASTROPHIC LEAVE FOR FULL-TIME EMPLOYEES. Presented by: Karen Steward, HR Director

7. Discuss and consider Resolution R2024-02-1174 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING THE AMENDMENT OF THE FY2023-2024 CITY OF HUTCHINS ORGANIZATIONAL CHART; AND PROVIDING FOR AN EFFECTIVE DATE. Presented by: Karen Steward, HR Director
8. Discuss and consider Resolution R2024-02-1173 OF THE CITY OF HUTCHINS, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH NEWGEN STRATEGIES & SOLUTIONS LLC TO CONDUCT A WATER AND SEWER RATE STUDY. Presented by: Maria Joyner, Director of Finance
9. Discuss and consider ORDINANCE 2024-02-1188 OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, TITLED "UTILITIES", BY AMENDING ARTICLE 13.02, TITLED "WATER WORKS," BY AMENDING §13.02.009 TO ADD PROVISIONS FOR PASS-THROUGH CHARGES FOR WATER PURCHASED FROM THE CITY'S SUPPLIERS; BY AMENDING CHAPTER 13, TITLED "UTILITIES", BY AMENDING ARTICLE 13.03, TITLED "SEWER USER CHARGES" BY AMENDING §13.03.002 TITLED "SEWER RATES TO ADD PROVISIONS FOR PASS-THROUGH CHARGES FOR SANITARY SEWER TREATMENT PURCHASED FROM THE CITY'S SUPPLIERS. Presented by: Maria Joyner, Director of Finance

#### **F. EXECUTIVE SESSION**

10. 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

#### **G. RECONVENE INTO REGULAR SESSION**

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

#### **H. ITEMS OF COMMUNITY INTEREST**

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

**Early Voting:** Mon. – Fri, February 20 through 23, 8 am – 5 pm; Sat, February 24, 7 am – 7 pm; Sun., February 25, noon – 6 pm; Mon – Fri, February 26 – March 1, 7 am – 7 pm

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

Atwell Public Library Board Meeting, Tuesday, February 20, 2024, at 6:30 p.m., Atwell Public Library, 300 N. Denton St.


City Council Meeting, Monday, March 5, 2024, at 6:30 p.m., Hutchins Community Center, 500 W. Hickman St.

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

**I. ADJOURN**

**CERTIFICATION**

I certify that a copy of the February 19, 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](http://www.cityofhutchins.org), in accordance with Chapter 551 of the Texas Government Code. Posted on Friday, February 16, 2024, before 6:30 p.m.

  
Cynthia Olguin  
City Secretary



**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 the scheduled meeting. For assistance, please call the office of the City Secretary at 972-225-6121 or email the City Secretary at [colguin@cityofhutchins.org](mailto:colguin@cityofhutchins.org)



# STAFF REPORT

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<b>MEETING DATE:</b>	February 19, 2024
<b>MEETING TYPE:</b>	City Council
<b>SUBMITTED BY:</b>	Robert McWayne
<b>AGENDA CAPTION:</b>	Pavilion, Landscaping and Signage Update by: Ron Hobbs

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## **Background Information**

Ron Hobbs is here to update Council and receive feedback on his renderings of the Pavilion, Landscaping and Signage projects.

## **Budget Implications**

N/A

## **Operational Impact**

N/A

## **Legal Review**

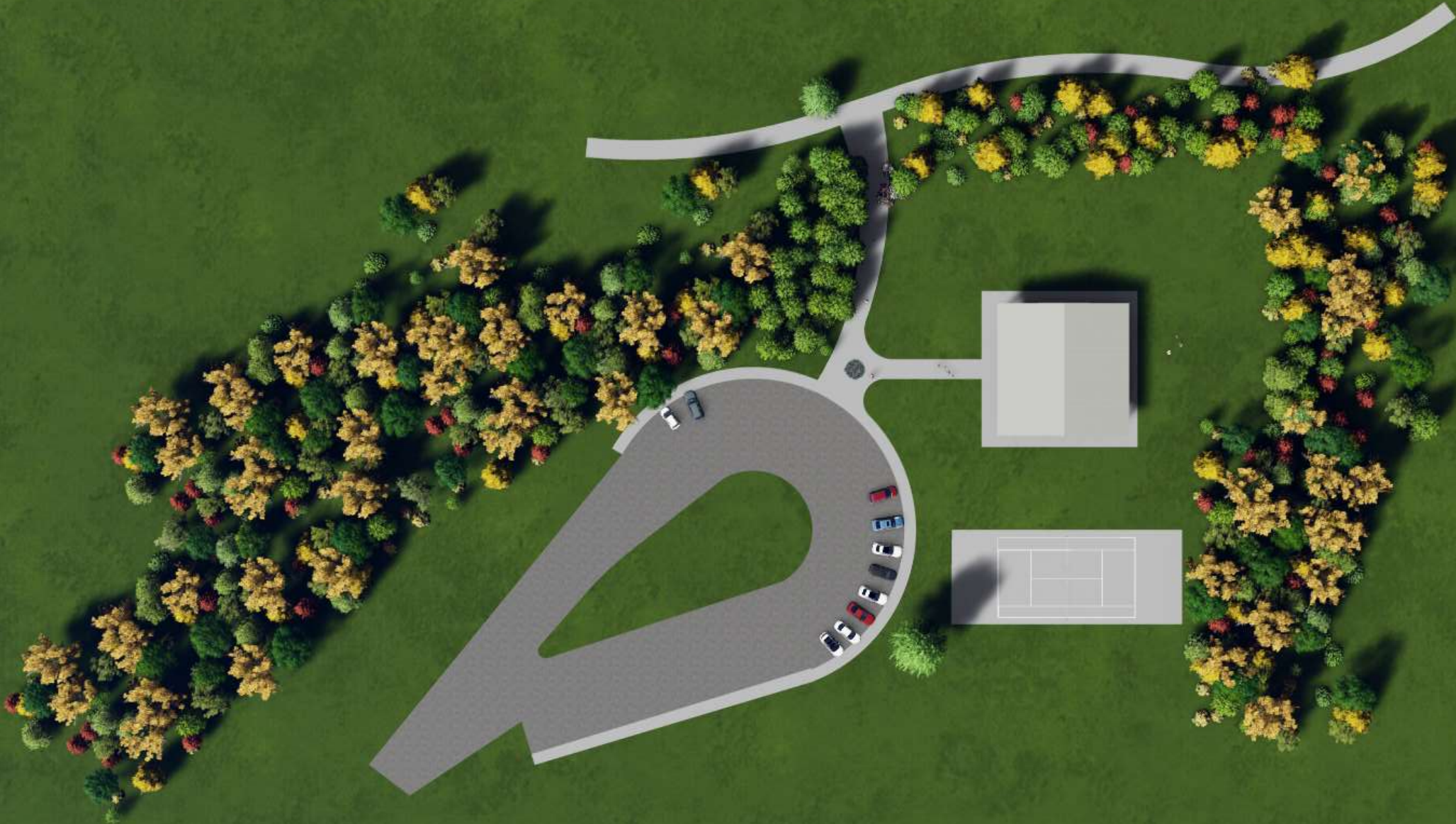
N/A

## **Staff Recommendation**

N/A

## **Supporting Documentation and Attachments**











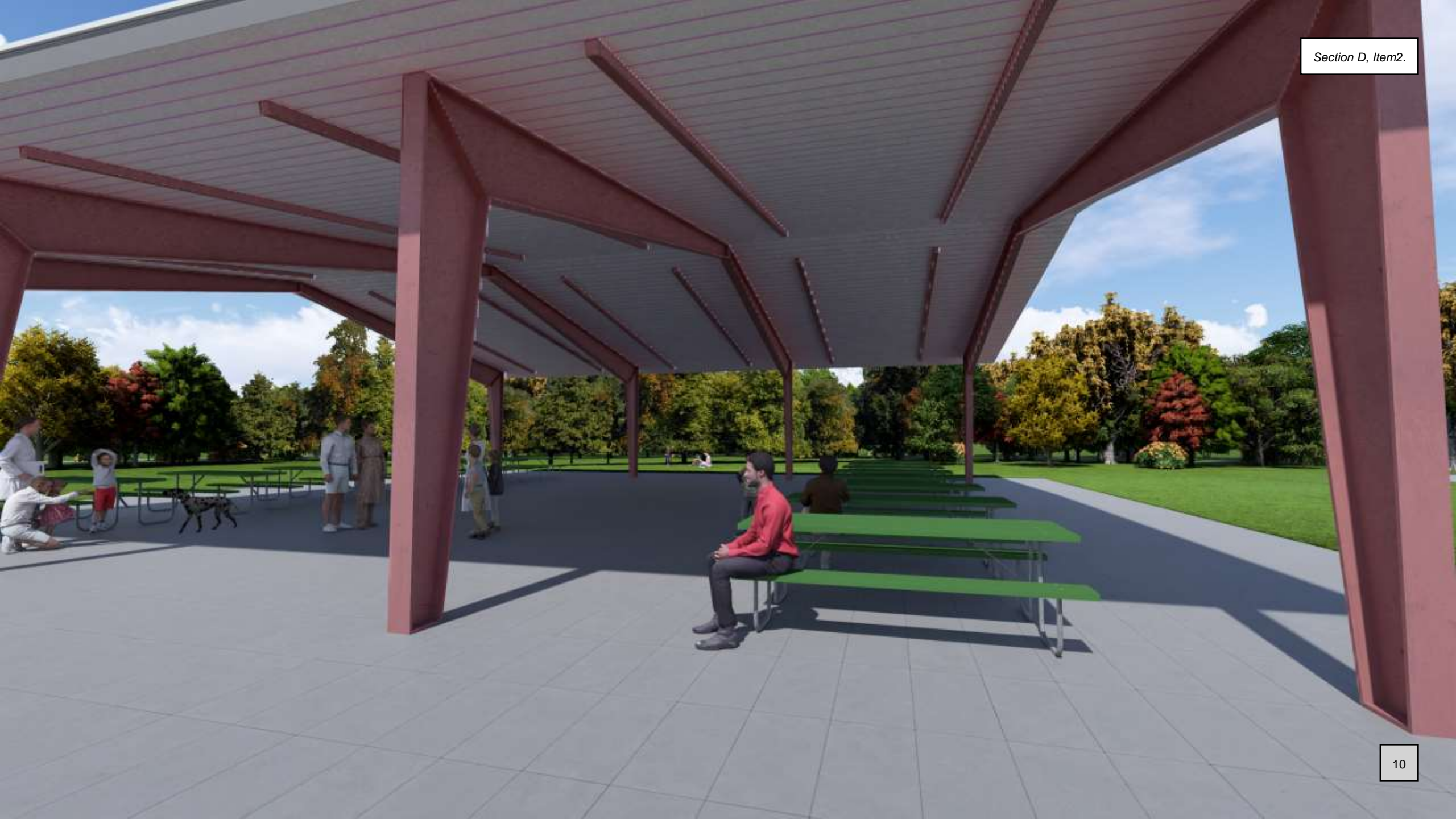












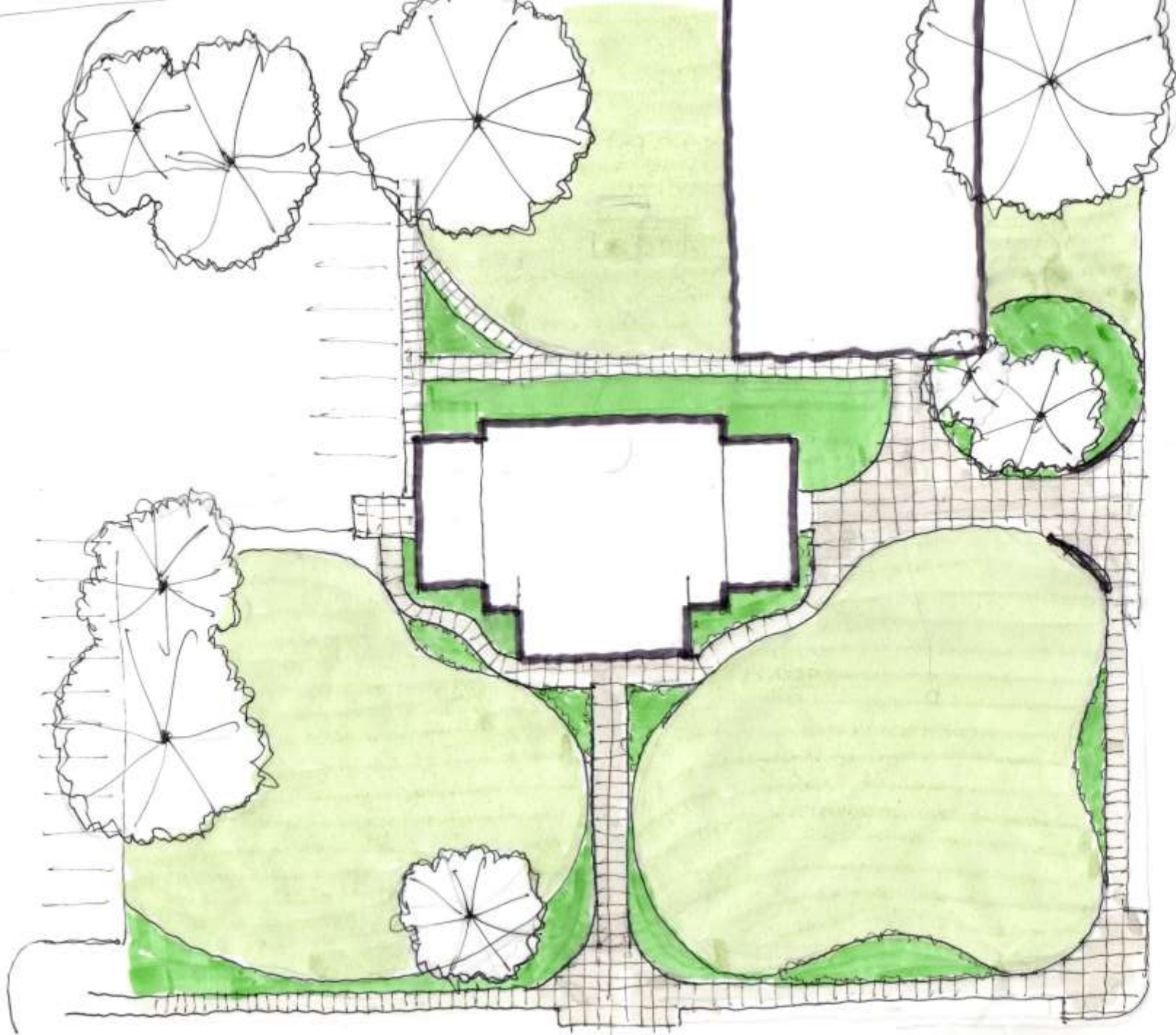












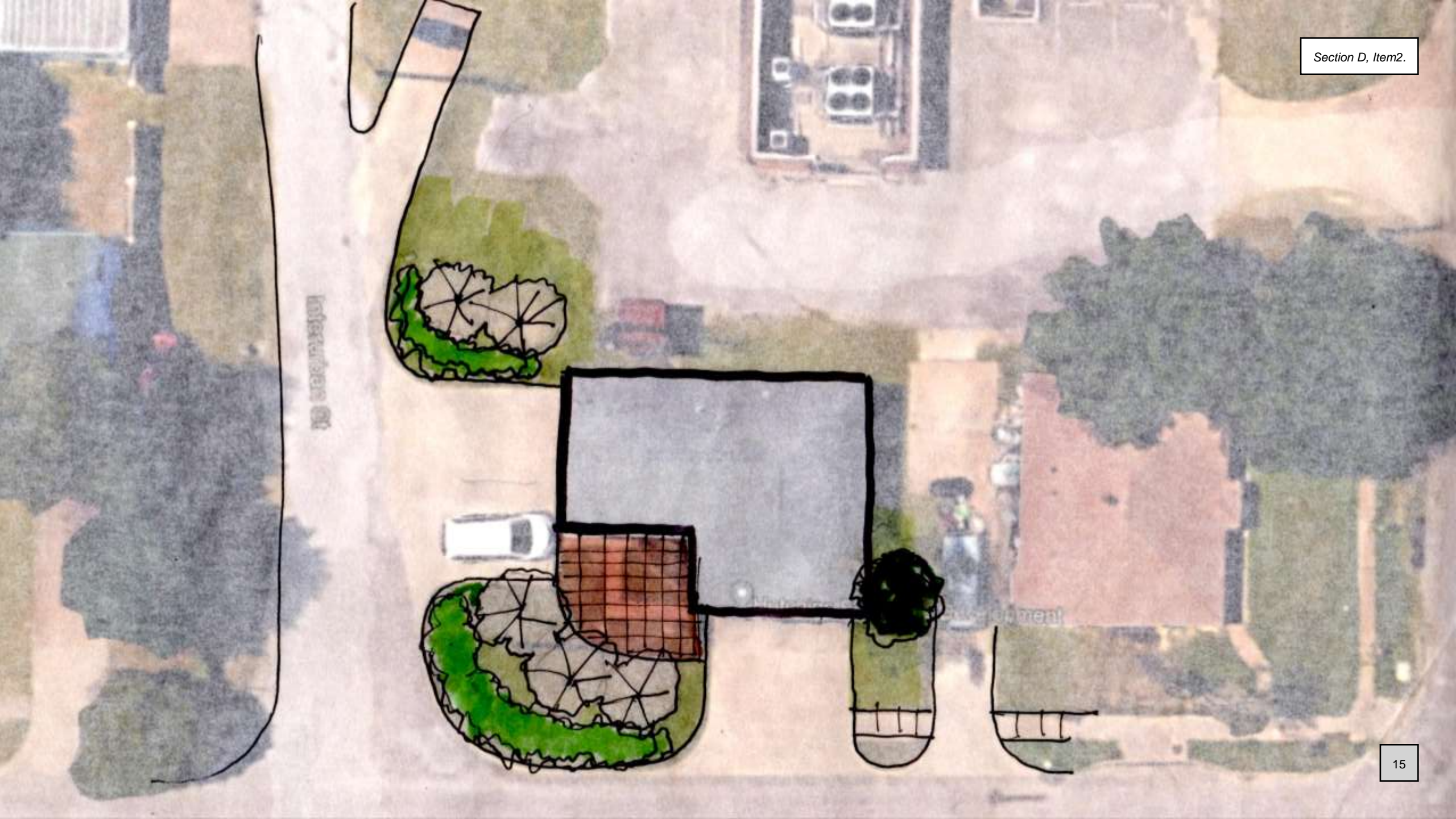




Interurban St

Hutchins Economic Development



















# STAFF REPORT

**MEETING DATE:** February 19, 2024

**MEETING TYPE:** City Council

**SUBMITTED BY:** Cynthia Olguin, City Secretary

**AGENDA CAPTION:** Discuss and consider an appointment to the Atwell Public Library Board.

Presented by: Cynthia Olguin, City Secretary

### **Background Information**

Per the City of Hutchins' Code of Ordinance, Article 1.12.035 Public Library, Dismissal, and Replacements, city staff is submitting to the city council a recommendation to replace an Atwell Public Library Board member due to absences.

Ms. Sherrie Edwards was appointed to the Atwell Public Library Board on August 21, 2023. However, she was absent for three consecutive meetings from October to December 2023. Despite being reminded of her responsibilities, Ms. Edwards continued to miss important meetings that affected the board's ability to conduct business. City Secretary Olguin informed Ms. Edwards of the city's policy and her intent to recommend reappointing her seat due to her absences. On January 3, 2024, Ms. Edwards submitted her request to "withdraw" from the Library Board.

We are pleased to present for consideration an application submitted by Tijwanike Brown as a suitable candidate to fill the vacant seat on the Atwell Public Library Board. Ms. Brown is being recommended to fill the remainder of a two-year term, which expires in July 2025.

City of Hutchins Code of Ordinance, Article 1.12.035 Public Library, Dismissal, and Replacements

(1) Any board member having three (3) consecutive unexplained absences from regular meetings of the library board shall be reported to the city council for replacement, and a name will be submitted at the same time to fill the vacancy.

### **Staff Recommendation**

Staff recommends an appointment by the following motion:

Motion to appoint Tijwanike "Patriece" Brown as a regular member of the Atwell Public Library Board to fill the remainder of a two-year term expiring in July 2025.

### **Supporting Documentation and Attachments**

2023/2024 Atwell Public Library Board Attendance Roster  
Library Board Application – Ms. Patriece Brown



### Atwell Public Library Advisory Board 2023/2024 Attendance Roster (July through July)

BOARD MEMBER	JUL 18	AUG. 15	SEPT. 19	OCT. 17	NOV. 21	DEC. 2023	JAN. 16	FEB. 20	MAR 19	APR. 16	MAY 21	JUNE 18	JULY 16
Campbell, Brenda	----		✓	✓	✓								
Edwards, Sherri	----		A	A	A								
Lewis, Yvette	----		A	✓	✓								
Martinez, Cristian	----		✓	A	A								
Robertson, Angela	----		✓	✓	✓								
Sanchez, Jessica	----		✓	✓	A								

Check Mark: Present

Absent: A

Meeting Cancelled

Meeting Cancelled due to Lack of Quorum





### CITY OF HUTCHINS BOARDS AND COMMISSIONS APPLICATION

Return to: City Secretary, P.O. Box 500, Hutchins, Texas 75141  
or email to colguin@cityofhutchins.org.

APPLICANTS MUST HAVE LIVED IN THE CITY LIMITS FOR AT LEAST THE LAST 12 MONTHS AND BE A REGISTERED VOTER IN THE CITY OF HUTCHINS. YOU ARE NOT ELIGIBLE TO APPLY IF YOU DO NOT MEET BOTH OF THOSE REQUIREMENTS.

Board or Commission you wish to serve: Check One (1):

<input checked="" type="checkbox"/>	Atwell Public Library Board	Building and Standards Commission
<input type="checkbox"/>	Economic Development Corporation	Historical Society Board
<input type="checkbox"/>	Parks and Recreation Board	Planning and Zoning Commission
<input type="checkbox"/>	TIRZ – Tax Increment Financing Zone	Zoning Board of Adjustment

Applicant Information:

Brown (Ms./Mrs./Mr.) (Last Name)      Tijwanike (First Name)      <sup>u</sup> Patricee (MI)

Home Address: [Redacted]      Zip Code: 75141

Home Phone Number: [Redacted]      Cell Phone Number: [Redacted]      Email Address: \_\_\_\_\_

- Resident of the City for \_\_\_\_\_ years. Are you a Qualified Registered Voter?  YES  NO
- Do you, your spouse, or your employer have any financial interest (direct or indirect) in the following?  
 1) In any contract with the City of Hutchins; 2) Regarding the sale of land, materials, supplies, or services to the City of Hutchins; or 3) In matters that might come before the Board/Committees to which you are seeking appointment?  
 YES  NO  If yes, please explain: \_\_\_\_\_
- Please list any education, experience or special knowledge that qualifies you to serve:  
In a parent & grandparent that use the library
- List any civic or community activities in which you have been involved. PTA, library board
- Have you or are you currently serving on another Board or Commission? YES  NO   
 If yes, please list and include approximate dates of service. \_\_\_\_\_

- 6. Are you an existing Board/Commission member desiring to remain on the same board?  YES  NO
- 7. Have you attended a City Council meeting before? YES   NO
- 8. Have you attended a Board or Commission meeting for which you have applied?  YES  NO
- 9. Do you have knowledge regarding the Board/Commission you are applying to serve?  YES  NO

**PUBLIC INFORMATION NOTICE**

Certain information submitted on the Boards and Commission Application is subject to the Texas Information Act and may be disclosed to anyone requesting this information. The act allows a board member of a governmental body to choose whether to allow public access to the information in the custody of the city that relates to the **home address and phone numbers**.

I, Tijwanke Patrice' Brown applicant for Boards/Commissions for the City of Hutchins, elect to:

**ALLOW public access to my home address and telephone number(s).**

**DO NOT ALLOW public access to my home address and telephone number(s).**

All individuals appointed to serve on a board/commission will be required to complete member orientation and one hour of training relative to the Texas Open Meetings Act & Texas Public Information Act.

I have read and understand the instructions and the appointment process. I certify the answers I have provided are true and correct to the best of my knowledge and belief, and I acknowledge that any misrepresentation or omission of fact may result in disqualification from service.

Signature Tijwanke Brown Date Submitted 8-25-2023

**OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Application Verified by: \_\_\_\_\_ Forwarded to council: \_\_\_\_\_

Appointed by council: YES  NO  Date Appointed: \_\_\_\_\_

Regular Member: \_\_\_\_\_ Alternate Member: \_\_\_\_\_ Full Term: \_\_\_\_\_ Unexpired Term: \_\_\_\_\_ Term Dates: \_\_\_\_\_

Oath of Office on file: \_\_\_\_\_ PIA Training – Date Completed: \_\_\_\_\_ OMA Training – Date Completed: \_\_\_\_\_



# STAFF REPORT

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**MEETING DATE:** January 1, 2024

**MEETING TYPE:** City Council

**SUBMITTED BY:** Mayor Mario Vasquez

**AGENDA CAPTION:** Discuss and consider crime watch signs.

Presented by: Mayor Vasquez

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## **Background Information**

At its Monday, November 13, 2023 Regular City Council Meeting, Council was presented several options for the crime watch signs at which time Council chose the red sign. The selected sign was placed in the City Council Mail Box area soon thereafter. Mayor Vasquez requested the sign be placed on the agenda for further discussion and consideration.

## **Budget Implications**

## **Operational Impact**

## **Legal Review**

## **Staff Recommendation**

## **Supporting Documentation and Attachments**



# STAFF REPORT

<b>MEETING DATE:</b>	February 19, 2024
<b>MEETING TYPE:</b>	City Council
<b>SUBMITTED BY:</b>	Robert McWayne
<b>AGENDA CAPTION:</b>	Witt Road ROW Abandonment Presented by: Robert McWayne

### **Background Information**

Kimley-Horn is working to design improvements to Witt Road west of Lancaster Hutchins Road. The improvements will turn the 2-lane asphalt road into a 3-lane concrete road. The City of Dallas is requiring the road intersect with Lancaster Hutchins at a 90-degree angle. It is my understanding that the current City limit line is the southern ROW of Witt Road. We are coordinating with the property Owner that Witt Road will bisect through, it is owned by DLH (Dan McAuliffe). The intent is to dedicate additional right-of-way to the City of Dallas for the City of Dallas to take on full maintenance obligations of Witt Road.

### **Budget Implications**

N/A

### **Operational Impact**

N/A

### **Legal Review**

Legal has looked over the materials provided by Kimley-Horn

### **Staff Recommendation**

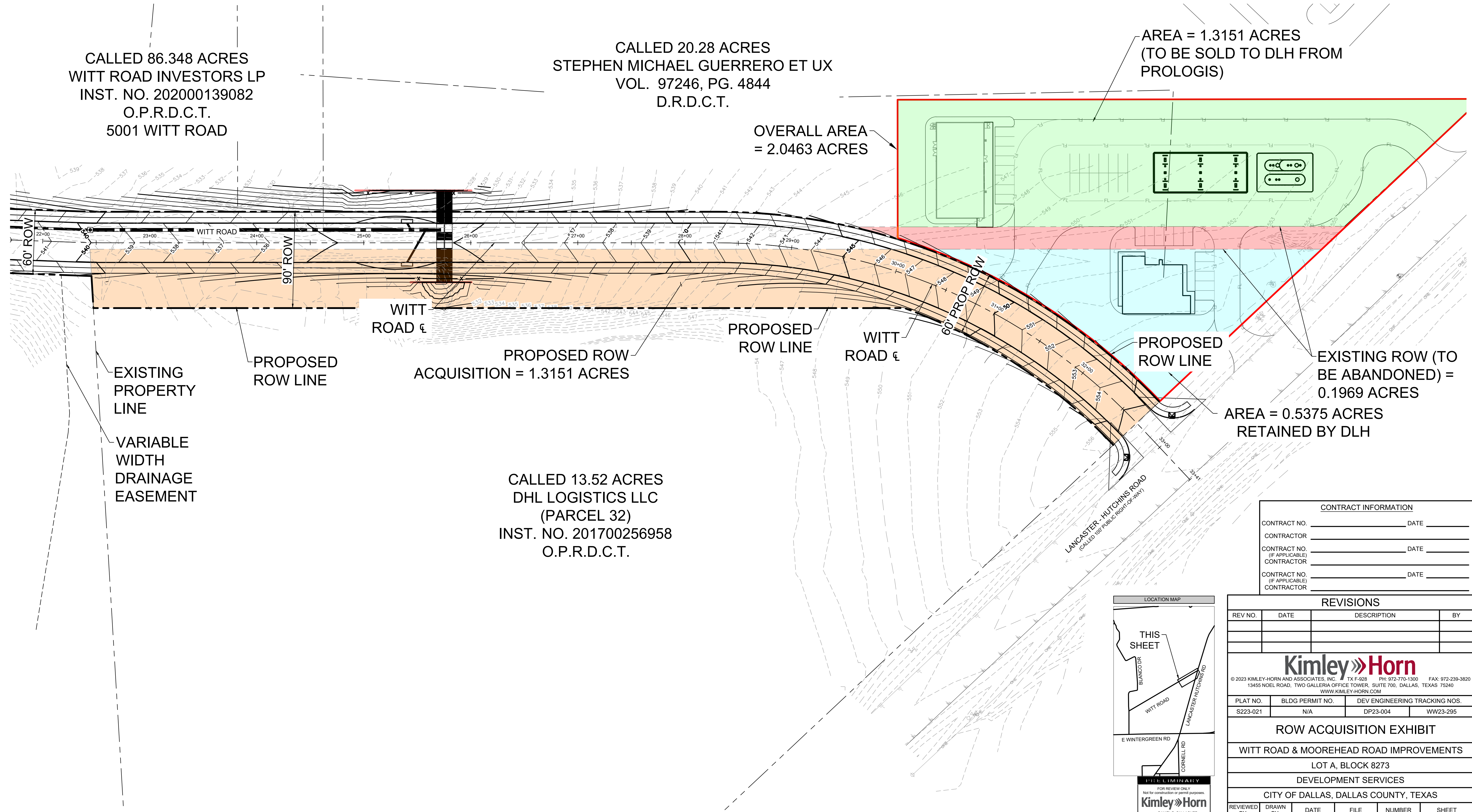
N/A

### **Supporting Documentation and Attachments**



**LEGEND**

- PROPOSED ROW DEDICATION
- EXISTING ROW ABANDONMENT
- PROPERTY TO BE SOLD TO DLH FROM PROLOGIS
- PROPERTY RETAINED BY DLH



CALLED 86.348 ACRES  
WITT ROAD INVESTORS LP  
INST. NO. 202000139082  
O.P.R.D.C.T.  
5001 WITT ROAD

CALLED 20.28 ACRES  
STEPHEN MICHAEL GUERRERO ET UX  
VOL. 97246, PG. 4844  
D.R.D.C.T.

AREA = 1.3151 ACRES  
(TO BE SOLD TO DLH FROM  
PROLOGIS)

OVERALL AREA  
= 2.0463 ACRES

PROPOSED ROW  
ACQUISITION = 1.3151 ACRES

EXISTING ROW (TO  
BE ABANDONED) =  
0.1969 ACRES

AREA = 0.5375 ACRES  
RETAINED BY DLH

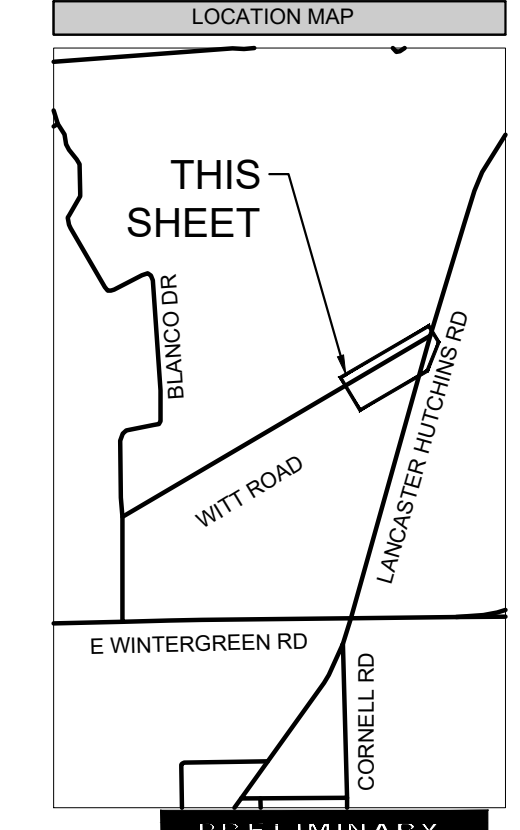
CALLED 13.52 ACRES  
DHL LOGISTICS LLC  
(PARCEL 32)  
INST. NO. 201700256958  
O.P.R.D.C.T.

**CONTRACT INFORMATION**

CONTRACT NO.	DATE
CONTRACTOR	
CONTRACT NO. (IF APPLICABLE)	DATE
CONTRACTOR	
CONTRACT NO. (IF APPLICABLE)	DATE
CONTRACTOR	

**REVISIONS**

REV NO.	DATE	DESCRIPTION	BY



**Kimley»Horn**  
© 2023 KIMLEY-HORN AND ASSOCIATES, INC. TX F-928 PH: 972-770-1300 FAX: 972-239-3820  
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240  
WWW.KIMLEY-HORN.COM

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.
S223-021	N/A	DP23-004 WW23-295

**ROW ACQUISITION EXHIBIT**  
WITT ROAD & MOOREHEAD ROAD IMPROVEMENTS  
LOT A, BLOCK 8273  
DEVELOPMENT SERVICES  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEWED BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
DPG	AAS	AUGUST 2023		XXXX	C01

DATE PLOTTED: 8/10/2023 2:14 PM  
 PLOT BY: DPG  
 PLOT NAME: C:\Users\dpghorn\OneDrive\Documents\Projects\2023\WittRoad\Drawings\ROW\_Acquisition\_Exhibit.dwg  
 PLOT SCALE: 1"=40'  
 PLOT SHEET: 1 OF 1  
 PLOT STATUS: OK  
 PLOT MESSAGE: SUCCESS









# RIGHT-OF-WAY ABANDONMENT - WITT ROAD

Section E, Item 5.

WITT ROAD, FORMERLY KNOWN AS DOWDYS-FERRY ROAD NO. 90  
C.C. OVERTON SURVEY, ABSTRACT NO. 1102  
WILLIAM GATLIN SURVEY, ABSTRACT NO. 499  
ADJACENT TO CITY OF DALLAS BLOCK 8275  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 8,574 square foot (0.1968 acre) tract of land situated in the CC Overton Survey, Abstract No. 1102, and the William Gatlin Survey, Abstract No. 499, City of Dallas, adjacent to Block 8275, Dallas County, Texas, and being a portion of Witt Road formerly known as Dowdys-Ferry Road No. 90, (a variable width right-of-way, no deed found, by use and occupation), and being more particularly described as follows:

**BEGINNING** at 5/8-inch iron rod with red plastic cap stamped "KHA" found for the point of intersection of the west line of Lancaster-Hutchins Road (formerly H & T C Tap Line - (a called 100-foot right-of-way, 75-foot dedicated in Volume 129, Page 551, Deed Records, Dallas County, Texas, with the occupied centerline of said Witt Road, same being the North corner of a called 13.52 acre tract of land designated as "Parcel 32" in the Special Warranty Deed to DLH Logistics LLC, recorded in Instrument No. 201700256958, Official Public Records, Dallas County, Texas;

**THENCE** South 59°06'51" West, with the occupied centerline line of said Witt Road and with the north line of said 13.52 acre tract, a distance of 365.64 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the left with a radius of 571.00 feet, a central angle of 07°09'17", and a chord bearing and distance of South 75°59'27" West, 71.26 feet, from which a PK Nail found for west corner of said 13.52 acre tract, and the north corner of a 25-foot Right-of-Way Dedication, recorded in Instrument No. 200900276100, Official Public Records, Dallas County, Texas, (O.P.R.D.C.T.) bears South 59°06'51" West, a distance of 784.83 feet, and being a point in the north line of a called 1.315 acre tract of land described in the Special Warranty Deed to Prologis, L.P., recorded in Instrument No. 202300230979, O.P.R.D.C.T.;

**THENCE** in a southwesterly direction over and across said Witt Road with said non-tangent curve to the left, an arc distance of 71.30 feet to 5/8-inch iron rod with red plastic cap stamped "KHA" set in the north right-of-way line of said Witt Road and the south line of a called 20.28 acre tract of land described in the Special Warranty Deed to Prologis, L.P., recorded in Instrument No. 202200082673, O.P.R.D.C.T., from which a 1/2-inch iron rod with yellow plastic cap stamped "GOODWIN & MARSHALL" found for the southwest corner of said 20.28 acre tract, same being the east corner of a called 86.348 acre tract of land described in the Special Warranty Deed to Witt Road Investors LP, recorded in Instrument No. 202000139082, O.P.R.D.C.T., bears South 59°02'07" West, a distance of 499.11 feet;

**NOTES:**

Bearing system based on the State Plane Coordinate System, North Central Zone (4202). North American Datum of 1983. Adjustment realization 2011

A sketch was prepared on even date to accompany this description.



(For SPRG use only)  
Reviewed By: \_\_\_\_\_  
Date: \_\_\_\_\_  
SPRG NO: \_\_\_\_\_

DAVID J. De WEIRD T  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5066  
david.deweirdt@kimley-horn.com

**Kimley»Horn**  
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	AEL	DJD	Dec. 2023	064541002	1 OF 3



# RIGHT-OF-WAY ABANDONMENT - WITT ROAD

Section E, Item 5.

WITT ROAD, FORMERLY KNOWN AS DOWDYS-FERRY ROAD NO. 90  
C.C. OVERTON SURVEY, ABSTRACT NO. 1102  
WILLIAM GATLIN SURVEY, ABSTRACT NO. 499  
ADJACENT TO CITY OF DALLAS BLOCK 8275  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**THENCE** North 59°02'07" East, with the north right-of-way line of said Witt Road and the south line of said 20.28 acre tract, passing at a distance of 37.60 feet, a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the southwest corner of a called 1.3151 acre tract of land described in the Special Warranty Deed to DLH Logistics LLC, recorded in Instrument No. 202300230985, O.P.R.D.C.T., continuing with said north right-of-way line and the south line of said 1.3151 acre tract for a total distance of 455.31 feet to a 1/2-inch iron rod found for the southeast corner of said 1.3151 acre tract, in said west right-of-way line of Lancaster-Hutchins Road;

**THENCE** South 14°20'16" West, with said west right-of-way line, a distance of 30.26 feet to the **POINT OF BEGINNING** and containing a computed area of 8,574 square feet or 0.1968 acres of land.

### NOTES:

Bearing system based on the State Plane Coordinate System, North Central Zone (4202). North American Datum of 1983. Adjustment realization 2011

A sketch was prepared on even date to accompany this description.



DAVID J. De WEIRDT  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5066  
david.deweirdt@kimley-horn.com

(For SPRG use only)

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

SPRG NO: \_\_\_\_\_

## Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	AEL	DJD	Dec. 2023	064541002	2 OF 3

# RIGHT-OF-WAY ABANDONMENT - WITT ROAD

WITT ROAD, FORMERLY KNOWN AS DOWDYS-FERRY ROAD NO. 90  
 C.C. OVERTON SURVEY, ABSTRACT NO. 1102  
 WILLIAM GATLIN SURVEY, ABSTRACT NO. 499  
 ADJACENT TO CITY OF DALLAS BLOCK 8275  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**NOTES:**  
 Bearing system based on the State Plane  
 Coordinate System, North Central Zone  
 (4202). North American Datum of 1983.  
 Adjustment realization 2011

A description was prepared on even date  
 to accompany this sketch.

**LEGEND**

- Δ = CENTRAL ANGLE
- P.O.B. = POINT OF BEGINNING
- C.M. = CONTROLLING MONUMENT
- IR = IRON ROD FOUND
- IRFC / IRSC = 5/8" IRON ROD WITH RED PLASTIC CAP STAMPED "KHA" FOUND / SET UNLESS OTHERWISE NOTED
- YCI RF = 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "GOODWIN & MARSHALL" FOUND
- D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

REMAINDER OF A  
 CALLED 20.28 ACRES  
 PROLOGIS, L.P.  
 INST. NO. 202200082673  
 O.P.R.D.C.T.

CALLLED 86.348 ACRES  
 WITT ROAD INVESTORS LP  
 INST. NO. 202000139082  
 O.P.R.D.C.T.

25' R.O.W. DEDICATION  
 INST. NO. 200800276100  
 O.P.R.D.C.T.

REMAINDER OF A  
 CALLED 13.52 ACRES  
 DLH LOGISTICS LLC  
 (PARCEL 32)  
 INST. NO. 201700256958  
 O.P.R.D.C.T.

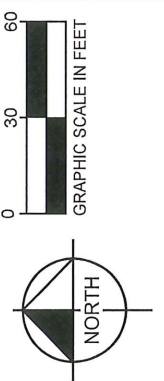
C=257.24'  
 CB=S87°24'51"E  
 L=259.46'  
 R=571.00'  
 Δ=26°02'07"

IRFC  
 S59°06'51"W  
 784.83'  
 Δ=7°09'17"  
 R=571.00'  
 L=71.30'  
 CB=S75°59'27"W  
 C=71.26'

IRFC  
 S39°06'51"W  
 365.64'  
 C.C. OVERTON SURVEY  
 ABSTRACT NO. 1102  
 N59°02'07"E  
 455.31'  
 JOHN F. FONDEN SURVEY  
 ABSTRACT NO. 461  
 0.1968 ACRES  
 8,574 SQ. FT.  
 APPROXIMATE LOCATION  
 REMAINDER OF A  
 CITY OF DALLAS  
 ORDINANCE NO. 7688  
 CITY LIMITS LINE  
 DLH LOGISTICS LLC  
 (PARCEL 32)  
 INST. NO. 201700256958  
 O.P.R.D.C.T.

IRFC  
 S15°54'39"W  
 1494.80'  
 APPROXIMATE  
 LOCATION  
 SURVEY LINE  
 (FORMERLY H & T C TAP LINE)  
 (VOL. 129, PG. 551 D.R.D.C.T.)  
 (CALLED 100' PUBLIC RIGHT-OF-WAY)  
 HUTCHINS ROAD  
 LANCASTER -  
 (USE AND OCCUPATION)  
 (NO RECORD FOUND)  
 (USE AND OCCUPATION)  
 (NO RECORD FOUND)

1/2" IRF  
 (C.M.)  
 S14°20'16"W  
 30.26'  
 P.O.B.  
 5/8" IRFC (C.M.)  
 WILLIAM GATLIN SURVEY  
 ABSTRACT NO. 499  
 DALLAS CITY  
 BLOCK 8275



(For SPRG use only)  
 Reviewed By: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 SPRG NO: \_\_\_\_\_



**Kimley»Horn**  
 13455 Noel Road, Two Galleria Office  
 Tower, Suite 700, Dallas, Texas 75240  
 Tel. No. (972) 770-1133  
 Fax No. (972) 239-3840  
 FIRM # 10115500

Scale	1" = 60'
Drawn by	AEL
Checked by	DJD
Date	Dec. 2023
Project No.	064541002
Sheet No.	3 OF 3



# RIGHT OF WAY DEDICATION WITT ROAD

Section E, Item 5.

JOHN R. FONDREN SURVEY, ABSTRACT NO. 461  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS

**BEING** a 57,285 square foot (1.315 acres) tract of land situated in the John R. Fondren Survey, Abstract No. 461, City of Hutchins, Dallas County, Texas and being all of a called 1.315 acre tract of land described in the Special Warranty Deed to Prologis L.P., recorded in Instrument No. 202300230979, Official Public Records, Dallas County, Texas, (O.P.R.D.C.T.) and being more particularly described as follows:

**BEGINNING** at a PK nail found at the most westerly northwest corner of said 1.315 acre tract, and being in the occupied centerline of Witt Road, formerly known as Dowdys-Ferry Road No. 90, (a variable width right-of-way, no deed found, by use and occupation), and being the north corner of a 25-foot right-of-way dedication as shown on DLH Hutchins Wintergreen 178 Addition, an addition to the City of Hutchins according to the plat thereof recorded in Instrument No. 200900276100, O.P.R.D.C.T.;

**THENCE** North 59°06'51" East, with the north line of said 1.315 acre tract and the occupied centerline of Witt Road, a distance of 785.40 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the beginning of a non-tangent curve to the right having a central angle of 26°02'07", a radius of 571.00 feet, a chord bearing and distance of South 87°24'51" East, 257.24 feet, and from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the north corner of a called 13.52 acre tract of land designated as "Parcel 32" in the Special Warranty Deed to DLH Logistics LLC recorded in Instrument No. 201700256958, O.P.R.D.C.T., being at the intersection of said occupied centerline with the west right-of-way line of Lancaster-Hutchins Road (formerly H & T C Tap Line - (a called 100-foot right-of-way, 75-feet dedicated in Volume 129, Page 551, Deed Records, Dallas County, Texas, bears North 59°06'51" East, a distance of 365.64 feet;

**THENCE** with the north line of said 1.315 acre tract, in a southeasterly direction, with said non-tangent curve to the right, an arc distance of 259.46 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner in said west right-of-way line of said Lancaster - Hutchins Road and the east line of said 1.315 acre tract;

**THENCE** South 15°54'39" West, with said west right-of-way line and said east line, a distance of 60.00 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the southeast corner of said 1.315 acre tract, and being the beginning of a non-tangent curve to the left having a central angle of 26°23'36", a radius of 511.00 feet, a chord bearing and distance of North 87°37'46" West, 233.32 feet, and from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the south corner of said 13.52 acre tract bears South 15°54'39" West, a distance of 1,227.56 feet;

**NOTES:**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A sketch was prepared on even date to accompany this description.



DAVID J. De WEIRD T  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5066  
david.deweirdt@kimley-horn.com

(For SPRG use only)

Reviewed By: \_\_\_\_\_  
Date: \_\_\_\_\_  
SPRG NO: \_\_\_\_\_

## Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	AEL	DJD	Dec. 2023	064541002	1 OF 5

# RIGHT OF WAY DEDICATION WITT ROAD

Section E, Item 5.

JOHN R. FONDREN SURVEY, ABSTRACT NO. 461  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS

**THENCE** with the south line of said 1.315 acre tract, the following courses and distances:

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 235.39 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 59°06'51" West, a distance of 757.83 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner in the west line of said 1.315 acre tract and the east line of Lot 1 Block B of said DLH Hutchins Wintergreen 178 Addition;

**THENCE** North 34°19'19" West, with the west line of said 1.315 acre tract and said east line of DLH Hutchins Wintergreen 178 Addition, passing a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northeast corner of said Lot 1, Block B at a distance of 29.98 feet, continuing with the west line of said 13.52 acre tract and said east line of said DLH Hutchins Wintergreen 178 Addition for a total distance of 55.10 feet to the **POINT OF BEGINNING** and containing a computed area of 57,285 square feet or 1.315 acres of land.

**NOTES:**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A sketch was prepared on even date to accompany this description.



DAVID J. De WEIRDT  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5066  
david.deweirdt@kimley-horn.com

(For SPRG use only)

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

SPRG NO: \_\_\_\_\_

## Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3620

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	AEL	DJD	Dec. 2023	064541002	2 OF 5



# RIGHT OF WAY DEDICATION- WITT ROAD

JOHN R. FONDREN SURVEY, ABSTRACT NO. 461  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS



0 30 60  
GRAPHIC SCALE IN FEET  
CALLED 86.348 ACRES  
WITT ROAD INVESTORS LP  
INST. NO. 202000139082  
O.P.R.D.C.T.

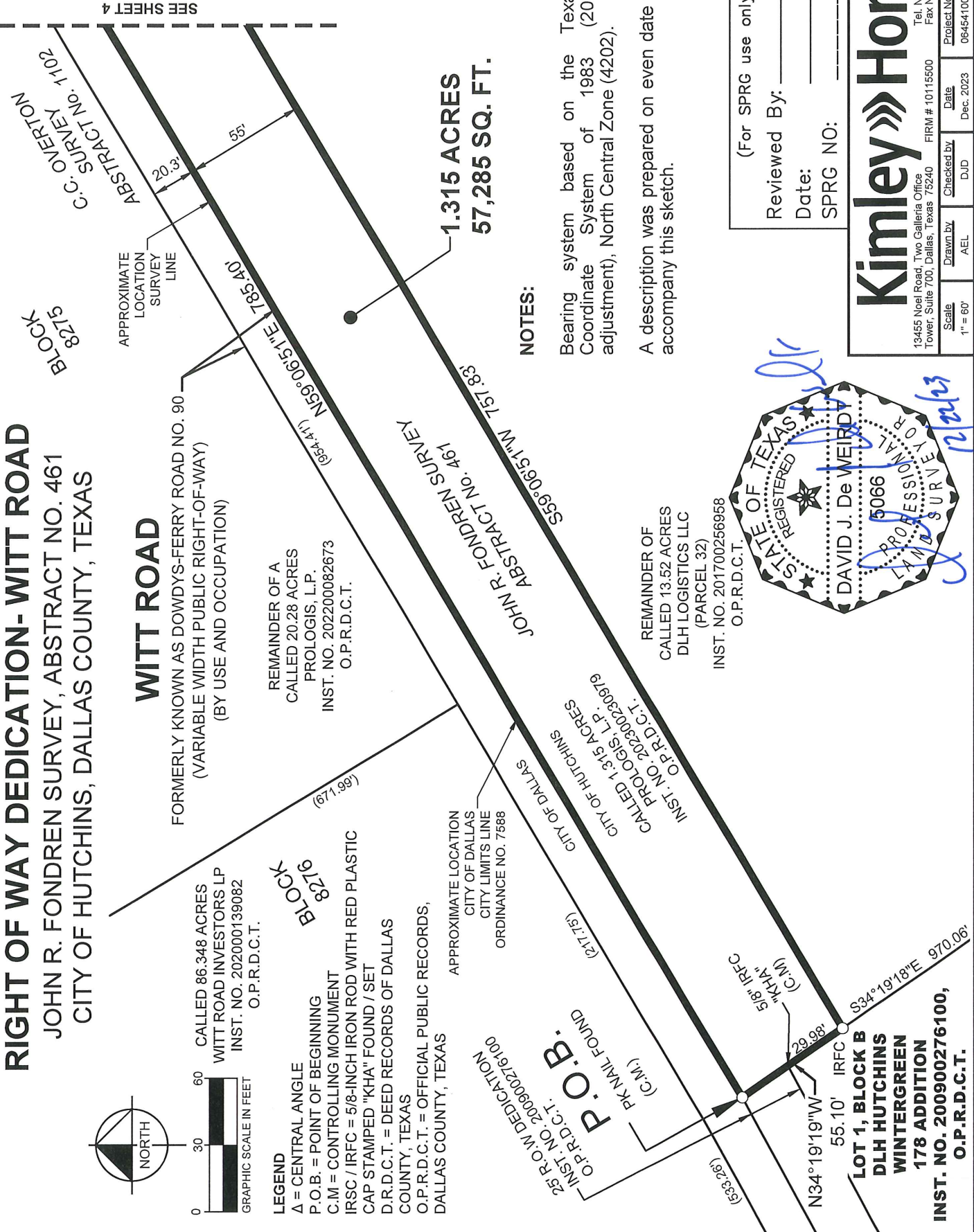
**LEGEND**  
 Δ = CENTRAL ANGLE  
 P.O.B. = POINT OF BEGINNING  
 C.M. = CONTROLLING MONUMENT  
 IRSC / IRFC = 5/8-INCH IRON ROD WITH RED PLASTIC CAP STAMPED "KHA" FOUND / SET  
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

## WITT ROAD

FORMERLY KNOWN AS DOWDYS-FERRY ROAD NO. 90  
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)  
(BY USE AND OCCUPATION)

REMAINDER OF A  
CALLED 20.28 ACRES  
PROLOGIS, L.P.  
INST. NO. 202200082673  
O.P.R.D.C.T.

APPROXIMATE LOCATION  
CITY OF DALLAS  
CITY LIMITS LINE  
ORDINANCE NO. 7588



1.315 ACRES  
57,285 SQ. FT.

### NOTES:

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).  
A description was prepared on even date to accompany this sketch.

REMAINDER OF  
CALLED 13.52 ACRES  
DLH LOGISTICS LLC  
(PARCEL 32)  
INST. NO. 201700256958  
O.P.R.D.C.T.

CITY OF DALLAS  
CALLED 1.315 ACRES  
PROLOGIS, L.P.  
INST. NO. 202300230979  
O.P.R.D.C.T.

P.O.B.  
INST. NO. 200900276100  
O.P.R.D.C.T.

(For SPRG use only)  
Reviewed By: \_\_\_\_\_  
Date: \_\_\_\_\_  
SPRG NO: \_\_\_\_\_



# Kimley»Horn

13455 Noel Road, Two Gallena Office  
Tower, Suite 700, Dallas, Texas 75240  
Tel. No. (972) 770-1400  
Fax No. (972) 299-3300  
FIRM # 10115500

Scale	1" = 60'
Drawn by	AEL
Checked by	DJD
Date	Dec. 2023
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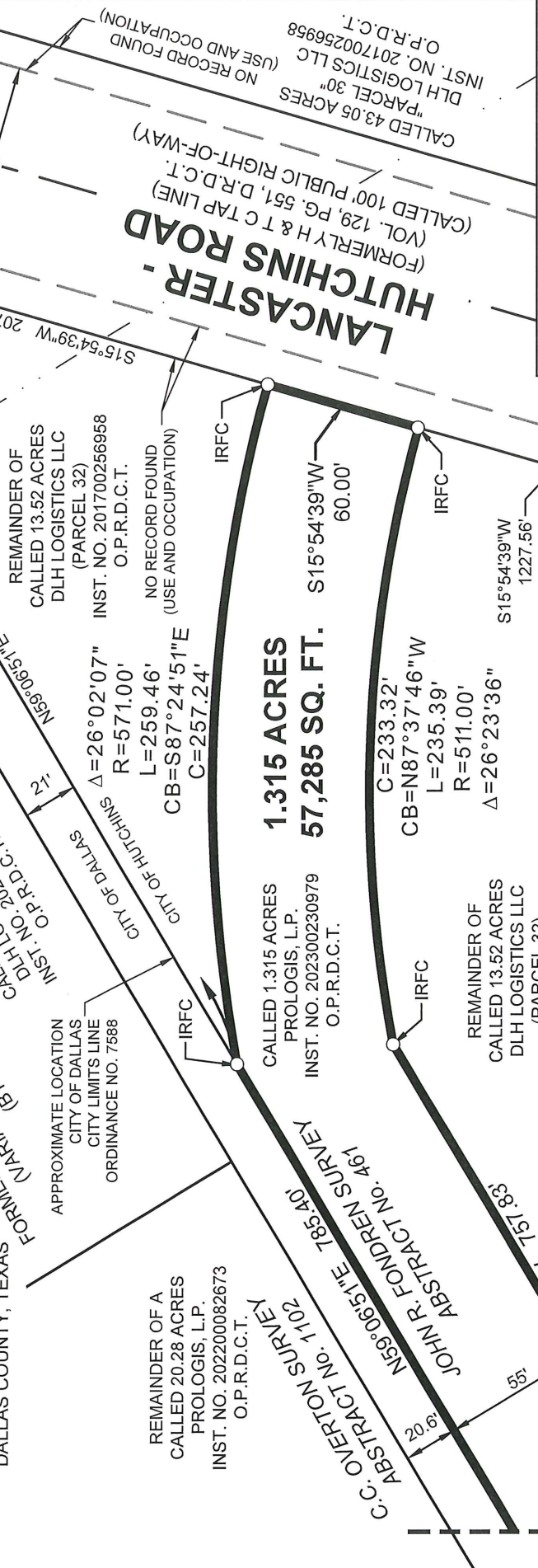
# RIGHT OF WAY DEDICATION - WITT ROAD

JOHN R. FONDREN SURVEY, ABSTRACT NO. 461  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS



**LEGEND**

- Δ = CENTRAL ANGLE
- P.O.B. = POINT OF BEGINNING
- C.M. = CONTROLLING MONUMENT
- IRSC / IRFC = IRON ROD WITH RED PLASTIC CAP STAMPED "KHA" FOUND / SET
- D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS



Reviewed By: \_\_\_\_\_  
Date: \_\_\_\_\_  
SPRG NO: \_\_\_\_\_  
(For SPRG use only)

SEE SHEET 5



**NOTES:**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A description was prepared on even date to accompany this sketch.

## Kimley»Horn

13455 Noel Road, Two Galleria Office  
Tower, Suite 700, Dallas, Texas 75240  
Tel. No. (972) 770-11500  
Fax No. (972) 239-3340  
FIRM # 10115500

Scale	1" = 60'
Drawn by	AEL
Checked by	DJD
Date	Dec. 2023
Project No.	064541002
Sheet No.	4 OF 4



# RIGHT OF WAY DEDICATION WITT ROAD

JOHN R FONDREN SURVEY, ABSTRACT NO. 461  
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS



0 30 60  
GRAPHIC SCALE IN FEET

SEE SHEET 4

REMAINDER OF  
CALLED 13.52 ACRES  
DLH LOGISTICS LLC  
(PARCEL 32)

INST. NO. 201700256958  
O.P.R.D.C.T.

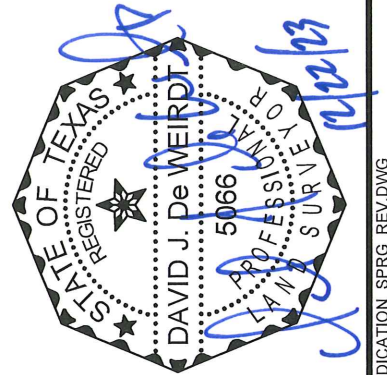
S34°19'18"E 970.06'  
S15°54'39"W 1227.56'

5/8" IRFC  
"KHA"  
(C.M.)

LANCASTER -  
HUTCHINS ROAD  
(FORMERLY H & T C TAP LINE)  
(VOL. 129, PG. 551) (D.R.D.C.T.)  
CALLED 100' PUBLIC RIGHT-OF-WAY

**LOT 1, BLOCK B  
DLH HUTCHINS  
WINTERGREEN  
178 ADDITION  
INST. NO. 200900276100,  
O.P.R.D.C.T.**

**LEGEND**  
Δ = CENTRAL ANGLE  
P.O.B. = POINT OF BEGINNING  
C.M. = CONTROLLING MONUMENT  
IRFC / IRFC = IRON ROD WITH RED PLASTIC  
CAP STAMPED "KHA" FOUND / SET  
D.R.D.C.T. = DEED RECORDS OF DALLAS  
COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS,  
DALLAS COUNTY, TEXAS



**NOTES:**

Bearing system based on the Texas  
Coordinate System of 1983 (2011  
adjustment), North Central Zone (4202).

A description was prepared on even date to  
accompany this sketch.

See sheet 5 for Line and Curve tables.

(For SPRG use only)

Reviewed By: \_\_\_\_\_  
Date: \_\_\_\_\_  
SPRG NO: \_\_\_\_\_

**Kimley»»Horn**

13455 Noel Road, Two Galleria Office  
Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500  
Tel. No. (972) 770-1  
Fax No. (972) 239-3

Scale	1" = 60'
Drawn by	AEL
Checked by	DJD
Date	Dec. 2023
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Section E, Item 5.



*22 watts, p.w.  
for plat*

**ORDINANCE NO. 7588**

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TRACT OF LAND TO THE CITY OF DALLAS FOR ALL MUNICIPAL PURPOSES, SAID TRACT OF LAND LYING AND BEING ADJACENT TO AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF DALLAS; SAID TRACT OF LAND IS HEREINAFTER MORE FULLY DESCRIBED BY METES AND BOUNDS; AND DECLARING AN EMERGENCY.

--- o0o ---

*CITY OF LANCASTER OKD.  
# 5-55*

WHEREAS, heretofore on April 9, 1956, the City Council passed Ordinance No. 56-1652, on its first reading, initiating annexation proceedings under the provisions of the Charter of the City of Dallas seeking to annex certain territory to the City of Dallas south and west of the Trinity River, including the tract of land hereinafter more fully described, and

WHEREAS, said Ordinance was published in the official newspaper of the City of Dallas, The Daily Times Herald on May 1, 1956, and a public hearing was held in the Council Chamber of the City of Dallas in connection therewith on June 4, 1956, at which time a second reading for annexation of said area was passed by Council Resolution No. 56-2617; and

WHEREAS, subsequent to said second reading a portion of the area was annexed to the City of Dallas, and the City Council is of the opinion that the hereinafter described tract of land, which is also part of said area, should be annexed at this time and that the balance of said tract not hereintofore annexed or included in the hereinafter described tract of land, be abandoned; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the hereinafter described tract of land which lies adjacent to and contiguous to the present corporate limits of the City of Dallas be, and the same is hereby annexed to the City of Dallas for all municipal purposes and the corporate lines and limits of the

*OKD # 7588*

*7588*



City of Dallas are hereby extended to embrace the said tract of land, which is more particularly described by metes and bounds as follows, and is shown outlines in yellow on the attached map or plat:

BEGINNING at an angle point in the present corporate limits of the City of Dallas, same being located in the north-east right-of-way line of the old abandoned Texas Electric Railway 200 feet southeast of the southeast line of Youngblood Street;

THENCE in a southwesterly direction parallel with and 200 feet southeast of the southeast line of Youngblood Street to a point which is 2,200 feet southwest of the southwest line of U. S. Highway 75;

THENCE in a southeasterly direction parallel with and 2,200 feet from the southwest line of U. S. Highway 75 approximately 3,400 feet to a point;

THENCE in a southwesterly direction approximately 800 feet to a point in the northwest prolongation of the southwest line of the J. J. Lemmon Road;

THENCE in a southeasterly direction along said prolongation and southwest line of the J. J. Lemmon Road to a point which is 200 feet southeast of the southeast line of Langdon Road (Cedardale Drive);

THENCE in a southwesterly direction parallel with and 200 feet southeast of the southeast line of Langdon Road 1,800 feet to a point;

THENCE in a southeasterly direction parallel with said Lemmon Road to a point which is 1,700 feet northwest of Cleveland Road;

THENCE in a southwesterly direction parallel with Cleveland Road 1,400 feet to a point;

THENCE in a southeasterly direction 1,700 feet to Cleveland Road, the present corporate limits of the Town of Hutchins;

THENCE in southwesterly and southeasterly directions following the present corporate limits of the Town of Hutchins to a point in the northwest line of Lancaster-Hutchins Road;

THENCE in a southwesterly direction along said line of Lancaster-Hutchins Road to a point in the southeast line of Witt Road (Dowdy Ferry Road), the present corporate limits of the Town of Hutchins;

THENCE in a southwesterly direction along said line of Witt Road (Dowdy Ferry Road), leaving said corporate limits line and continuing to the west right-of-way line of the Missouri, Kansas and Texas Railroad;

THENCE in a southerly direction along said right-of-way line to the present corporate limits of the Town of Lancaster;

FIELD NOTES CHECKED BY  
*[Signature]*



THENCE in westerly and northwesterly directions following the present corporate limits of the Town of Lancaster to a point in the northwest line of Cedardale Drive;

THENCE in a southwesterly direction along said line of Cedardale Drive to a point which is 200 feet northeast of the northeast line of Lancaster Road, said point being an angle point in the present corporate limits of the City of Dallas;

THENCE in northwesterly, northeasterly and southeasterly directions following the corporate limits of the City of Dallas to the place of beginning.

That the City limits of the City of Dallas shall upon the final passage of this ordinance be considered to have been extended so as to include the above described area within the City limits, and as so extended, the City limit boundaries shall constitute the new City limits of the City of Dallas.

SECTION 2. That the inhabitants of the territory annexed for the purpose of voting shall vote, until otherwise changed, in the respective Voting Precincts contiguous thereto in the City of Dallas.

SECTION 3. That the inhabitants of the property hereby annexed to the City of Dallas shall in all respects be on equal footing with the inhabitants of the rest of the territory of the City of Dallas.

SECTION 4. That it is the intention and purpose of the City Council in passing this ordinance to annex only the above described tract of land on its third reading and to abandon the balance of the area covered by said annexation proceedings of April 9, 1956, which has not heretofore been annexed or included within the hereinabove described tract of land.

SECTION 5. That if any section, sub-section, word, sentence or phrase of this ordinance shall be declared to be invalid, it shall not affect the validity of the remainder of said ordinance.

SECTION 6. The fact that the City of Dallas in the public interest desires to control the area and tract of land hereinabove described, and put it under municipal control, creates an urgency and an emergency in



the immediate preservation of the public peace, health and safety and requires that this ordinance shall become effective immediately from and after its passage as provided in the Charter, and it is accordingly so ordained.

APPROVED AS TO FORM:

**H. P. KUCERA**

H. P. KUCERA, City Attorney

MAR 17 1958

PASSED: .....  
CORRECTLY ENROLLED MAR 17 1958

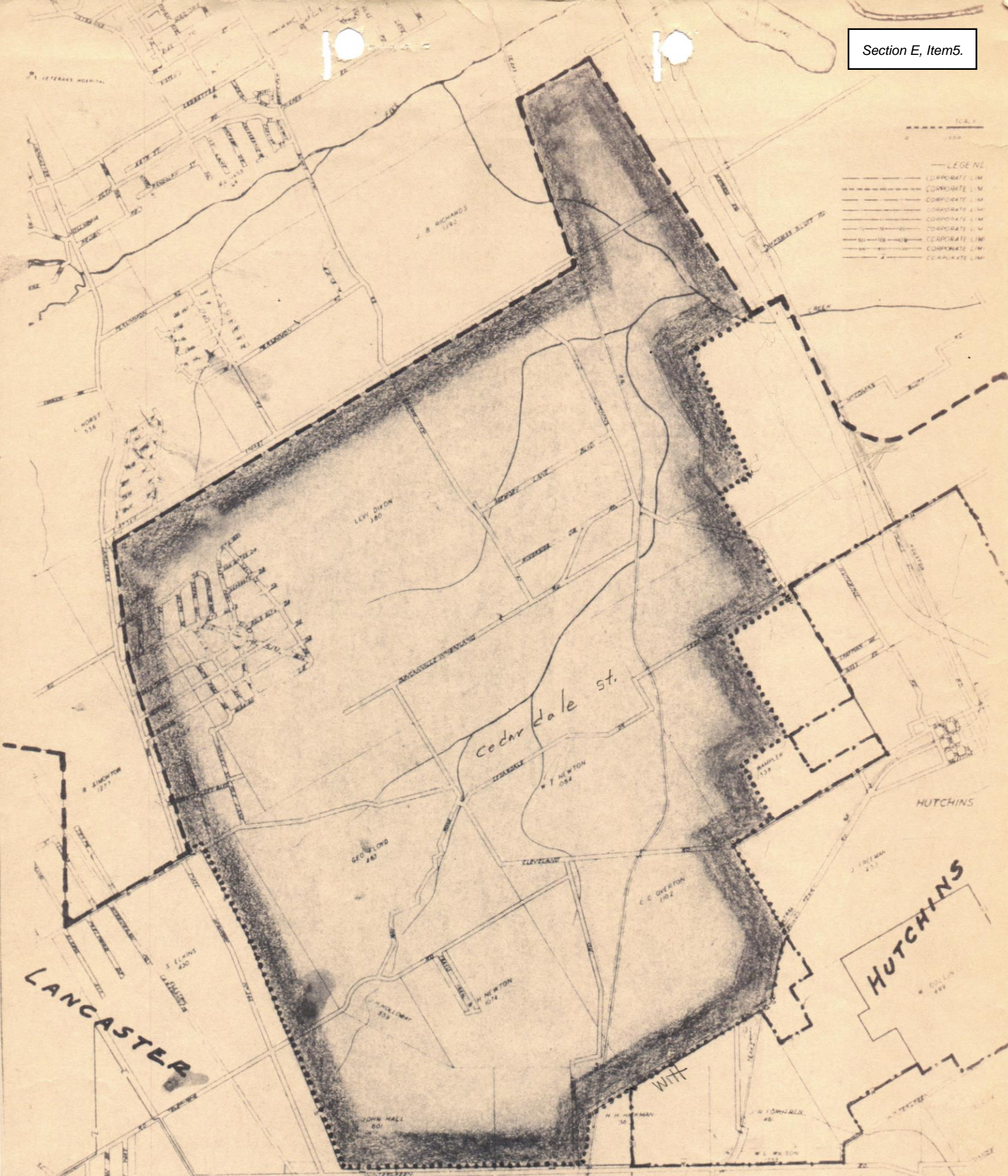
H. P. Kucera  
City Attorney

ATTEST:  
Harold G. Shank  
City Secretary.









SHADED AREA ANNEXED TO THE CITY OF DALLAS, TEXAS.  
 MARCH 17, 1958. ORD. No. 7588  
 BY *Harold S. Shank* CITY SECRETARY. RES 58-1345



July 8, 1955

No. 12-1955

THE STATE OF TEXAS |  
COUNTY OF DALLAS |

The City Council of the City of Lancaster, Texas, convened in Called Meeting at the regular meeting place in the City Hall, on this the 8th day of July, 1955, with the following members present, to-wit:

- William H. Holder, Mayor
- J.L. Brockington,
- C.B. Edwards,
- H.A. Edwards, Aldermen
- C.C. Jameson,
- Francis M. Shokes,
- Lucile W. Gordon, City Secretary

constituting the entire membership, when among other proceedings had was the following:

Mr. C.B. Edwards introduced a proposed ordinance and made a motion that the rule requiring ordinances be read at more than one separate meeting be suspended for the reason stated in the emergency clause.

The motion was seconded by Mr. Brockington.

The motion prevailed by the following vote:

AYES: Messrs. Brockington, C.B. Edwards, H.A. Edwards, Jameson and Shokes.

NOES: None.

Mr. C.B. Edwards made a motion that the ordinance be passed finally.

The motion was seconded by Mr. Brockington.

The motion carrying with it the final passage of the ordinance prevailed by the following vote:

AYES: Messrs. Brockington, C.B. Edwards, H.A. Edwards, Jameson and Shokes.

NOES: None.

The Mayor requested to be recorded as voting "Aye".

The ordinance as finally passed is as follows:

*City of Lancaster  
Ord. No. 12-1955*



No. 12-1955

AN ORDINANCE ANNEXING CERTAIN TERRITORY  
CONTIGUOUS TO AND ADJOINING THE CITY OF  
LANCASTER, TEXAS, TO THE CITY OF LANCASTER,  
TEXAS, AND DECLARING AN EMERGENCY,

WHEREAS, the Mayor of the City of Lancaster, Texas, has certified to the City Council of the City of Lancaster, Texas, the affidavit of Elmer C. Johnson, Mrs. Elmer C. Johnson and E.B. Bass, pertaining to the vote of the inhabitants of the hereinafter described territory with reference to the annexation of such territory to the City of Lancaster, Texas; and

WHEREAS, the City Council have investigated into said election and have determined that such election was in all things regular and in conformity with law, and that a majority of the inhabitants who are qualified to vote for members of the State Legislature voted in favor of annexation; and

WHEREAS, the City Council have investigated into and have determined that it would be advantageous to the City of Lancaster, Texas, and its inhabitants, as well as the inhabitants of ~~the~~ the hereinafter described territory, to annex such territory to the City of Lancaster, Texas; and

WHEREAS, the City Council have determined that such territory is contiguous to and adjoins the City of Lancaster, Texas, and that no part of such territory is more than one-half mile from the existing corporate limits of such City.

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

- 1. That the territory described as follows:  
 Being and situated in Dallas County, Texas,  
 and being more particularly described as follows:  
 BEGINNING at an angle corner in the corporate limits of the City of Lancaster, Texas, said point being at the intersection of the center line of Wintergreen Road and the center line of Telephone Road;  
 THENCE Northeasterly along the center line of Telephone Road 2291.7 feet, more or less, to a Northeast corner of the City of Lancaster, Texas;  
 THENCE Northwesterly parallel to the East Survey line of the J.L. Sampson Survey Abst. 1911 to the center line of Cedardale Drive;



No. 12-1955

THENCE Southwesterly along the center line of Cedardale Drive, passing a Southwest corner in the corporate limits of the City of Lancaster, Texas, continuing along the center line of Cedardale Drive and the corporate limits of the City of Lancaster, Texas, to an angle corner in the corporate limits of the City of Lancaster, Texas;

THENCE South along the corporate limits of the City of Lancaster, Texas, to an angle corner in the corporate limits of the City of Lancaster, Texas;

THENCE East and Northeast along the corporate limits of the City of Lancaster, Texas, to a corner in the corporate limits of the City of Lancaster, Texas, in the East survey line of the J.L. Sampson Survey Abst. 1311;

THENCE South along the East survey line of the J.L. Sampson Survey Abst. 1311 and the corporate limits of the City of Lancaster, Texas, to the place of Beginning.

be and the same is hereby annexed to the City of Lancaster, Texas.

2. That from and after the passage of this ordinance, said territory shall be a part of said City of Lancaster, Texas, and the inhabitants thereof shall be entitled to all of the rights, privileges and immunities of all other citizens of the City of Lancaster, Texas, and shall be bound by all of the ordinances and regulations enacted pursuant to and in conformity with the General Laws of the State of Texas.

The fact that the City of Lancaster, Texas, and its inhabitants, are in immediate need of the relief afforded by the provisions of this ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one meeting be suspended and that this ordinance take effect immediately upon its passage, and it is so ordained.

Mr. C.B. Edwards introduced a proposed ordinance and made a motion that the rule requiring ordinances to be read at more than one separate meeting be suspended for the reason stated in the emergency clause.

The motion was seconded by Mr. Brockington.

The motion prevailed by the following vote:

AYES: Messrs. Brockington, C.B. Edwards, H.A. Edwards, Jameson and Shokes.



No. 12-1955

NOES: None.

Mr. C. B. Edwards made a motion that the ordinance be passed finally.

The motion was seconded by Mr. Brockington.

The motion carrying with it the final passage of the ordinance prevailed by the following vote:

AYES: Messrs. Brockington, C.B. Edwards, H.A. Edwards, Jameson and Shokes.

NOES: None.

The Mayor requested to be recorded as voting "Aye".

The ordinance as finally passed is as follows:

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONTIGUOUS TO AND ADJOINING THE CITY OF LANCASTER, TEXAS, TO THE CITY OF LANCASTER, TEXAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor of the City of Lancaster, Texas, has certified to the City Council of the City of Lancaster, Texas, the affidavit of Homer Slaton, Clarence Smith and Mrs. Clarence Smith, pertaining to the vote of the inhabitants of the hereinafter described territory with reference to the annexation of such territory to the City of Lancaster, Texas; and

WHEREAS, the City Council have investigated into said election and have determined that such election was in all things regular and in conformity with law, and that a majority of the inhabitants who are qualified to vote for members of the State Legislature voted in favor of annexation; and

WHEREAS, the City Council have investigated into and have determined that it would be advantageous to the City of Lancaster, Texas, and its inhabitants, as well as the inhabitants of the hereinafter described territory, to annex such territory to the City of Lancaster, Texas; and

WHEREAS, the City Council have determined that such territory is contiguous to and adjoins the City of Lancaster, Texas, and that no part of such territory is more than one-half mile from the existing corporate limits of such City.

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



No. 12-1955

1. That the territory described as follows:

Being situated in Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a Northeast corner in the corporate limits of the City of Lancaster, Texas, said point being in the center line of Cedar-dale Drive;

THENCE Northeast along the center line of Cedardale Drive to a point 500 feet East of the center line of State Highway No. 342;

THENCE in a southerly direction parallel to and 500 feet East of the center line of State Highway No. 342 to the North corporate limits of the City of Lancaster, Texas.

THENCE West along the North corporate limits of the City of Lancaster, Texas, to an angle corner in the corporate limits of the City of Lancaster, Texas;

THENCE North and northwesterly along the corporate limits of the City of Lancaster, Texas, to the place of Beginning.

be and the same is hereby annexed to the City of Lancaster, Texas.

2. That from and after the passage of this ordinance, said territory shall be a part of said City of Lancaster, Texas, and the inhabitants thereof shall be entitled to all of the rights, privileges and immunities of all other citizens of the City of Lancaster, Texas, and shall be bound by all of the ordinances and regulations enacted pursuant to and in conformity with the General Laws of the State of Texas.

The fact that the City of Lancaster, Texas, and its inhabitants are in immediate need of the relief afforded by the provisions of this ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one meeting be suspended and that this ordinance take effect immediately upon its passage, and it is ~~so~~ so ordained.

PASSED AND APPROVED, this the 8th day of July, 1955.

WILLIAM H. HOLDER  
Mayor, City of Lancaster, Texas

ATTEST:

LUCILE W. GORDON  
City Secretary



**CITY OF HUTCHINS, TEXAS  
RESOLUTION NO. R2024-02-1172**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CITY OF HUTCHINS PERSONNEL MANUAL BY AMENDING CHAPTER 3, TITLED “LEAVE”, BY ADDING A NEW SECTION 3.14 TITLED “CATASTROPHIC LEAVE” SETTING FORTH REQUIREMENTS FOR CATASTROPHIC LEAVE FOR FULL-TIME EMPLOYEES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hutchins (the “City) realizes that employees who have exhausted their sick leave may continue to miss work due to a prolonged illness or injury (including that of an eligible family member) causing them to face financial hardships, the City shall incorporate a Catastrophic Leave bank for employees who have exhausted all leave due to a catastrophic illness/injury; and

**WHEREAS**, the City Council has received a recommendation from the Director of Human Resources to amend the City of Hutchins Personnel Manual, by adding the new “Catastrophic Leave” policy as set forth in Exhibit “A” attached hereto and incorporated herein; and

**WHEREAS**, upon full review and consideration of the recommendation from the Director of Human Resources, the City Council approves amending the City of Hutchins Personnel Manual by adding the new Catastrophic Leave policy attached hereto as Exhibit “A” that sets forth requirements for full-time employees to use sick leave donations from an established bank for a catastrophic illness/injury when all of their leave has been exhausted; then

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

**SECTION 1.** That the City Council hereby approves amending the City of Hutchins Personnel Manual, by amending Chapter 3, titled “Leave”, by adding Section 3.14 titled “Catastrophic Leave”, as set forth in Exhibit “A” attached hereto and incorporated herein.

**SECTION 2.** This Resolution shall become effective on February 19, 2024.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Hutchins, Texas on the 19th day of February 2024.

CITY OF HUTCHINS, TEXAS

\_\_\_\_\_  
Mario Vasquez, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Olguin, City Secretary



**EXHIBIT A**  
**Personnel Manual Amendment – Catastrophic Leave**



### 3.14 Catastrophic Leave

Effective Date: 02-19-2024

Revision Date:

The purpose of this policy is to establish procedures for the donation of sick leave to a Catastrophic Leave Fund which allows an employee to assist another employee in the case of a catastrophic illness or injury of the employee or the employee’s immediate family member.

“*Catastrophic Illness or Injury*” refers to a life-threatening or debilitating personal illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital or similar facility, or continuing treatment by a health care provider. Examples include cancer, complications arising from major surgery, serious accidents, heart attacks, long-term hospitalization and other situations that pose a threat to life or render the employee incapable of performing the duties of their job. Short term conditions requiring brief treatment and recovery (for example, flu, measles, normal childbirth, broken bones, elective surgeries, on-the-job injuries, etc.) are not considered to be a catastrophic illness or injury for purposes of this program.

For purposes of this policy, immediate family is defined as the employee’s spouse, domestic partner, child, parent, or any other relative for which the employee is the guardian or primary caregiver.

#### Eligibility

- a. Must be a regular, full-time employee.
- b. Employees must be employed with the City of Hutchins for a minimum of one year and have worked at least 1,250 hours during the 12-month period immediately before the leave begins.
- c. Satisfactory attendance and performance record.
- d. All paid leave exhausted.
- e. Sufficient information from a healthcare provider to confirm a catastrophic illness/injury exists.
- f. Must elect to donate at least eight (8) hours of sick leave during open enrollment.
- g. Employees who receive donated sick leave may receive no more than 480 hours (12 weeks) within a rolling 12-month period.

#### Donations

- The donation of sick leave is strictly voluntary.
- Donated sick leave will go into a leave bank for use by eligible employees.
- Recipient identity will not be disclosed to donating employees.
- The minimum number of hours that an eligible employee may donate is eight (8) hours per calendar year; the maximum is forty (40) hours or no more than 50% of the employee’s current balance.
- Employees cannot borrow against future sick leave to donate.
- Donated hours will be deducted from the donating employee’s sick leave balance.
- Employees may not designate a particular employee to receive their donated time.

- Employees will be given a chance to donate sick leave annually during open enrollment.
- Any employee who has been approved for retirement or has rendered a resignation to be effective within ninety (90) days will not be eligible to donate sick leave.

### **Procedures**

To use catastrophic leave, an employee completes a *Catastrophic Leave Withdrawal Request* and forwards it to Human Resources. When possible, an employee should request leave from the program prior to exhausting all paid leave. The employee requesting leave will submit supporting documentation from his/her healthcare provider to Human Resources.

Human Resources will determine an employee's eligibility to use catastrophic leave upon receiving sufficient information from his/her health provider(s). If approved, an employee may receive from the Catastrophic Leave fund up to 480 hours (12 weeks) for a specific leave request. Upon exhaustion of 480 hours of catastrophic leave, an employee may not receive additional catastrophic leave for the same illness/injury. The number of leave hours will be determined based on the information provided by the employee's healthcare provider. The final determination must be approved by the Catastrophic Leave Committee.

### **Catastrophic Leave Committee**

Eligible Catastrophic Leave applications will be presented to a committee for consideration. The committee will be comprised of the Human Resources Director, one (1) exempt staff member, and one (1) hourly staff member.

Committee members shall not rule on any application of their own or that of a relative.

The committee is responsible for recommending action on all Catastrophic Leave applications.

### **Catastrophic Leave Exhausted**

If an employee is still unable to return to work after exhausting catastrophic leave, he/she may be subject to a non-disciplinary termination of employment. In this situation, an employee will leave in good standing. He/she will be encouraged to apply for Long-term Disability benefits and/or retirement through TMRS as early as possible to expedite the application and review process.

### **Discontinuation**

In the event this policy is discontinued, all employees who are members of the bank at the time of discontinuation shall remain members without additional contributions until all days in the bank are exhausted or the remaining pool of days is pro-rated back to the contributing employees.





# STAFF REPORT

**MEETING DATE:** February 19, 2024

**MEETING TYPE:** City Council

**SUBMITTED BY:** Karen Steward

**AGENDA CAPTION:** Discuss and consider Resolution R2024-02-1172 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CITY OF HUTCHINS PERSONNEL MANUAL BY AMENDING CHAPTER 3, TITLED “LEAVE”, BY ADDING A NEW SECTION 3.14 TITLED “CATASTROPHIC LEAVE” SETTING FORTH REQUIREMENTS FOR CATASTROPHIC LEAVE FOR FULL-TIME EMPLOYEES. Presented by: Karen Steward, HR Director

### **Background Information**

The City of Hutchins recognizes that employees who have exhausted their sick leave may continue to miss work due to a prolonged illness or injury (including that of an eligible family member) causing them to face financial hardships. Currently, the city does not have a sick leave bank in place to address this need.

### **Budget Implications**

None

### **Operational Impact**

None

### **Legal Review**

Reviewed by Joe Gorfida.

### **Staff Recommendation**

Staff recommend passing the resolution.

### **Supporting Documentation and Attachments**

Resolution R2024-02-1172

City Policy 3.14 Catastrophic Leave



# STAFF REPORT

**MEETING DATE:** February 19, 2024

**MEETING TYPE:** City Council

**SUBMITTED BY:** Karen Steward

**AGENDA CAPTION:** Discuss and consider Resolution R2024-02-1174 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING THE AMENDMENT OF THE FY2023-2024 CITY OF HUTCHINS ORGANIZATIONAL CHART; AND PROVIDING FOR AN EFFECTIVE DATE. Presented by: Karen Steward, HR Director

### **Background Information**

The City Administrator established the organizational structure of the City on November 7, 2022. The org chart shows which roles are responsible for what tasks, divisions, and departments. It is the responsibility of the City Administrator to review this chart occasionally to make changes in order to improve the quality and productivity of the City.

Currently, Code Enforcement falls under the Police Department. However, Code Enforcement services are part of Community Development. It addresses city codes and ordinances.

### **Budget Implications**

None

### **Operational Impact**

None

### **Legal Review**

Reviewed by Joe Gorfida.

### **Staff Recommendation**

Staff recommend passing the resolution.

### **Supporting Documentation and Attachments**

Resolution R2024-02-1174

Updated Organizational Chart



**CITY OF HUTCHINS, TEXAS  
RESOLUTION NO. R2024-02-1174**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING THE AMENDMENT OF THE FY2023-2024 CITY OF HUTCHINS ORGANIZATIONAL CHART; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, an organizational chart shows the relationship between the City of Hutchins (“City”), the City Council, and all City personnel was adopted on November 7, 2022; and

**WHEREAS**, the City Administrator is appointed by the Mayor and City Council and is responsible for the City’s day-to-day management and operations, providing crucial City services and managing the finances and budget of the City; and

**WHEREAS**, the City Administrator must establish the organizational structure of the City in order to perform the day-to-day management and operation functions of the City; and

**WHEREAS**, the City Council has received a recommendation from the City Administrator to amend the FY2023-2024 Organizational Chart by moving Code Enforcement under the direction of the Director of Public Works & Community Development as set forth in Exhibit “A” attached hereto and incorporated herein; and

**WHEREAS**, upon full review and consideration, the City Council approves amending the FY2023-2024 Organizational Chart attached hereto as Exhibit “A”; then

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

**SECTION 1.** That the City Council hereby approves the adoption of the amended FY2023-2024 Organizational Chart attached hereto as Exhibit “A”.

**SECTION 2.** This Resolution shall become effective immediately upon its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Hutchins, Texas on the 19th day of February 2024.

CITY OF HUTCHINS, TEXAS

\_\_\_\_\_  
Mario Vasquez, Mayor

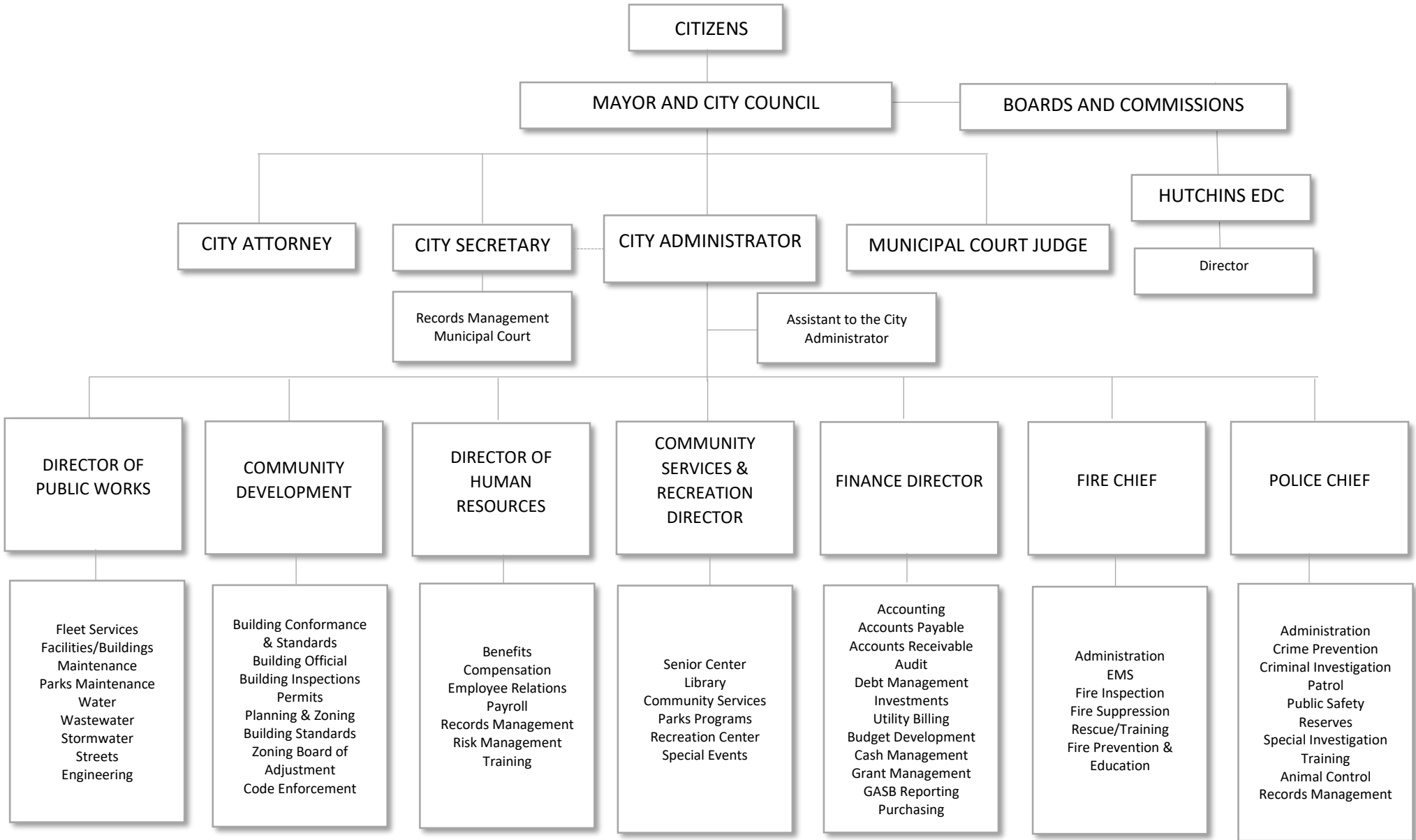
ATTEST:

\_\_\_\_\_  
Cynthia Olguin, City Secretary

**EXHIBIT "A"**  
**FY2023-2024 ORGANIZATIONAL CHART**



**FY 2023-2024 Organizational Chart**  
 REVISED 02/19/2024  
**City of Hutchins**





# STAFF REPORT

<b>MEETING DATE:</b>	February 19, 2024
<b>MEETING TYPE:</b>	City Council
<b>SUBMITTED BY:</b>	Maria Joyner
<b>AGENDA CAPTION:</b>	Discuss and consider Resolution R2024-02-1173 OF THE CITY OF HUTCHINS, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH NEWGEN STRATEGIES & SOLUTIONS LLC TO CONDUCT A WATER AND SEWER RATE STUDY. Presented by: Maria Joyner, Director of Finance

## Background Information

The City of Hutchins wishes to evaluate its current Water and Wastewater Rates by entering into an agreement with NewGen Strategies and Solutions, LLC.

In order to achieve a rate structure that will assure adequate revenue for the Utility System’s operations, debt service requirements, and to ensure the Utility System is operating on a self-supporting basis while considering the economic impact on our customers, staff requests the City Council to consider the proposal with NewGen Strategies & Solutions (NewGen) to conduct a water and wastewater rate design study which will include the preparation of a five-year forecast of water and wastewater revenue requirements and accompanying rate scenarios, which will meet the City’s revenue recovery objectives.

These services would include:

- Data collection and assessment of financial and operating information;
- Benchmarking of City’s current rate structure compared to other similar municipal providers;
- Conduct meetings with City staff to present analysis and results and discuss potential rate adjustments over the next five (5) years; and
- Prepare presentation and supporting material to present to City Council for consideration.

The cost to provide these services is not to exceed \$29,000. Draft results will be presented to City staff for discussion within 60 to 90 days from the notice to proceed. Funding for this item was approved in the Fiscal Year 2024 adopted budget.

NewGen has been selected through a competitive procurement process by HGACBuy. H-GAC's Cooperative Purchasing Program, known as HGACBuy, is a nationwide procurement service that was established pursuant to Texas' "Interlocal Cooperation Act." The "Act" allows local governments and certain non-profits to use contracts appropriately established by another government entity.

## Budget Implications

## Operational Impact

## Legal Review

## Staff Recommendation



Approval of proposal to Conduct a Water and Wastewater Rate Study by NewGen Strategies & Solutions.

**Supporting Documentation and Attachments**

Resolution  
Proposal from NewGen Strategies & Solutions

**CITY OF HUTCHINS  
RESOLUTION R2024-02-1173**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH NEWGEN STRATEGIES & SOLUTIONS LLC TO CONDUCT A WATER AND SEWER RATE STUDY IN AN AMOUNT NOT TO EXCEED \$29,000; AUTHORIZING THE EXPENDITURE OF SAID FUNDS FROM THE FY 2023-2024 BUDGET, WATER AND SEWER FUND; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hutchins Water System has experienced rising costs to the operation and maintenance of the existing water system; and

**WHEREAS**, the City now desires NewGen Strategies & Solutions, LLC to perform a Water and Sewer Rate Study to determine recommendations for rates given the change in Hutchins’ water customers and projected revenues; and

**WHEREAS**, the City Council of the City of Hutchins finds it in the best interest to the water and sewer customers of the city of Hutchins to enter into an Agreement with NewGen Strategies & Solutions in order for new water and sewer rates to be calculated.

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

**SECTION 1.** The City, acting through its governing body, hereby confirms that it supports the City entering into an agreement with NewGen Strategies & Solutions in order for a Water and Sewer Rate Study to be conducted.

**SECTION 2.** For and on behalf of the Governing Body, the City Administrator is hereby authorized to execute an agreement with NewGen Strategies & Solutions (see Attachment “A”) in order for a Water and Sewer Rate Study to be conducted in an amount not to exceed \$29,000.

**SECTION 3.** The City, acting through its governing body, hereby confirms that it authorizes the expenditure of said funds from the FY 2023-2024 Budget, Water and Sewer Fund.

**SECTION 4.** 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 19<sup>th</sup> day of February 2024.

\_\_\_\_\_  
Mario Vasquez, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Olguin, City Secretary  
(02-14-2024:4880-1661-7637, v. 1)



**EXHIBIT "A"**  
**AGREEMENT BETWEEN THE CITY OF HUTCHINS AND NEWGEN STRATEGIES & SOLUTIONS LLC TO CONDUCT A WATER AND SEWER RATE STUDY**



275 W. Campbell  
Suite 440  
Richardson, TX 75080  
Phone: (972) 680-2000

January 24, 2024

Ms. Maria Joyner  
Director of Finance  
City of Hutchins, Texas  
321 N. Main Street  
Hutchins, TX 75141

**Subject: Proposal to Conduct a Water and Wastewater Rate Study**

Dear Ms. Joyner:

Based on our conversations, NewGen Strategies and Solutions, LLC (NewGen) appreciates this opportunity to propose our assistance to the City of Hutchins, Texas (City). It is our understanding that, at this time, the City is seeking a qualified consultant to conduct a Water and Wastewater Rate Study (Study).

As part of this study, NewGen will prepare a five-year forecast of water and wastewater revenue requirements and accompanying rate scenarios, which will meet the City's revenue recovery objectives. Additionally, the consultant should examine the City's current charges between In-City and Out-of-City customers. This will include the financing of proposed capital improvements as well as the maintenance of equity between the customer groups reflective of ad valorem taxes paid by In-City Customers.

The remainder of this letter presents our Firm, proposed Project Team, proposed scope of services, and anticipated pricing and schedule for the proposed engagement. We appreciate the City's consideration of our proposal and stand ready to answer any questions City staff or City Council may have.

## Firm Background

NewGen is a management and financial consulting firm specializing in providing assistance and advice to the public sector and its utilities. NewGen provides nationally recognized expertise in utility cost of service and rate design studies, depreciation studies, appraisals, organizational and performance management studies, litigation support for legal and regulatory proceedings, utility business and financial planning, and stakeholder engagement for water, wastewater, reuse, stormwater, solid waste, electric, and natural gas utilities.

NewGen was created by consultants who are dedicated to our client's mission and recognized as experts in our respective fields of service. Our assistance to the public sector is provided with a keen insight to navigate the uncertain market and the growing role of stakeholders, resource availability, cost of providing utility services, and economic conditions. This ensures an integrated approach to delivering our products and services. "Thoughtful Decision Making for Uncertain Times" succinctly describes our capability to provide our clients the solutions and recommendations tempered by our keen insight into the growing role of stakeholders, resource availability (including renewables), environmental concerns, cost of providing utility services, and economic conditions.



Ms. Maria Joyner  
January 24, 2024  
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Our experience has been acquired, in part, while members worked at recognized national consulting groups such as Touche Ross & Co. (now *Deloitte Touche*), R.W. Beck, Inc. (now *SAIC and Leidos*), Economists.com (now *Willdan*), Navigant Consulting, Inc., and CH2M Hill. The firm's experience also includes the regional practices founded by Mr. Jack Stowe, Jr. which were Reed-Stowe & Co., Inc. and Reed Stowe & Yanke, LLC founded by Mr. Jack Stowe, Jr. and Mr. Dave Yanke. Experience was also gained July 1, 2019 when Municipal & Financial Services Group (MMSG) merged with NewGen. Additionally, NewGen professionals come from the nationally recognized engineering firms of CDM Smith, Inc., Black & Veatch, and HDR, Inc. Individuals from NewGen provide the expertise gained from more than 125 expert witness cases and filings supporting utility customers, regulatory staff, and utilities.

It is NewGen's mission to become a trusted advisor to our clients. Many of NewGen's current employees worked together for many years at R. W. Beck prior to joining NewGen—some for as long as 25 years. As such, we have a long, successful work history and a demonstrated ability to complete projects on time and with deliverables that withstand public, stakeholder, and regulatory scrutiny.



### Nationally Recognized Rate Expertise and Market Leading Models

NewGen's Project Team includes nationally recognized experts in cost of service (COS) and rate making in the public utility market, along with leading edge developers and data analytics professionals. Combining our nationally recognized rate expertise with this additional expertise in data analytics allows us to create comprehensive, innovative, and easy-to-use interactive financial models and tools which are essential in producing a comprehensive analysis and ensuring our recommendations are accurate and defensible.

Recognizing the importance of the user-experience, our financial models and methodologies have been refined and enhanced to allow for easy user entry, allocation factor selections, and scenario ("what-if") evaluation. All our models and tools are also tailored specifically to each client we serve and are routinely used to facilitate presentations and demonstrations with Boards, Councils, and Commissions.

### NewGen's Core Competencies

NewGen's core business is providing financial and management advice related to water, wastewater, stormwater, street maintenance utility, and solid waste infrastructure and operations. The specialized services we offer to our clients include:

- Cost of Service/Rate Studies
- System Development Charges/Capacity Fee Studies
- Operational Reviews/Management Audits
- Comparative Analyses/Benchmarking
- Financial Feasibility Studies
- Infrastructure Management/GASB 34
- Conservation Studies

In summary, NewGen is well versed and experienced in providing management and financial advice related to every aspect of municipal utility services.

Ms. Maria Joyner  
January 24, 2024  
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## HGACBuy Program

NewGen has been selected through a competitive procurement process by HGACBuy. This contract award allows government entities nationwide to contract our services directly, without the issuance of a request for proposal (RFP). H-GAC's Cooperative Purchasing Program, known as HGACBuy, is a nationwide procurement service that was established pursuant to Texas' "Interlocal Cooperation Act." The "Act" allows local governments and certain non-profits to use contracts appropriately established by another government entity. Use of the Program for a particular purchase by any government entity is strictly at the discretion of that entity.



## Proposed Project Team

Our proposed Project Team for this engagement specializes in the development of water and wastewater rates, with the majority of this experience specific to water and wastewater utilities in Texas. We ensure the staffing resources assigned to the project are truly committed to your project, by considering overall workload of staff when determining project team members. Team members have been chosen due to their experience in performing the tasks identified in the scope, as well as their availability and capacity to complete the tasks in a timely manner.

### Chris Ekrut | Project Manager



Mr. Chris Ekrut, MPA, Chief Financial Officer for NewGen, will serve as Project Manager for this engagement. As Project Manager, he will ensure the project is performed to our high standards and comports with all regulatory and industry standards as well. He will also ensure that the City's overall goals and objectives are met during the course of the Study and will be responsible for the overall quality of the analysis and deliverables received by the City.

Mr. Ekrut has provided consulting services since 2004, with the majority of projects centered in the water and wastewater industry around user/impact fees. He has filed expert witness testimony with regard to cost of service and rate design, as well as provided litigation support before rate regulatory agencies. He has conducted a number of wholesale and retail water and wastewater rate studies, developed water and wastewater rate models, storm water fee models, and assisted in the negotiation and/or litigation involving a number of wholesale water contracts. Mr. Ekrut also specializes in the development of Utility Business Plans and has been called on by the Texas Section of the American Water Works Association (AWWA) to speak on the importance of business planning for municipal and governmentally owned utilities. Mr. Ekrut also serves as an instructor for the national "Fundamentals of Water Cost of Service and Rate Design" class sponsored by EUCI and as a Faculty Member for the National Association of Regulatory Commissioner's (NARUC) National Rate School.

Title: Chief Financial Officer  
Location: Dallas, Texas  
Phone: (972) 232-2234  
Email: cekrut@newgenstrategies.net



Ms. Maria Joyner  
January 24, 2024  
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### Megan Kirkland | Senior Analyst



Megan Kirkland is a Senior Consultant with NewGen, providing financial and strategic advisory for utility clients. Ms. Kirkland leads analytical efforts for the cost of service and rate design, indirect, and impact fee studies, including developing new and enhancing existing models. In addition, Ms. Kirkland assists in litigation support relative to cost of service and rate design proceedings before regulatory agencies. Ms. Kirkland holds a bachelor's degree in Petroleum Engineering (minor in Business Administration) from Texas A&M.

Title: Senior Consultant  
Location: Dallas, Texas  
Phone: (972) 432-6218  
Email: mkirkland@newgenstrategies.net

### Madison Moore | Analyst



Ms. Madison Moore joined NewGen in September 2023 as a Consultant, providing financial analysis supporting water, wastewater, and solid waste cost of service and rate design projects. Ms. Moore graduated in 2020 with a B.S. in Civil Engineering from Purdue University and is currently pursuing a M.S. in Data Science from Eastern University.

Title: Consultant  
Location: Dallas, Texas  
Phone: (945) 800-9846  
Email: mmoore@newgenstrategies.net

Full resumes for all Project Team members are available on request.

## Proposed Work Plan

To perform the requested study, the Project Team proposes the following work plan. Our proposed work plan closely follows the approaches and methodologies utilized by NewGen's Project Team members in all of their rate studies. Therefore, the City can be assured that the work plan proposed by NewGen has been tested and proven in numerous studies across the state and nation. It is understood that, if selected, the Project Team will refine, customize, and finalize the work plan with the City upon award of the project.

NewGen maintains a strong and active presence before the State of Texas' rate regulatory authorities and is routinely requested to provide expert opinions on rate matters by legal counsels representing clients throughout the State of Texas. For NewGen to maintain its reputation and presence within the regulatory environment, our product must be of such quality to withstand intense scrutiny. The product(s) developed by NewGen for this engagement will withstand such scrutiny.

### Task 1 – Initiation of Initial Data Request

The Project Team will develop an initial data request that will be needed to adequately begin the review and evaluation of the City's retail water and wastewater rates. This data will include, but is not limited to, operating, financial, management, policy, and ordinance data. The purpose of the initial data request is to become more familiar with the City's operations and policies in order to maximize the effectiveness of our time with City representatives in the project kickoff meeting. The Project Team will issue the initial data request within five (5) days after receiving notice to proceed on the project.

Ms. Maria Joyner  
January 24, 2024  
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NewGen will request and develop the study using a raw data file from the billing system to fully understand the City's customers. To obtain this data, NewGen's Project Team will provide the City with a template for required monthly billing data. This will include the account numbers, class codes, rate codes, volumes, and billed amounts by customer by month. This data will be tested for accuracy in Task 2, and any data anomalies will be discussed with the City for review and further investigation.

## **Task 2 – Initial Data and Information Assessment**

Once the City has submitted the initially requested data, the data will be reviewed for discussion during the project kickoff meeting. Throughout the course of the project, data received by the Project Team will be sampled and tested for accuracy. The sampling and testing of data is imperative in regard to the billing data used to set rates. In all of our rate study engagements, NewGen conducts a thorough review and testing of the billing data queries provided by our clients. It is essential in the development of proper cost allocations and reliable revenue projections that the billing data be as accurate as possible. NewGen will work closely with the City's billing staff to obtain the appropriate billing data. In addition, as necessary, the Project Team will conduct informal interviews with City staff during our review of the historical data to ensure that the Project Team understands the information provided.

## **Task 3 – Project Kickoff Meeting**

After receiving the initially requested data, the Project Team will work with the City to schedule a kickoff meeting. The primary reason for the kickoff meeting is to allow the key Project Team consultants and participants from the City to be introduced and lay the general framework for how the study will be conducted. This meeting will also allow for the finalization of the proposed work approach, as well as discuss and clarify the information analyzed in Task 2.

In addition, the project kickoff meeting will allow for the Project Team to gain a better understanding of the goals and objectives, as well as expectations, the City desires to achieve from the study. As part of the kickoff meeting, the Project Team members will also discuss:

- Political and customer views/opinions of current rates,
- Capital/operational demand changes anticipated over the study's forecasted period,
- Initial rate design pricing objectives, and
- Initial strategies for implementing/communicating possible rate changes.

## **Task 4 – Determination of Test-Year Revenue Requirements**

Revenue requirements will be developed for the Study using the AWWA accepted cash needs approach. The cash needs approach closely follows governmental/not-for-profit budgeting practices and incorporates a utility's operation and maintenance costs, debt service and bond coverage requirements, cash funded capital outlays, reserve requirements, and transfers. Specifically, for the City, the revenue requirement will include the City's operational costs adjusted to reflect normal service conditions, current and future anticipated principal and interest payments, current and future cash capital outlays, and future capital funding needs including the impact of inflation on construction cost.

In developing the revenue requirements, the Project Team will assess and project the utility's cost of service by analyzing historical costs, the current budget year, any forecasts made for future fiscal years, and any debt service ratio or bond covenant requirements. The Project Team will develop a test-year cost



Ms. Maria Joyner  
 January 24, 2024  
 Page 6

of service for the utility. A test-year is a common term in rate studies that refers to an adjusted fiscal year cost that will be used as a basis for setting rates. The test-year cost of service will be adjusted by non-rate revenue sources to develop the test-year revenue required from utility rates.

### **Task 5 – Forecast of Revenue Requirements**

Using the test-year developed in Task 4, the Project Team will begin the development of a five-year revenue requirement forecast. As necessary, interviews with City staff may be conducted to gather additional data to complete this task. During this task, it is crucial to thoroughly analyze the assumptions used in projecting the revenue requirements. These assumptions may include, but may not be limited to, growth rate, inflation rates, regulatory changes, conservation, increase in contractual obligations, and capital improvements. These assumptions will be supported by standard industry forecasting practices and available indices. In addition, support will come from the City’s applicable master plan studies and current infrastructure ratings.

The Project Team will work closely with City staff to examine the City’s planned method of financing (e.g. cash, debt, grants) future capital improvements and the financing methods’ impact on retail rates, operating and capital reserve targets, and debt coverage requirements, as well as examine anticipated operational and/or staffing changes over the five-year forecast. The five-year revenue requirement will serve as the basis for the development of the financing plan to meet projected capital improvement expenditures.

### **Task 6 – Determination of Realizable Revenue at Current Rates**

The results of this task will provide the data to properly evaluate the cost of service and the magnitude of overall increases, as well as provide the Project Team the ability to compare the actual cost to provide utility service with the anticipated billed revenues of the utility. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. This task will also provide a “check” of the data provided by City staff.

### **Task 7 – Development of Rate Design**

After determining the realizable revenue at current rates and comparing such revenues with the forecasted revenue requirement and cost of service results, the Project Team will work with City staff to formulate a rate and fee design plan to recover the revenue requirements. In the formulation of a rate and fee design plan, a clear and distinct understanding of the City’s overall goals and objectives should serve as the foundation for the development of options since rate and fee design enables the utility to meet its service pricing objectives. Pricing objectives could include, but would not be limited to, the following:

- Cost of Service Recovery
- Revenue Stability
- Affordability
- Equity
- Ease of Administration
- Regional Competitive Position
- Conservation
- Economic Development

Following the completion of Task 6, members of the Project Team will discuss with City staff the potential rate design alternatives that meet the City’s pricing goals and objectives. From these discussions, the Project Team will develop defensible rate structures for its customers that are reflective of industry accepted practices and procedures and rate regulations within the State of Texas and which balance the recovery of revenue between base rates and volumetric rates on an equitable basis.

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## Task 8 – Determination of Realizable Revenue with Rate Adjustments

The Project Team will analyze and compare the revenues forecasted to be generated under designed rate structures, by customer class, to the forecasted revenue requirements to determine the adequacy of the designed rate structures to meet the City's financial goals, including bond coverage requirements and operating and capital reserves. To the extent the designed rates are projected to be inadequate, appropriate rate adjustments for each class will be calculated. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. In addition, the monthly impact of rate adjustments on customer bills under the designed rate structures will be examined.

## Task 9 – Rate Comparison Review

The Project Team will compare the City's current and adjusted utility rates to utility rates of utilities of similar size, demographics, and operational characteristics so as to provide an estimation of the City's comparable and competitive position.

After completing Task 9, members of the Project Team will conduct a briefing presentation with City staff to discuss the results of the rate design analysis. Included in these discussions will be the development of the strategy(ies) to communicate and institute any significant rate changes.

## Task 10 – Draft Letter Report Preparation

The Project Team will develop a draft letter report summarizing findings, conclusions, and recommendations of the Study. The letter report will include all methodologies, assumptions, and calculations, and a background section that includes all data used in the determinations made in the study. The Project Team is committed to ensuring that the City thoroughly understands the recommendations in the draft letter report and will be available to discuss findings, answer questions, and receive input. The Project Team will ensure that City staff has sufficient time to address their concerns and/or questions prior to finalizing the report.

## Task 11 – Final Letter Report Preparation and Presentation

Upon receipt of City staff comments, the Project Team will make appropriate changes and provide the City with the final letter report. After completion of the final letter report, the Project Team will assist the City in the presentation of the results of the Study to various stakeholders, including presenting the study's findings, conclusions, and recommendations to City Council.

## Project Timeline and Deliverables

The Project Team will provide the City with the following:

- Draft Report
  - Within 60 to 90 days of notification of award, given the timely receipt of the required financial and operational data, an electronic draft report will be provided for the City's review and comment that summarizes the Project Team's findings, conclusions, and recommendations.
- Final Report



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- The final report will be provided to the City within two (2) weeks after delivery of the draft report, given the timely receipt of the City's comments.
- Meetings/Presentations
  - The Project Team will conduct up to four (4) meetings with City staff during the course of the engagement, including: Project Kickoff Meeting, one Project Update meeting (conducted telephonically), and two presentations to City Council. In order to conduct the study at the lowest possible cost to the City, the Project Kickoff Meeting and Project Update meeting will be conducted via an online, virtual meeting arrangement. Additional meetings and/or presentations beyond those listed here will be provided on a time and expense basis.

Services requested by the City not specifically outlined within the proposed work plan and which the Project Team is unable to provide within the proposed project pricing above will be provided on a time and expense basis.

## Project Timing/Schedule

Based on an assumed start date of February 1, 2024, the Project Team anticipates that the draft results of the study would be available around April 15, 2024, dependent upon the availability of information requested from the City. The Project Team understands that this schedule may be amended via discussions with the City prior to commencement of the Study.

## Proposed Project Cost

**NewGen proposes a not-to-exceed fee of \$29,000, inclusive of out-of-pocket expenses, to perform the services detailed in this proposal.**

NewGen's not-to-exceed fees for services will be based on actual hours of services furnished multiplied by NewGen's billing rates as of the date of its monthly invoice.

Additional fees for services not included in the above scope will be billed at our hourly rates for services rendered. NewGen's current hourly billing rates, which will remain in effect through December 31, 2024, are as follows.

### NewGen Strategies and Solutions 2024 Billing Rates

Position	Hourly Billing Rate
Partner	\$265 – \$405
Principal	\$250 – \$405
Senior Manager	\$225 – \$280
Manager	\$195 – \$235
Senior Consultant	\$170 – \$195
Consultant	\$160 – \$170
Administrative Services	\$130

Note: Billing rates are subject to change based on annual reviews and salary increases.

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## Terms of Engagement

This agreement is subject to cancellation by the City with thirty (30) days prior written notice provided to NewGen. In the event of cancellation, all labor and expense charges incurred by NewGen through the date of cancellation will be considered due at the time notice of cancellation is delivered, regardless of work product and/or engagement status.

By executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the City and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of similar nature and consistent with the applicable industry best practices.

All payments made under this engagement should be remitted to:

NewGen Strategies and Solutions, LLC  
275 W Campbell Road, Suite 440  
Richardson, Texas 75080

If this letter and its terms and conditions are acceptable, please execute and return one copy to our Richardson, Texas office. If you should have any questions regarding this letter and/or require additional information, please contact me at (972) 232-2234 or via email at [cekrut@newgenstrategies.net](mailto:cekrut@newgenstrategies.net).

If the pricing exceeds the City's available resources, or the scope does not meet the City's stated goals and objectives, please feel free to give me a call to discuss how best to amend the proposal to properly reflect the City's desired scope of work.

Again, we greatly appreciate the City's consideration of NewGen for this important engagement, and we look forward to working with you.

Very truly yours,

**NewGen Strategies and Solutions, LLC**

DocuSigned by:  
  
FB62F346CFA8440...  
Chris D. Ekrut  
Chief Financial Officer

### Project Authorization Water and Wastewater Rate Study (\$29,000)

Accepted By: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature)

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_





# STAFF REPORT

**MEETING DATE:** February 19, 2024

**MEETING TYPE:** City Council

**SUBMITTED BY:** Maria Joyner

**AGENDA CAPTION:** DISCUSS AND CONSIDER ORDINANCE 2024-02-1188 OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, TITLED "UTILITIES", BY AMENDING ARTICLE 13.02, TITLED "WATER WORKS," BY AMENDING §13.02.009 TO ADD PROVISIONS FOR PASS-THROUGH CHARGES FOR WATER PURCHASED FROM THE CITY'S SUPPLIERS; BY AMENDING CHAPTER 13, TITLED "UTILITIES", BY AMENDING ARTICLE 13.03, TITLED "SEWER USER CHARGES" BY AMENDING §13.03.002 TITLED "SEWER RATES TO ADD PROVISIONS FOR PASS-THROUGH CHARGES FOR SANITARY SEWER TREATMENT PURCHASED FROM THE CITY'S SUPPLIERS. Presented by: Maria Joyner, Director of Finance

### **Background Information**

On July 26th 2023, Dallas Water Utilities sent a notice that as of October 1st 2023 the rates for treated water will be increased by 14.27% and sewer treatment costs by 4.34%. Without the ability to pass through mid-year rate increases charged by Dallas Water Utilities, the City must absorb the cost increase which results in less revenue for operation and maintenance of the City's water and sanitary sewer infrastructure.

### **Budget Implications**

By passing this ordinance it will help to lessen the financial impact of these price increases.

### **Operational Impact**

N/A

### **Legal Review**

The City Attorney reviewed and prepared the ordinance.

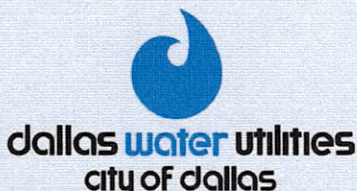
### **Staff Recommendation**

Staff recommends passing Ordinance No. 2024-02-1188

### **Supporting Documentation and Attachments**

1. ORD 2022-02-1188 Dallas Water Utilities Pass Through
2. Letter from the City of Dallas





July 26, 2023

James Quin  
City Administrator  
City of Hutchins  
P.O. Box 500  
Hutchins, TX 75141

Re: Notice of the City of Dallas' Proposed Wholesale Rates for Fiscal Year 2023-24

Dear Mr. Quin:

Enclosed for your review and comment is the 2023 Wholesale Cost of Service Study (Study) as proposed by the City of Dallas Water Utilities Department (DWU) and reviewed by the Joint Water/Wastewater Wholesale Cost of Service Rate Subcommittee. Based on the Study, DWU is proposing new wholesale treated water, raw water and wastewater rates for fiscal year 2024. On September 13, 2023, the Dallas City Council is scheduled to consider the City of Dallas' proposed annual budget for Fiscal Year 2023-2024 including wholesale rate changes. Upon the Dallas City Council's approval, the new rates will go into effect on October 1, 2023.

DWU is an enterprise department of the City of Dallas and is funded with revenues received from its customers. The proposed rates will help ensure that our water and wastewater systems are efficiently operated and maintained, and that sufficient water supply is available to meet the current and future needs of our customers. Please submit any comments you may have regarding the Study to Reginald Hunter by Friday, July 28, 2023. Following is Mr. Hunter's contact information.

Reginald Hunter, Senior Wholesale Contract Administrator  
DWU Wholesale Services Division  
Dallas City Hall, Room 4AN/4AS  
1500 Marilla Street  
Dallas, TX 75201  
(214) 670-5886  
reginald.hunter@dallas.gov

Thank you for your assistance.

Sincerely,

Sarah Standifer  
Director (I)

Enclosures

- c: Denis Qualls, P.E., Senior Program Manager – Planning, DWU
- Reginald Hunter, Senior Wholesale Contract Administrator – Wholesale Services, DWU
- Robert McWayne, Public Works Director, City of Hutchins
- Greg McCaffery, Public Works Director, City of Hutchins

**Our Vision: To be an efficient provider of superior water and wastewater service and a leader in the water industry.**

1500 Marilla, 4AN, Dallas, Texas 75201  
Telephone: (214) 670-3146 • Fax: (214) 670-3154



**CITY OF HUTCHINS  
ORDINANCE NO. 2024-02-1188**

**AN ORDINANCE OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, TITLED “UTILITIES”, BY AMENDING ARTICLE 13.02, TITLED “WATER WORKS,” BY AMENDING §13.02.009 TO ADD PROVISIONS FOR PASS THROUGH CHARGES FOR WATER PURCHASED FROM THE CITY’S SUPPLIERS; BY AMENDING CHAPTER 13, TITLED “UTILITIES”, BY AMENDING ARTICLE 13.03, TITLED “SEWER USER CHARGES” BY AMENDING §13.03.002 TITLED “SEWER RATES TO ADD PROVISIONS FOR PASS THROUGH CHARGES FOR SANITARY SEWER TREATMENT PURCHASED FROM THE CITY’S SUPPLIERS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Hutchins, Texas finds that the City’s water and sewer service provider, the City of Dallas, has recently increased the water and sewer rates its charges the City of Hutchins by fifteen percent (15%) for water and four percent (4%) for sewer; and

**WHEREAS**, the City sets the uniform monthly rates for water and sanitary sewer service annually; and

**WHEREAS**, without the ability to pass through mid-year rate increases charged by the City of Hutchins water and sewer service supplier, the City must absorb the cost increase which results in less revenue for operation and maintenance of the City’s water and sanitary sewer infrastructure, and

**WHEREAS**, the City Council of the City of Hutchins finds that in order to run a fiscally sound water and sewer system and to insure sound operating procedures it is necessary to allow the City to pass through cost increases to customers.

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

**SECTION 1.** That the City of Hutchins Code of Ordinance is hereby amended by amending Chapter 13 titled “Utilities,” by amending Article 13.02 titled “Water Works” by amending Section 13.02.009 titled “Water rates,” to add the following:

§13.02.009 Water rates.

- (a) The uniform monthly rates shall be charged all person, firms or corporations for use of the city water within the corporate limits of the city shall be as provided for in the fee schedule found in appendix A of this code.

- (b) Monthly rates in amounts double that of the above corporate limits rates shall be charged all persons, firms or corporations for use of water outside of the city’s corporate limits.
- (c) Any future changes in the city’s cost of water purchased from the city’s water suppliers will be passed through to the city’s water customers.

**SECTION 2.** That the City of Hutchins Code of Ordinance is hereby amended by amending Chapter 13 titled “Utilities,” by amending Article 13.03 titled “Sewer User Charges” by amending Section 13.03.002 titled “Sewer rates” to read as follows:

§13.03.002. Sewer rates.

- (a) All users of the sanitary sewer service shall be charged rates as provided for in the fee schedule found in appendix A of this code.
- (b) Any future changes in the city’s cost of sanitary sewer or wastewater treatment from the city’s sanitary sewer or wastewater treatment suppliers will be passed through to the city’s sanitary sewer or wastewater customers.

**SECTION 3.** That all provisions of the ordinances of the City of Hutchins in conflict with the provisions of this ordinance be, and the same are hereby repealed and that all other provisions of the ordinances of the City of Hutchins not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That if any article, paragraph, subdivision, clause or provision of this ordinance as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid or unconstitutional.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**IT IS ACCORDINGLY SO ORDAINED.**

**DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS ON THIS THE 19<sup>th</sup> DAY OF FEBRUARY, 2023.**



**CITY OF HUTCHINS, TEXAS**

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Mario Vasquez, Mayor

**ATTEST:**

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Cynthia Olguin, City Secretary

**APPROVED AS TO FORM:**

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Joseph J. Gorfida, Jr., City Attorney  
(02-14-2024:4875-1348-1083, v. 1)



# STAFF REPORT

<b>MEETING DATE:</b>	February 19, 2024
<b>MEETING TYPE:</b>	City Council Meeting
<b>SUBMITTED BY:</b>	Guy Brown
<b>AGENDA CAPTION:</b>	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

**Background Information**

The City of Hutchins has been in negotiations with Katoen Natie (KTN) regarding a potential expansion of their existing facility.

**Budget Implications**

While no agreements have been negotiated, participation in this project could have a financial impact on the City of Hutchins. The benefits of jobs and taxable value from the project will be weighed against the cost of any potential incentives.

**Operational Impact**

This is no operation impact regarding this item.

**Legal Review**

The City Attorney will be involved with any final negotiations and will draft the ultimate agreements should the Council decide to pursue the project.

**Staff Recommendation**

Staff recommends that the Council hold an executive session to discuss and evaluate the potential project.

After discussion of matters in executive session, any action or vote taken will be held in public and open session by the Hutchins City Council.

**Supporting Documentation and Attachments**

- Memo from the Executive Director
- Letter from KTN



- Application from KTN
- PowerPoint Presentation