



THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS, WILL MEET ON TUESDAY, THE 16TH DAY OF APRIL 2024, AT 6:00 P.M. FOR A REGULAR COUNCIL MEETING, AT MUNICIPAL SERVICES COMPLEX, 300 W. MAIN STREET, FOR THE FOLLOWING PURPOSES:

Mayor:

J.W. (Buzz) Fullen

Council Members:

Stephen Strong
Reginald Weatherton
Melissa Morton
Gina Juarez

City Manager:

Jay Abercrombie

Mayor Pro Tem

Henry Pace

City Secretary

Cheryl Jimerson

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

INVOCATION AND PLEDGE OF ALLEGIANCE:

CITIZENS COMMENTS

PRESENTATIONS/ANNOUNCEMENTS

1. National Historic Preservation Month Proclamation.

CONSENT AGENDA

2. Consideration of possible action upon the minutes of the Regular Council Meeting of March 19th and of the Special Meeting of April 2nd. (Jimerson)
3. Consideration and possible action upon the re-appointment of three Civic Center Advisory Committee members. (S. Kimbrell)

COUNCIL BUSINESS – REGULAR SESSION

4. Consideration and possible action upon a letter of support for The Learning Lab. They will provide personalized education and foster an inclusive environment for students with special needs to be located at 119 S. Marshall Street. (Jimerson)
5. Consideration and possible action upon the second reading of Ordinance 2024-04-01 on the proposed annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Jimerson)
6. Consideration and possible action upon Resolution 2024-04-01 setting two public hearing dates on the City of Henderson proposing to Annex Texas Department of Transportation (TXDOT) Right of Way (ROW) into the city limits parts of Loop 571, FM 323 and FM 2276. (Jimerson)
7. Consideration and possible action upon Resolution 2024-04-02 setting two public hearing dates on an application for annexation of the Jim Allen Estate on Loop 571 and FM 2276 submitted by HEDCO. (Jimerson)
8. Consideration and possible action upon Resolution 2024-04-03 setting two public hearing dates on an application for annexation of the East Texas Regional Business Park on Loop 571 submitted by HEDCO. (Jimerson)
9. Consideration and possible action upon the creation of a new position titled Director of Utility Infrastructure and Delivery. This position, in accordance with the Henderson 2050 Comprehensive Plan, will focus on water and wastewater related infrastructure for future growth and versatility. (Abercrombie)

10. Consideration and possible action on confirmation of the appointment of a Director of Utility Infrastructure and Delivery for the City of Henderson. (Abercrombie)

DEPARTMENTAL REPORTS:

11. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
- A. City Manager
 - B. Fire Department
 - C. Police Department
 - D. Animal Center
 - E. Community Development
 - F. Public Services/Parks and Recreation Department
 - G. Public Utilities
 - H. Finance Department
 - I. City Secretary
 - J. Communications and Marketing
 - K. HEDCO
 - L. Director of Operations Departmental Reports below.
 - Civic Center
 - Main Street/Tourism
 - Municipal Court

BOARDS AND COMMISSIONS

Board of Adjustments Minutes
Planning and Zoning Minutes
Cemetery Board Meeting Minutes
Main Street Meeting Minutes
Preservation Minutes

EXECUTIVE SESSION:

REGULAR SESSION:

ADJOURNMENT

12. Adjourn

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

ACCESSIBILITY STATEMENT

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (903) 657-6551.

CERTIFICATE

I certify the foregoing notice was posted on the notice board in front of the Municipal Services Complex, Henderson, Texas, on this ____ day of _____ 20____.

Jay Abercrombie, City Manager

PROCLAMATION

Preservation in Henderson

WHEREAS, The Henderson Landmark Preservation Committee is requesting May as Preservation Month in the city of Henderson.

WHEREAS, There are numerous acts which contribute to the maintaining of preservation in Henderson, Texas.

WHEREAS, The maintaining of the historic district is valued and is monumental to the continued preservation of Henderson's historic 9 block district.

WHEREAS, Community support for this recognition is very high and supported by citizens Henderson.

NOW, THEREFORE, I, John Fullen, Mayor of the City of Henderson, Texas do hereby proclaim May as Preservation Month in Henderson.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Official Seal of the City of Henderson to be affixed this the 16th day of April 2024.

MAYOR John Fullen

ATTEST:

Cheryl Jimerson, CITY SECRETARY

MINUTES OF THE
HENDERSON CITY COUNCIL
Regular Scheduled Meeting

March 19, 2024

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

Mayor Fullen called the meeting to order at 6 p.m.

Council members present were Stephen Strong, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Russell Brown, Chief of Police Chad Taylor, Assistant Fire Chief Jeff Stoddard, Director of Operations Davis Brown, Director of Public Services Kirk Kimbrell, Director of Utilities Randy Boyd, Planning and Zoning Administrator/Building Official Dennis Williams, Health Officer Wes Breitenberg, Finance Director Karen Arnall, Animal Center Director Charissa Pool, Civic Center Manager Stephanie Kimbrell, Main Street Corrdinator Alexa Duke, Executive Leadership Assistant/HR Specialist Hillary Faulkner, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Council Member Reggie Weatherton gave the invocation, Mayor Fullen led the Pledges.

CITIZENS COMMENTS

There were no citizens' comments.

PRESENTATIONS/ANNOUNCEMENTS

1. Sexual Assault Awareness Month Proclamation.

Mayor Fullen announced April as Sexual Assault Awareness Month and read the Proclamation.

2. Annual Audit Presentation by Gollob Morgan Peddy, PC

Kevin Cashion gave a synopsis of the 2023 audit results. He referenced pages 1,2 and 3 explaining the Report of the Financial Statements. Kevin also went over pages 6, and 7, the breakdown of the city's net position, and separate audit of federal funds, ARP money.

3. Re-accreditation of the Henderson's Police Department Educational Program to be presented by Chief Cliff Caruth of the Marshall Police Department.

Marshal Police Department Chief presented the Police Department with a Certification Plaque for being in the top 7% of the approximately 200 agencies within Texas that are certified.

Mayor Fullen asked Health Officer Wes Breitenberg to update everyone on the City Clean-up.

Wes Breitenberg stated the Semi-annual Clean-up day is April 6th from 8 am to 5 pm. Items accepted are rimless standard tires, brush, limbs, lawn clippings, appliances, paper, plastic, cardboard, aluminum and electronics. Items NOT accepted are glass, batteries, oil, wet paint, chemicals, or human/animal waste.

CONSENT AGENDA

4. Consideration of possible action upon the Minutes of the City Council Meeting from February 20, 2024.(Jimerson)

5. Consideration and Possible Action upon HEDCO financials for the month of January 2024. (Clary)

6. Consideration and possible action upon the City's Discrimination Policy. (Faulkner)
7. Consideration and possible action upon the City's Antifraud Policy (Faulkner)
8. Consideration and possible action allowing MPA Fireworks to shoot fireworks for a private event at the Henderson Civic Center for a duration of two minutes on March 29th, 2024. (Kimbrell)
9. Consideration and Possible action on Resolution for a FY24 Grant Application to receive 12 Body Worn Cameras

Council Member Henry Pace made a motion to pull and remove item 9 due to it being item 14 in the regular session of this agenda and approved the rest of the consent agenda, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

10. Open a first public hearing upon the application on the proposed annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Mayor/Jimerson)

Mayor Fullen opened a public hearing at 6:20 p.m. on the proposed annexation of Bradshaw State Jail.

City Secretary Cheryl Jimerson stated she had received the application for a voluntary annexation from the State to annex into the city limits the Bradshaw State Jail facility. The annexation will reduce the water and wastewater rates for them. They pay outside city rates, so this will be a significant savings for them.

11. Consideration and possible action upon closing the public hearing on the proposed annexation of the Bradshaw State Jail. (Mayor)

There were no comments or questions.

Council Member Reggie Weatherton made a motion to close the public hearing at 6:22 p.m., duly seconded by Council Member Gina Juarez. The vote was unanimous.

12. Consideration and possible action upon an agreement with MD Health Pathways (MDHP) allowing citizens to have access to low-cost healthcare for a small fee and allowing this fee to be billed through the Henderson Utility Billing system. (Abercrombie)

City Manager Jay Abercrombie and the City Attorney Russell Brown went through the contract, negotiating any changes they thought should be made. MDHP representatives Leonard and Parker were present and agreed to all the changes that were made with a start date of June 1, 2024, to show up on each water bill with a 90-day opt-out period.

Council Member Henry Pace made a motion to approve the MDHP low-cost health care for citizens with a small fee of \$5.00 a month starting June 1, 2024, with a 90-day opt-out period duly seconded by Council Member Gina Juarez. The vote was unanimous.

13. Consideration and possible action upon Resolution 2024-03-01 amending the 2024 Master Fee Schedule. (Abercrombie)

Council Member Stephen Strong made a motion to approve the Master Fee Schedule, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

14. Consideration and possible action upon Resolution 2024-03-02 Body Camera Matching Grant for the Police Department. (Taylor)

Police Chief Chad Taylor explained the grant is a 25% match grant that allows the police department to purchase needed Body Worn Cameras (BWC). The BWC's have to be replaced every 3 to 5 years due to extended 24-hour use as well as older BWC's that are no longer supported by the companies' programming. This purchase will also cover the one-year cost for Cloud storage. The grant will cover 75% (\$17,055.00) spent on BWC's leaving the city, covering 25% (\$5,685.00) of the purchase. The total cost for the BWC's is \$22,740.00. This grant is submitted and pending.

Council Member Melissa Morton asked how many cameras the police department has? Chief Taylor said about 24 to 26.

Council Member Stephen Strong made a motion to approve the resolution matching the grant if it is awarded to the Henderson Police Department, duly seconded by Council Member Henry Pace. The vote was unanimous.

15. Consideration and possible action upon the second reading of ordinance 2024-02-01 regarding a request to create a new zoning district for Town Homes. (Breitenberg/McElfresh)

Mayor Fullen stated that no changes were recommended by the Council on the first reading of this ordinance last month. What is the pleasure of the Council tonight?

Council Member Stephen Strong made a motion approving said Ordinance listed in this item, duly seconded by Council Member Gina Juarez. The vote was unanimous.

16. Consideration and possible action upon the second reading of Ordinance 2024-02-02 rezoning a property from an R2 Zone to TH Zone. (Breitenberg/McElfresh)

Mayor Fullen stated that no changes were recommended by the Council on the first reading of this ordinance last month. What is the pleasure of the Council tonight?

Council Member Reggie Weatherton made a motion approving said Ordinance listed in this item, duly seconded by Council Member Henry Pace. The vote was unanimous.

17. Consideration and possible action upon the second reading of Ordinance 2024-02-03 rezoning a property from an R1 Zone to TH Zone. (Breitenberg/McElfresh)

Mayor Fullen stated that no changes were recommended by the Council on the first reading of this ordinance last month. What is the pleasure of the Council tonight?

Council Member Stephen Strong made a motion approving said Ordinance listed in this item, duly seconded by Council Member Gina Juarez. The vote was unanimous.

DEPARTMENTAL REPORTS:

18. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.

- A. City Manager
- B. Fire Department
- C. Police Department
- D. Animal Center
- E. Community Development
- F. Public Services/Parks and Recreation Department
- G. Public Utilities
- H. Finance Department
- I. City Secretary

J. Communications and Marketing

K. HEDCO Sales Tax Revenue January 2024

L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

The council had no questions or comments on the monthly reports.

Council Member Reggie Weatherton asked about the street list, Director of Operations Davis Brown stated there would be a meeting scheduled with the engineers. Reggie stated he would like to be at that meeting. Reggie also asked about MLK Bridge. Davis said the road and bridge are both on the street contract list.

City Manager Jay Abercrombie stated the Sports Complex road needs to be considered and could push some of the streets down on the list. During the budget process we will be discussing this list and try to finish the 25% that have not been re-built.

Council Member Stephen Strong stated he appreciated Davis and Kirk's services for taking care of a matter so quickly.

Council Member Gina Juarez also thanked Director of Operations Davis Brown for taking care of her request as well.

BOARDS AND COMMISSIONS

Board of Adjustments Minutes

Planning and Zoning Minutes

Cemetery Board Meeting Minutes

Main Street Meeting Minutes

Preservation Minutes

The council had no questions or comments on the Board meeting minutes.

EXECUTIVE SESSION:

REGULAR SESSION:

ADJOURNMENT

19. Adjourn

Council Member Reggie Weatherton made a motion to adjourn at 6:44 p.m., duly seconded by Council Member Gina Juarez. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

ATTEST:

APPROVED:

Cheryl Jimerson, City Secretary

John Fullen, Mayor

MINUTES OF THE
HENDERSON CITY COUNCIL
Special Meeting

April 2, 2024

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

Mayor Pro tem Henry Pace called the meeting to order at 6 p.m.

Council members present were Mayor John Fullen, Stephen Strong, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Russell Brown, and Chief of Police Chad Taylor.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Council Member Stephen Strong gave the invocation, Council Member Gina Juarez led the pledges.

CITIZENS COMMENTS

There were no citizens' comments.

PRESENTATIONS/ANNOUNCEMENTS

There were no presentations.

CONSENT AGENDA

There were no items on the consent Agenda.

COUNCIL BUSINESS – REGULAR SESSION

1. Open a second public hearing upon the application on the proposed annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Mayor/Jimerson)

Mayor Pro team Henry Pace opened a public hearing at 6:02 p.m.on the proposed annexation application for the Bradshaw State Jail facility.

There were no citizens' comments.

Council Member Melissa Morton was unable to attend the February 20th meeting. She asked for an update on the annexation application that was submitted to the Bradshaw State Jail.

City Manager Jay Abercrombie gave a quick synopsis of the Bradshaw voluntary annexation, with the other annexations to follow being TXDOT ROW on part of the loop, and parts of FM 2276 and FM 323, and the East Texas Regional Business Park to follow in the upcoming months.

Council Member Reggie Weatherton asked if this included any residential properties?

City Manager Jay Abercrombie stated these are only voluntary annexations and would only include applications that have been submitted to the city.

2. Consideration and possible action upon closing the public hearing on the proposed annexation of the Bradshaw State Jail. (Mayor)

Council Member Melissa Morton made a motion to close the public hearing at 6:06 p.m., duly seconded by Council Member Gina Juarez. The vote was unanimous.

3. Consideration upon the first reading of Ordinance 2024-04-01 on the proposed annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Jimerson)

The Council had no questions or comments on the first reading of Ordinance 2024-04-01.

EXECUTIVE SESSION:

REGULAR SESSION:

ADJOURNMENT

4. Adjourn

Council Member Melissa Morton made a motion to adjourn at 6:08 p.m., duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

ATTEST:

APPROVED:

Cheryl Jimerson, City Secretary

John Fullen, Mayor



City Council

Agenda Item # 3.

SUBJECT: Consideration and possible action upon the re-appointment of three Civic Center Advisory Committee members. (S. Kimbrell)

MEETING DATE: April 16, 2024

DEPARTMENT: Civic Center

CONTACT: Stephanie Kimbrell, Civic Center Manager

RECOMMENDED CITY COUNCIL ACTION: Staff recommends Council accepting the re-appointment of David Hill, Nancy Preston, and Deborah Kangerga to the Civic Center Advisory Committee.

ITEM SUMMARY: The members of the Civic Center Advisory Committee's terms expire May 1, 2024. Their original appointment date was April 27, 2010, and is a two-year term.

All the members wish to remain on the Committee.

BACKGROUND INFORMATION: The Civic Center Advisory Committee was established with a Resolution dated 12-19-2007. This committee is composed of 6 members who are recommended by the Board and appointed by the City Council. The members are set up on two-year, staggered terms. One-half of its members have terms which expire May 1, 2024. The remaining one-half of its member's terms expire on May 1, 2025. There are no term limits for this board.

The City Manager, Mayor and Civic Center Manager are working closely with this board to keep them informed of the Civic Center's progress and changes. The Board has expressed appreciation for our efforts.

SPECIAL CONSIDERATIONS: n/a

SUPPORTING MATERIALS: None



City Council

Agenda Item # 4.

SUBJECT: Consideration and possible action upon a letter of support for The Learning Lab. They will provide personalized education and foster an inclusive environment for students with special needs to be located at 119 S. Marshall Street. (Jimerson)

MEETING DATE: April 16, 2024

DEPARTMENT: City Secretary

CONTACT:

RECOMMENDED CITY COUNCIL ACTION:
ITEM SUMMARY:

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS: None



City Council

Agenda Item # 5.

SUBJECT: Consideration and possible action upon the second reading of Ordinance 2024-04-01 on the proposed annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Jimerson)

MEETING DATE: April 16, 2024

DEPARTMENT: City Secretary

CONTACT: Cheryl Jimerson

RECOMMENDED CITY COUNCIL ACTION: Consider any changes that may need to be made for the second and final reading of said ordinance.

ITEM SUMMARY:

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS:

1. 2024-04-01 Annexing Bradshaw State Jail
2. 2024-04-01 Exhibit A and B Special Warranty Deed 2023 TDCJ and Property Description
3. 2024-04-01 Exhibit C - Service Plan Agreement for Bradshaw State Jail

ORDINANCE 2024-04-01
ANNEXING TERRITORY

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF HENDERSON, RUSK COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN OR AGREEMENT.

WHEREAS, the Texas Department of Criminal Justice has requested voluntary annexation for their Bradshaw State Jail facility to the city of Henderson and that a certain tract of land be annexed to be a part of the territory of the City of Henderson as further described in the Voluntary Annexation Procedure set forth in Exhibit “A”; and

WHEREAS, the Texas Local Government Code, Section 43.0671 authorizes the annexation of an area of the municipality on request of all said area land owners requesting annexation into the City of Henderson, Rusk County, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and

WHEREAS, Texas Department of Criminal Justice is the sole owner of the territory sought to be annexed by their voluntary request, Exhibit “A” and Exhibit “B”; and

WHEREAS, the City Council finds that all City services, including police protection, fire protection, water and trash pickup are readily available for the entire territory to be annexed. Wastewater and sewer shall be provided as soon as practical; and

WHEREAS, the City Council finds it to be in the best interests of the City of Henderson, Texas, to grow industry, increase property and sales tax and create jobs of its people that said property be annexed into the territorial limits of the City of Henderson, Texas.

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

Section 1: The following described land and territory lying adjacent to and adjoining the present boundaries of the City of Henderson Texas, is hereby added and annexed to the City of Henderson, Texas, and said territory hereinafter described shall be included within the boundary limits of the City of Henderson, Texas and the present boundary limits of such City, at the various points contiguous to the areas hereafter described , are altered and amended so as to included said area within the corporate limits of the City of Henderson, Texas, to wit:

99.741 acres out of a called 108.85 acres as described in deed recorded in Volume 1449, Page 52 of the Rusk County Deed Records (RCDR), situated in the J. J. COOK SURVEY, A-192, J. S. WHITEMAN SURVEY, A-847 and the SUSAN J. WARREN SURVEY, A-836 on Loop 571

about 2 miles North 25 degrees West from the Courthouse in Henderson, Rusk County, Texas and being described in metes and bounds as follows:

BEGINNING at an existing $\frac{3}{4}$ " iron pipe found from the Northeast corner of said 108.85 acres and the Northwest corner of a called 3.84 acres as conveyed to International Paper Company in deed recorded in Volume 542, Page 367 of the RCDR and being on the Southwest right-of-way line of the Henderson and Overton Railroad, 50 feet distance from the centerline of the tracks, from said $\frac{3}{4}$ " iron pipe bears an original 28" Post Oak found North 72 degrees West 14.6 feet; THENCE with the North boundary line of said 108.85 acres along the Southwest right-of-way of said Henderson and Overton Railroad, 50 feet perpendicular distance from the centerline of the tracks as follows:

North 55 Degrees 30 Minutes 40 Seconds West, a distance of 295.80 feet, and
North 52 Degrees 17 Minutes 11 Seconds West, a distance of 302.71 feet, and
North 49 Degrees 35 Minutes 40 Seconds West, a distance of 302.40 feet, and
North 46 Degrees 30 Minutes 40 Seconds West, a distance of 303.00 feet, and
North 43 Degrees 25 Minutes 40 Seconds West, a distance of 302.00 feet, and
North 41 Degrees 18 Minutes 40 Seconds West, a distance of 370.00 feet, and
North 44 Degrees 04 Minutes 40 Seconds West, a distance of 327.00 feet, and
North 47 Degrees 50 Minutes 10 Seconds West, a distance of 102.58 feet to an existing $\frac{1}{2}$ " iron rod found for the East corner of a called 5.012 acres as conveyed to the State of Texas for Loop 571 and recorded in Volume 1555, Page 543 of the RCDR, said $\frac{1}{2}$ " iron rod being 150 feet perpendicular distance from the design centerline of said Loop 571;

THENCE with the Southeast boundary line of said 5.012 acres along the Southeast right-of-way of said Loop 571 as follows:

South 23 Degrees 10 Minutes 14 Seconds West, a distance of 100.05 feet to a $\frac{1}{2}$ " iron rod, being 150 feet perpendicular distance from the design centerline of said Loop 571, and
South 28 Degrees 44 Minutes 27 Seconds West, a distance of 614.44 feet to a $\frac{1}{2}$ " iron rod, being 90 feet perpendicular distance from the design centerline of said Loop 571, and
South 09 Degrees 39 Minutes 39 Seconds West, a distance of 124.30 feet to a $\frac{1}{2}$ " iron rod, being 120 feet perpendicular distance from the design centerline of said Loop 571, and
Around a curve to the right through a central angle of 01 Degrees 41 Minutes 59 Seconds an arc distance of 173.54 feet, a radius of 5849.58 feet and a chord bearing of South 25 Degrees 09 Minutes 30 Seconds West with a distance of 173.53 feet to a $\frac{1}{2}$ " iron rod, being 120 feet perpendicular distance from the design centerline of said Loop 571, and
South 21 Degrees 19 Minutes 51 Seconds West, a distance of 53.28 feet to a $\frac{1}{2}$ " iron rod set in the West Boundary Line of said 108.85 acres;

THENCE with the general line of a fence along the West Boundary Line of said 108.85 acres and being the East Boundary Line of a called 203 acres (Westfall Farm) as conveyed by Jessie

Shaw to Reube Gene Richardson and Marilyn Shaw Bonner in deed recorded in Volume 920, Page 285 of the RCDR as follows:

South 11 Degrees 30 Minutes 40 Seconds East, a distance of 514.63 feet, and
South 13 Degrees 30 Minutes 40 Seconds East, a distance of 490.00 feet, and
South 17 Degrees 00 Minutes 40 Seconds East, a distance of 750.00 feet, and
South 18 Degrees 25 Minutes 29 Seconds East, a distance of 743.96 feet to a 22" Post Oak, and
South 62 Degrees 16 Minutes 10 Seconds East, a distance of 265.76 feet to a 10" Sweet Gum, and
South 09 Degrees 17 Minutes 37 Seconds East, a distance of 167.49 feet to an existing 1" iron pipe found for the South corner of said 108.85 acres and being in the West Boundary Line of a called 74.78 acres (Second Tract) as conveyed by Agnes Crim to John W. Lowe in deed recorded in Volume 943, Page 403 of the RCDR;

THENCE with the general line of fence along the East Boundary Line of said 108.85 acres and the West Boundary Line of said 74.78 acres as follows:

North 34 Degrees 53 Minutes 48 Seconds East, a distance of 196.83 feet, and
North 37 Degrees 25 Minutes 54 Seconds East, a distance of 1145.52 feet to an existing 1" iron pipe found for the most Northerly Northwest corner of said 74.78 acres and an inside ell corner of said 108.85 acres, whence bears an original 16" Black Jack Oak found South 78 Degrees East 33.4 feet and an original 11" Black Jack Oak (now dead) South 38 Degrees West 22.7 feet;

THENCE with the general line of fence along the South Boundary Line of said 108.85 acres and the North Boundary Line of said 74.78 acres South 78 Degrees 28 Minutes 13 Seconds East, a distance of 473 .16 feet to an existing 1" iron pipe found at a fence corner and being in the recognized West Boundary Line of a called 7.56 acres as conveyed by the Henderson Industrial Trust to Lone Star Paint and Lacquer Manufacturing Company in Deed recorded in Volume 936, Page 495 of the RCDR;

THENCE with the general line of fence along the recognized West Boundary line of said 7.56 acres North 10 Degrees 15 Minutes 16 Seconds West, a distance of 345.26 feet to an existing $\frac{3}{4}$ " iron pipe found at a fence corner and being the Northwest corner of same and the South corner of said 3.84 acres;

THENCE along the general line of a fence along the West Boundary Line of said 3.84 acres as follows:

North 13 Degrees 37 Minutes 45 Seconds West, a distance of 368.19 feet to an existing $\frac{3}{4}$ " iron pipe, whence bears an original 22" Post Oak (now dead) found North 12 Degrees East 5.5 feet, and
North 10 Degrees 40 Minutes 56 Seconds East, a distance of 427.77 feet the
BEGINNING, CONTAINING 99.741 acres, more or less.

Please further refer to Exhibit "B" attached hereto.

Section 2: The above described territory and the area so annexed shall be a part of the City of Henderson, Texas, and the inhabitants thereof; if any, shall be entitled to all of the rights and privileges of all the citizens of the City of Henderson, Texas, and shall be bound by the acts, ordinances, resolutions and regulations of the City of Henderson, Texas.

Section 3: The following described territory shall be zoned Institutional (INT).

Section 4: The property owners of the territory annexed hereby shall be entitled to City services as more fully described in the attached Annexation Service Plan as Exhibit "C" immediately upon final passage of this ordinance.

Section 5: Be it further ordained that should any particular territory herein annexed be declared null and void for any reason, said determination shall not affect the remaining territories herein annexed.

Section 6: The provisions of this ordinance shall be severable. If the provision of this ordinance is held invalid, such invalidity shall not affect other provisions of application of the ordinance which can be given effect without the invalid provision or application.

Section 7: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 8: This ordinance shall take full effect and force upon passage by the City Council of the City of Henderson, Texas.

The City Secretary is hereby directed to file with the County Clerk of Rusk, Texas, a certified copy of this ordinance.

Consideration of the first reading on this 2nd day of April 2024.

PASSED by an affirmative vote of all members of the City Council on this the 16th day of April 2024.

APPROVED:

Mayor

ATTEST: _

City Secretary

EXHIBIT ASPECIAL WARRANTY DEED AND TERMINATION OF LEASE

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
 §
 COUNTY OF RUSK §

KNOW ALL MEN BY THESE PRESENTS:

That the TEXAS PUBLIC FINANCE AUTHORITY, GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto the TEXAS DEPARTMENT OF CRIMINAL JUSTICE, an agency of the State of Texas, GRANTEE, that tract or parcel of land lying and situated in Rusk County, Texas, described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein by this reference as though set forth at length verbatim (the Property).

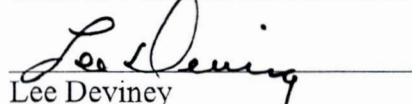
This conveyance is expressly made subject to all easements, covenants, conditions, and restrictions of record, or otherwise visible or apparent on the ground, which may affect the use or the value of the Property for any particular purpose. Specific reservations from and exceptions to this conveyance and the warranty herein are described in Exhibit B attached hereto and incorporated herein by this reference as though set forth at length verbatim.

TO HAVE AND TO HOLD the Property, together with all and singular, the rights and appurtenances thereto, in any wise belongings and any right, title, and interest of GRANTOR in and to any adjacent road, streets, alleys, and rights-of-way, unto the said GRANTEE, its successors and assigns forever; and GRANTOR does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under GRANTOR, but not otherwise.

EXECUTED this 9th day of May 2023.

TEXAS PUBLIC FINANCE AUTHORITY

By:


 Lee Deviney
 Executive Director

APPROVED AS TO FORM:

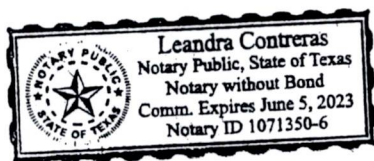

 Devyn F. Wills, Assistant General Counsel

STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Lee Deviney, Executive Director of the Texas Public Finance Authority, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, and on behalf of the Texas Public Finance Authority.

SWORN TO AND SUBSCRIBED BEFORE ME, on this 9 day of May 2023.



Leandra Contreras
[Signature of Notary Public]

Leandra Contreras
[Type or print name of notary]
Notary Public in and for the State of Texas
My commission expires: June 5, 2023

AFTER RECORDING, PLEASE RETURN TO:

Texas Department of Criminal Justice
Attn: Jennifer Gonzales, Deputy Chief Financial Officer
Jennifer.Gonzales@tdcj.texas.gov
P.O. Box 4015
Huntsville, TX 77342

EXHIBIT "A"

CONTINUATION FORM
GF#5046

99.741 acres out of a called 108.85 acres as described in deed recorded in Volume 1449, Page 52 of the Rusk County Deed Records (RCDR), situated in the J. J. COOK SURVEY, A-192, J. S. WHITEMAN SURVEY, A-847 and the SUSAN J. WARREN SURVEY, A-836 on Loop 571 about 2 miles North 25 degrees West from the Courthouse in Henderson, Rusk County, Texas and being described in metes and bounds as follows:

BEGINNING at an existing 3/4" iron pipe found from the Northeast corner of said 108.85 acres and the Northwest corner of a called 3.84 acres as conveyed to International Paper Company in deed recorded in Volume 542, Page 367 of the RCDR and being on the Southwest right-of-way line of the Henderson and Overton Railroad, 50 feet perpendicular distance from the centerline of the tracks, from said 3/4" iron pipe bears an original 28" Post Oak found North 72 degrees West 14.6 feet;

THENCE with the North boundary line of said 108.85 acres along the Southwest right-of-way of said Henderson and Overton Railroad, 50 feet perpendicular distance from the centerline of the tracks as follows:

North 55 Degrees 30 Minutes 40 Seconds West, a distance of 295.80 feet, and

North 52 Degrees 17 Minutes 11 Seconds West, a distance of 302.71 feet, and

North 49 Degrees 35 Minutes 40 Seconds West, a distance of 302.40 feet, and

North 46 Degrees 30 Minutes 40 Seconds West, a distance of 303.00 feet, and

North 43 Degrees 25 Minutes 40 Seconds West, a distance of 302.00 feet, and

North 41 Degrees 18 Minutes 40 Seconds West, a distance of 370.00 feet, and

North 44 Degrees 04 Minutes 40 Seconds West, a distance of 327.00 feet, and

North 47 Degrees 50 Minutes 10 Seconds West, a distance of 102.58 feet to an existing 1/2" iron rod found for the East corner of a called 5.012 acres as conveyed to the State of Texas for Loop 571 and recorded in Volume 1555, Page 543 of the RCDR, said 1/2" iron rod being 150 feet perpendicular distance from the design centerline of said Loop 571;

CONTINUATION FORM
GF#5046

THENCE with the Southeast boundary line of said 5.012 acres along the Southeast right-of-way of said Loop 571 as follows:

South 23 Degrees 10 Minutes 14 Seconds West, a distance of 100.05 feet to a 1/2" iron rod, being 150 feet perpendicular distance from the design centerline of said Loop 571, and

South 28 Degrees 44 Minutes 27 Seconds West, a distance of 614.44 feet to a 1/2" iron rod, being 90 feet perpendicular distance from the design centerline of said Loop 571, and

South 09 Degrees, 39 Minutes 39 Seconds West, a distance of 124.30 feet to a 1/2" iron rod, being 120 feet perpendicular distance from the design centerline of said Loop 571, and

around a curve to the right through a central angle of 01 Degrees 41 Minutes 59 Seconds an arc distance of 173.54 feet, a radius of 5849.58 feet and a chord bearing of South 25 Degrees 09 Minutes 30 Seconds West with a distance of 173.53 feet to a 1/2" iron rod, being 120 feet perpendicular distance from the design centerline of said Loop 571, and

South 21 Degrees 19 Minutes 51 Seconds West, a distance of 53.28 feet to a 1/2" iron rod set in the West Boundary Line of said 108.85 acres;

THENCE with the general line of a fence along the West Boundary Line of said 108.85 acres and being the East Boundary Line of a called 203 acres (Westfall Farm) as conveyed by Jessie Shaw to Reube Gene Richardson and Marilyn Shaw Bonner in deed recorded in Volume 920, Page 285 of the RCDR as follows:

South 11 Degrees 30 Minutes 40 Seconds East, a distance of 514.63 feet, and

South 13 Degrees 30 Minutes 40 Seconds East, a distance of 490.00 feet, and

South 17 Degrees 00 Minutes 40 Seconds East, a distance of 750.00 feet, and

South 18 Degrees 25 Minutes 29 Seconds East, a distance of 743.96 feet to a 22" Post Oak, and

South 62 Degrees 16 Minutes 10 Seconds East, a distance of 265.76 feet to a 10" Sweet Gum, and

PAGE 2 OF 3

STEWART TITLE

CONTINUATION FORM
GF#5046

South 09 Degrees 17 Minutes 37 Seconds East, a distance of 167.49 feet to an existing 1" iron pipe found for the South corner of said 108.85 acres and being in the West Boundary Line of a called 74.78 acres (Second Tract) as conveyed by Agnes Crim to John W. Lowe in deed recorded in Volume 943, Page 403 of the RCDR;

THENCE with the general line of fence along the East Boundary Line of said 108.85 acres and the West Boundary Line of said 74.78 acres as follows:

North 34 Degrees 53 Minutes 48 Seconds East, a distance of 196.83 feet, and

North 37 Degrees 25 Minutes 54 Seconds East, a distance of 1145.52 feet to an existing 1" iron pipe found for the most Northerly Northwest corner of said 74.78 acres and an inside ell corner of said 108.85 acres, whence bears an original 16" Black Jack Oak found South 78 Degrees East 33.4 feet and an original 11" Black Jack Oak (now dead) South 38 Degrees West 22.7 feet;

THENCE with the general line of fence along the South Boundary Line of said 108.85 acres and the North Boundary Line of said 74.78 acres South 78 Degrees 28 Minutes 13 Seconds East, a distance of 473.16 feet to an existing 1" iron pipe found at a fence corner and being in the recognized West Boundary Line of a called 7.56 acres as conveyed by the Henderson Industrial Trust to Lone Star Paint and Lacquer Manufacturing Company in Deed recorded in Volume 936, Page 495 of the RCDR;

THENCE with the general line of fence along the recognized West Boundary line of said 7.56 acres North 10 Degrees 15 Minutes 16 Seconds West, a distance of 345.26 feet to an existing 3/4" iron pipe found at a fence corner and being the Northwest corner of same and the South corner of said 3.84 acres;

THENCE along the general line of a fence along the West Boundary Line of said 3.84 acres as follows:

North 13 Degrees 37 Minutes 45 Seconds West, a distance of 368.19 feet to an existing 3/4" iron pipe, whence bears an original 22" Post Oak (now dead) found North 12 Degrees East 5.5 feet, and

North 10 Degrees 40 Minutes 56 Seconds East, a distance of 427.77 feet the BEGINNING, CONTAINING 99.741 acres, more or less.

EXHIBIT "B"

9. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):
- a. Rights of parties and/or tenants in possession.
 - b. Any and all easements and/or rights of way, visible or otherwise, over and across the property.
 - c. Any portion of the property situated within the limits and/or boundaries of any public or private roadway or easement.
 - d. Easements, restrictions, reservations, covenants, zoning ordinances, and/or building set back lines, if any, and as set out and/or defined by the City of Henderson, Rusk County, Texas.
 - e. Agreement by and between Murph Wilson et al and A. J. Croom et al dated August 07, 1968 and recorded in Volume 880, Page 569, Deed Records of Rusk County, Texas.
 - f. Right of Way Easement from Martha Hamlett to Beacon Oil and Refining Company dated October 20, 1948 and recorded in Volume 428, Page 29, Deed Records of Rusk County, Texas.
 - g. Right of Way Easement from Martha Hamlett to Southwestern Gas and Electric Company dated December 30, 1950 and recorded in Volume 459, Page 541, Deed Records of Rusk County, Texas.
 - h. Right of Way Easement from Henderson Clay Products, Inc to Southwestern Electric Power Company dated September 01, 1971 and recorded in Volume 933, Page 65, Deed Records of Rusk County, Texas.
 - i. Right of Way Easement from Henderson Clay Products, Incorporated to American Petrofina Company of Texas dated August 28, 1978 and recorded in Volume 1102, Page 780, Deed Records of Rusk County, Texas.
 - j. Salt Water Disposal Lease, Henderson Clay Products, Inc to Atlantic Richfield Company dated May 31, 1985 and recorded in Volume 1434, Page 365, Deed Records of Rusk County, Texas.
 - k. Right of Way Easement from Henderson Clay Products Company to Southwestern Electric Power Company dated October 23, 1980 and recorded in Volume 1184, Page 260, Deed Records of Rusk County, Texas.

B-1

EXHIBIT "B"

1. All oil, gas and other minerals of every kind and character, together with all rights, privileges and immunities relating thereto.
- m. Specific Reservation and exception as set out in Deed from W. E. Wylie as Independent Executor et al of the Estate of Martha Hamlett to A. J. Croom dated April 11, 1967 and recorded in Volume 857, Page 18, Deed Records of Rusk County, Texas. (TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT.)
- n. Specific Reservations and exceptions as set out in Deed from Boral Bricks, Incorporated to Henderson Industrial Trust dated April 08, 1994 and recorded in Volume 1860, Page 103, Land Records of Rusk County, Texas. (TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT.)
- o. Mineral Deed from Martha Hamlett to E. C. Laster dated September 15, 1943 and recorded in Volume 368, Page 333, Deed Records of Rusk County, Texas. (TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT.)
- p. Mineral Deed from Martha Hamlett to Maxie Wilson dated September 17, 1943 and recorded in Volume 370, Page 62, Deed Records of Rusk County, Texas. (TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT.)
- q. Mineral Deed from Martha Hamlett to Oralie Miller dated September 17, 1943 and recorded in Volume 370, Page 65, Deed Records of Rusk County, Texas. (TITLE TO SAID INTEREST NOT CHECKED SUBSEQUENT TO DATE OF AFORESAID INSTRUMENT.)

STATE OF TEXAS

COUNTY OF RUSK

FILED FOR RECORD

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Rusk County, Texas as stamped hereon by me.

OFFICIAL PUBLIC RECORDS

May 17, 2023 12:20P

TRUDY MCGILL,
COUNTY CLERK
RUSK COUNTY, TEXAS

May 17, 2023 12:20P

TRUDY MCGILL, COUNTY CLERK

RUSK COUNTY, TEXAS

By: Esther Mawa, DEPUTY

EXHIBIT "C"

CITY OF HENDERSON ANNEXATION SERVICE PLAN AGREEMENT BRADSHAW STATE JAIL 99.741 ACRE TRACT

INTRODUCTION

This service plan has been prepared in accordance with V.T.C.A., Local Government Code, Section 43.056 and 43.0561 for the **Texas Department of Criminal Justice, 99.741 acre tract**, as described in the field notes attached to the **Texas Department of Criminal Justice, 99.741 acre tract Annexing Ordinance 10-01-2023 as Exhibit "A"**. The Council finds that the property is annexed pursuant to Section 43.0671 Local Government Code on application of property owner (**Exhibit "C"**). Municipal facilities and services to the annexed area described Municipal Water, Solid Waste, Fire and Police Services will be provided or made available on behalf of the City at the following levels and in accordance with the following schedule:

POLICE PROTECTION

Patrolling, responses to calls, and other police services will be provided on the effective date of the annexation at the same level as provided throughout the city by the Henderson Police Department. The City of Henderson has a Municipal Court that is a Municipal Court of Record and of competent jurisdiction to handle Class C Misdemeanors.

FIRE PROTECTION AND FIRE PREVENTION

Fire protection and fire prevention services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City. The Henderson Fire Department is in Henderson, Texas.

UT HEALTH EMERGENCY MEDICAL SERVICES

Emergency medical services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City by the UT HEALTH EMERGENCY MEDICAL SERVICES (EMS). The EMS station is located at 500 W. Main Street Henderson, Texas 75652.

SOLID WASTE COLLECTION AND DISPOSAL

Solid waste collection and disposal services will be provided at the same level as provided throughout the city by the contracted company as specified by the City of Henderson Code of Ordinances.

WATER AND SANITARY SEWER SERVICE

Operation and maintenance of water and wastewater facilities that are contiguous to the city of Henderson's CCN and within this Annexation Service Plan will be provided by the Henderson Utility Department on the effective date of the annexation on the same basis and at the same level as provided throughout the City with comparable topography, land use and population density in accordance with existing Ordinances, including Ordinances governing subdivisions in effect on the date of annexation which require a developer to install water a lines.

MAINTENANCE OF ROADS AND STREETS

The City of Henderson maintains the city streets within the city. Existing State highways within the city are maintained by the State of Texas.

PARKS PLAYGROUNDS AND RECREATION

The City of Henderson owns several City Park's that is free to all residents and that can be used for picnics, recreation and so forth. The City rents the park facility for special events upon proper application made at the Civic Center Offices located at 1500 Lake Forest Parkway. A golf course (privately owned), disc golf and tennis courts are located within the city and are free to use.

LIBRARY SERVICE

The City of Henderson has a public library located within the city known as the Rusk County Library. The library is a separate independent entity and is not operated by City but provides Library services throughout the City located at 106 E. Main Street, Henderson, Texas 75654.

STREET LIGHTING

Street lighting is available within the city and is available through AEP Electric. The City of Henderson does not provide street lighting.

ELECTRICAL SERVICES

Electrical power service is available in the city and is provided within the City by AEP Electric.

NATURAL GAS SERVICES

Natural gas service is available in the city and is provided by Center Point Energy Company.

OTHER SERVICES

Other services that may be provided by the City such as planning and zoning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available on the effective date of the annexation on the same basis and at the same level as provided throughout the City. Construction permits are issued by the City. Costs are determined by a Master Fee Schedule. The city uses the most recently adopted international building code for mechanical, fire, building, plumbing and miscellaneous other items. The city uses the International Electric Code for electrical work. Wastewater rules are the version of those published by the Texas commission on Environmental Quality. Site plan recommendation is performed by the Henderson the Planning and Zoning Commission final approval/disapproval by City Council.

CAPITAL IMPROVEMENTS

Construction of other capital improvements shall be considered by the City in the future as the need dictates on the same basis as such capital improvements are considered throughout the City in accordance with existing Ordinances of the City of Henderson, including Ordinances governing subdivisions in effect on the date of

annexation which require a developer to install or construct such capital improvements including but not limited to roads, streets, water, and sewer lines.

UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service. Funding capital improvement and infrastructure necessary to provide municipal services to the property shall be subject to and in accordance with the existing Ordinances of the City of Henderson in effect on the date of annexation including those which require that a developer install or construct such capital improvements to the property.

TERM

This service plan shall be valid for a term of ten (10) years.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with the applicable sections of the Local Government Code.

Read and accepted by Texas Department of Criminal Justice

on the 6th day of October, 2023


Bryan Collier, Executive Director



City Council

Agenda Item # 6.

SUBJECT: Consideration and possible action upon Resolution 2024-04-01 setting two public hearing dates on the City of Henderson proposing to Annex Texas Department of Transportation (TXDOT) Right of Way (ROW) into the city limits parts of Loop 571, FM 323 and FM 2276. (Jimerson)

MEETING DATE: April 16, 2024

DEPARTMENT: City Secretary

CONTACT: Cheryl Jimerson

RECOMMENDED CITY COUNCIL ACTION: Approve a resolution setting two public hearing dates on a proposed application of annexation from HEDCO.

ITEM SUMMARY:

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS:

1. 2024-04-01 Resolution-Annexation Part of TXDOT ROW on Loop 571-FM 323- FM 2276 Public Hearings
2. 20240109-LEGAL
3. 20240109-PLAT

RESOLUTION 2024-04-01

RESOLUTION SETTING PUBLIC HEARINGS ON A PROPOSED ANNEXATION

WHEREAS, application has been submitted by TXDOT ROW part of Loop 571, FM 323 and FM 2276 which is attached as **Exhibit A**, requesting voluntary annexation; and is granted by the City Council of the City of Henderson.

WHEREAS, public hearings are required by 43.028 of the Texas Local Government Code to hear arguments for and against the annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Texas, that:

- 1) The governing body of the city must conduct two public hearings on any proposed annexation. The hearings must be held not more than 40 days nor less than 20 days prior to adoption of the ordinance annexing an area.
- 2) The Secretary of the City of Henderson, Texas is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.
- 3) Public hearings are scheduled for May day of 9th, 2024 at 6:00 p.m. and May day of 21st, 2024 at 6:00 p.m. in the City Council Chambers at 300 West Main Street, Henderson, Texas as the time and place the City Council will hear arguments for and against the annexation.
- 4) The City Manager is directed to prepare a Service Plan to provide for extension of full municipal services of the area to be annexed, publish appropriate notices and perform other activities necessary for the initiation of annexation proceedings for the aforementioned areas.
- 5) The annexation shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this the April day of 16th, 2024.

J.W. (Buzz) Fullen, Mayor

ATTEST:

Cheryl Jimerson, City Secretary



DDM Surveying, Inc.

February 7, 2024
City of Henderson
2024 Annexation
42.298 Acres

42.298 acres being a portion of (1) Loop 571 right-of-way as shown the PLANS OF PROPOSED RIGHT OF WAY PROJECT LOOP 571 RW 8010-2-28, (2) right-of-way of Texas Farm to Market No. 2276 (FM 2276) and (3) right of way of Texas State Highway No. 323 (SH 323), situated in the J.S. Cook Survey A-192, the J. S. Whiteman Survey A-847, and the J. Sory Survey A-736 and being more particularly described by metes an bounds as follows:

BEGINNING at an existing TxDOT right-of-way monument, being 110 feet right of and perpendicular distance from Engineer's Centerline Station 34+00 of said Loop 571: said right-of-way monument having a Texas State Plane NCZ NAD83 coordinate value of Northing 6,771,703.48 feet and an Easting of 3,107,294.02 feet;

THENCE with the Eastern right-of-way line of said Loop 571 as follows:

South 68° 30' 40" East a distance of 208.70 feet to an existing TxDOT right-of-way monument, and
South 22° 15' 54" East a distance of 259.56 feet to an existing TxDOT right-of-way monument, and
South 72° 44' 05" West a distance of 179.91 feet to an existing TxDOT right-of-way monument, and
South 21° 38' 27" West a distance of 100.00 feet to an existing TxDOT right-of-way monument, and
South 27° 14' 45" West a distance of 614.32 feet, and
South 08° 49' 22" West a distance of 126.08 feet to an existing TxDOT right-of-way monument, and
South 23° 26' 26" West a distance of 171.69 feet, and
South 19° 56' 34" West a distance of 205.50 feet to an existing TxDOT right-of-way monument, and
South 43° 06' 39" West a distance of 146.03 feet to an existing TxDOT right-of-way monument, and
South 28° 00' 00" West a distance of 462.62 feet to an existing TxDOT right-of-way monument, and;
South 21° 44' 12" West a distance of 100.40 feet to an existing TxDOT right-of-way monument, and
South 27° 54' 10" West a distance of 300.00 feet to an existing TxDOT right-of-way monument, and
South 08° 06' 43" East a distance of 236.15 feet to an existing TxDOT right-of-way monument, and
South 66° 41' 23" West, crossing Rusk County Road No. 203 (CR 203), a distance of 79.55 feet to an existing TxDOT right-of-way monument, and
North 85° 24' 54" West a distance of 120.05 feet to an existing TxDOT right-of-way monument, and
South 27° 50' 20" West a distance of 1099.46 feet to an existing TxDOT right-of-way monument, and
South 19° 22' 19" West a distance of 202.24 feet, and
South 33° 36' 48" West a distance of 301.50 feet, and
South 27° 54' 10" West a distance of 234.23 feet, and
South 62° 05' 50" East a distance of 340.00 feet to an existing TxDOT right-of-way monument, found in the North right-of-way of said SH 323, and
South 16° 23' 07" West, crossing said SH 323, a distance of 100.17 feet to an existing TxDOT right-of-way monument, and
South 71° 39' 23" West a distance of 188.23 feet to an existing TxDOT right-of-way monument, and
North 76° 16' 17" West a distance of 219.34 feet to an existing TxDOT right-of-way monument, and
North 78° 55' 19" West a distance of 279.58 feet to an existing TxDOT right-of-way monument, and
North 07° 11' 17" East a distance of 113.89 feet to an existing TxDOT right-of-way monument, found in the South right-of-way line of said SH 323;

THENCE with the Southern right-of-way line of said SH 323 as follows:

North 76° 15' 45" West a distance of 466.30 feet, and
North 76° 11' 46" West a distance of 884.77 feet, and
North 76° 09' 48" West a distance of 311.50 feet, and
North 72° 53' 11" West a distance of 569.50 feet, and
North 70° 39' 22" West a distance of 2181.53 feet to a corner in same;

THENCE North 19° 20' 38" East, across said SH 323, a distance of 100.00 feet to an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY"

THENCE with the Northern right-of-way line of said SH 323 as follows:

South 70° 39' 22" East, at a distance of 738.46 feet an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY", at a distance of 1452.33 feet an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY" and at total distance of 2178.57 feet to an ½" iron rod, w/cap "DDM SURVEY BOUNDARY", found at the intersection of same with the West right-of-way line of Endeavor Drive, and

South 72° 52' 56" East a distance of 568.58 feet to an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY", and

South 76° 11' 39" East a distance of 307.60 feet to an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY", and

South 76° 11' 46" East a distance of 882.89 feet to an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY", and

South 76° 14' 11" East a distance of 551.56 feet to an existing ½" iron rod, w/cap "DDM SURVEY BOUNDARY" set at a disturbed TxDOT right-of-way monument and being in the Western right-of-way line of said Loop 571;

THENCE with the Western right-of-way line of said Loop 571 as follows:

*North 60° 24' 39" East a distance of 93.12 feet to an existing TxDOT right-of-way monument, and
North 27° 57' 28" East a distance of 199.66 feet to an existing TxDOT right-of-way monument, and
North 04° 51' 49" East a distance of 216.02 feet to an existing TxDOT right-of-way monument, and
North 24° 51' 12" East a distance of 101.26 feet to an existing TxDOT right-of-way monument, and
North 39° 17' 01" East a distance of 408.17 feet to an existing TxDOT right-of-way monument, and
North 27° 57' 56" East a distance of 300.44 feet to a broken an existing TxDOT right-of-way monument, and*

North 29° 30' 31" East a distance of 400.31 feet to an existing ½" iron rod, set w/cap "DDM SURVEY BOUNDARY", and

*North 27° 48' 33" East a distance of 449.32 feet to an existing TxDOT right-of-way monument, and
North 07° 30' 48" West a distance of 274.75 feet to an existing ½" iron rod, set w/cap "DDM SURVEY BOUNDARY" being in southern right-of-way of line said FM 2276*

THENCE with the Southern right-of-way line of said Fm 2276 as follows

along a curve to the left, having a radius of 1176.11 feet, 333.36 feet along said curve having a chord direction of North 34° 33' 28" West and a chord length of 332.25 feet an existing ½" iron rod, set w/cap "DDM SURVEY BOUNDARY", and

North 39° 48' 16" West a distance of 918.74 feet to an existing mag nail, found at the intersection of same with the Southern right-of-way line of said Endeavor Drive, and

North 39° 48' 17" West a distance of 114.18 feet to an existing ½" iron rod, found at the intersection of same with the Southern right-of-way line of said Endeavor Drive, and

North 39° 28' 41" West a distance of 672.66 feet to an existing ½" iron rod w/cap "DDM SURVEY BOUNDARY", found in same;

THENCE North 50° 31' 19" East, across said FM 2276, a distance of 80.00 feet;

THENCE with the Northern right-of-way line of said FM 2276 as follows:

South 39° 28' 41" East a distance of 672.43 feet, and

South 39° 48' 17" East a distance of 113.95 feet, and

South 39° 48' 17" East a distance of 918.74 feet, and

along a curve to the right, having a radius of 1247.91 feet, 297.07 feet along said curve having a chord direction of South 35° 20' 24" East and a chord length of 296.37 feet to an existing TxDOT right-of-way monument, found in the Western right-of-way line of said Loop 571

THENCE with the Western right-of-way lines of said Loop 571 as follows:

*South 74° 44' 45" East a distance of 147.45 feet to an existing TxDOT right-of-way monument, and
North 28° 16' 25" East a distance of 100.27 feet to an existing TxDOT right-of-way monument, and
North 36° 08' 03" East a distance of 100.88 feet to an existing TxDOT right-of-way monument, and
North 28° 16' 03" East a distance of 294.87 feet to an existing TxDOT right-of-way monument, and
North 18° 59' 07" East a distance of 169.51 feet to an existing TxDOT right-of-way monument, and
North 31° 24' 12" East a distance of 242.16 feet to an existing TxDOT right-of-way monument, and
North 23° 32' 35" East a distance of 374.22 feet to an existing TxDOT right-of-way monument, and
North 16° 08' 20" East a distance of 312.50 feet to an existing TxDOT right-of-way monument, and*

*North 21° 37' 09" East a distance of 100.32 feet to an existing TxDOT right-of-way monument, and
North 30° 20' 18" East a distance of 100.65 feet to an existing TxDOT right-of-way monument, and
North 21° 46' 42" East a distance of 279.84 feet to an existing TxDOT right-of-way monument, and
North 08° 35' 16" East a distance of 172.89 feet to an existing TxDOT right-of-way monument, and
North 65° 22' 58" East a distance of 71.53 feet to the BEGINNING CONTAINING 42.298 acres.*

*All bearings and coordinates are based on the Texas State Plane Coordinate System NORTH AMERICA
DATUM 1983, NORTH CENTRAL ZONE.*

*I hereby certify that this legal description and the accompanying plat of even date represents the facts
found during the course of an actual survey made on the ground under my supervision in February, 2024.*

Dwayne Miley, R.P.L.S. No. 4164

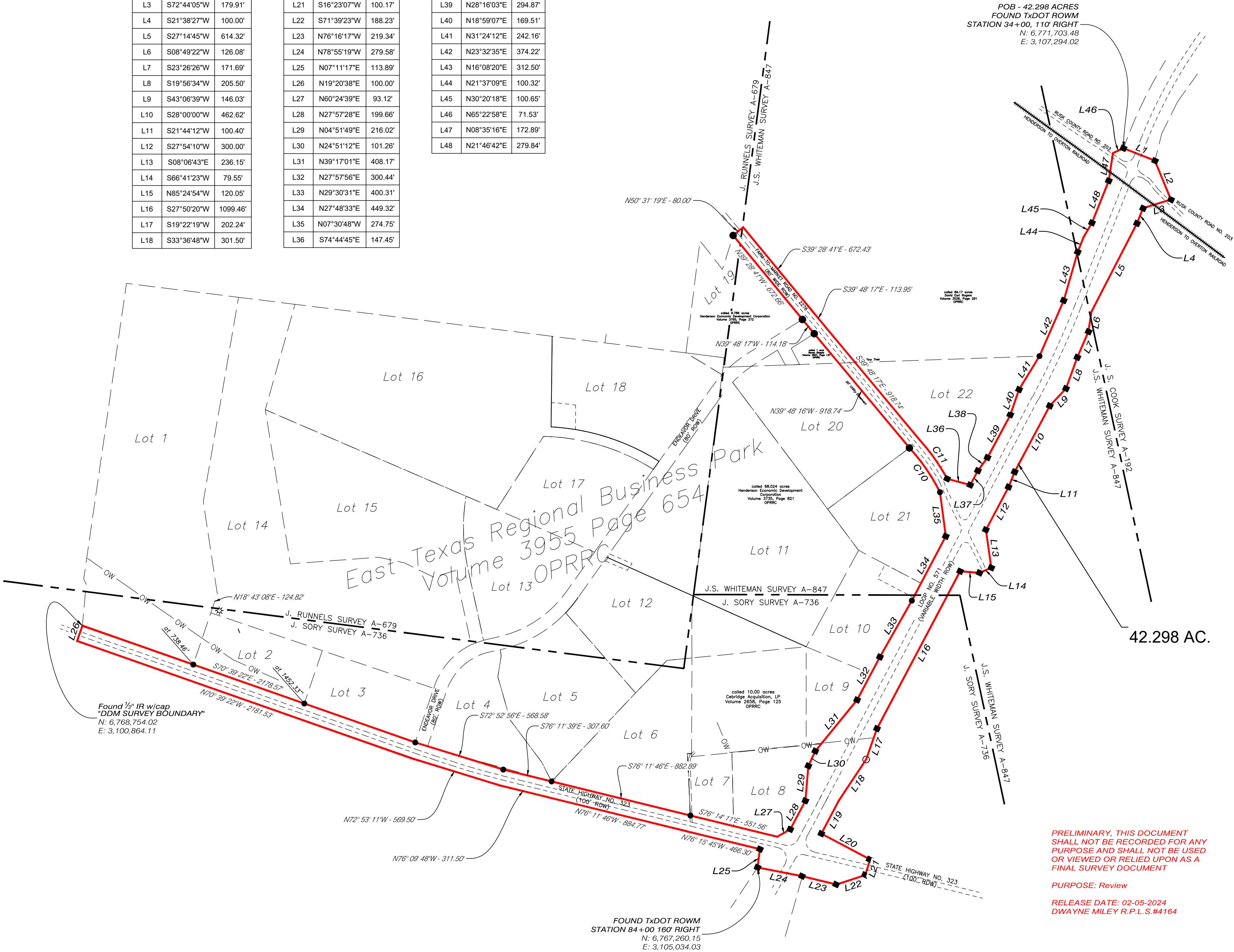
F:\2024\20240109 - Henderson Annexation\42.298AC.docx

Line Table		
Line #	Direction	Length
L1	S68°30'40"E	208.70'
L2	S22°15'54"E	259.56'
L3	S72°44'05"W	179.91'
L4	S21°38'27"W	100.00'
L5	S27°14'45"W	614.32'
L6	S08°49'22"W	126.08'
L7	S23°26'26"W	171.69'
L8	S19°56'34"W	205.50'
L9	S43°06'39"W	146.03'
L10	S28°00'00"W	462.62'
L11	S21°44'12"W	100.40'
L12	S27°54'10"W	300.00'
L13	S08°06'43"E	236.15'
L14	S66°41'23"W	79.55'
L15	N85°24'54"W	120.05'
L16	S27°50'20"W	1099.46'
L17	S19°22'19"W	202.24'
L18	S33°36'48"W	301.50'

Line Table		
Line #	Direction	Length
L19	S27°54'10"W	234.23'
L20	S62°05'50"E	340.00'
L21	S16°23'07"W	100.17'
L22	S71°39'23"W	188.23'
L23	N76°16'17"W	219.34'
L24	N78°55'19"W	279.58'
L25	N07°11'17"E	113.89'
L26	N19°20'38"E	100.00'
L27	N60°24'39"E	93.12'
L28	N27°57'28"E	199.66'
L29	N04°51'49"E	216.02'
L30	N24°51'12"E	101.26'
L31	N39°17'01"E	408.17'
L32	N27°57'56"E	300.44'
L33	N29°30'31"E	400.31'
L34	N27°48'33"E	449.32'
L35	N07°30'48"W	274.75'
L36	S74°44'45"E	147.45'

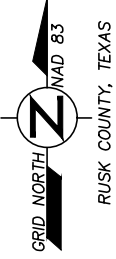
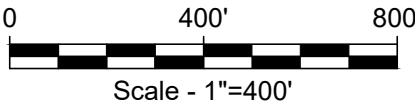
Line Table		
Line #	Direction	Length
L37	N28°16'25"E	100.27'
L38	N36°08'03"E	100.88'
L39	N28°16'03"E	294.87'
L40	N18°59'07"E	169.51'
L41	N31°24'12"E	242.16'
L42	N23°32'35"E	374.22'
L43	N16°08'20"E	312.50'
L44	N21°37'09"E	100.32'
L45	N30°20'18"E	100.65'
L46	N65°22'58"E	71.53'
L47	N08°35'16"E	172.89'
L48	N21°46'42"E	279.84'

Curve Table					
Curve #	Arc Distance	Central Angle	Radius	Chord Bearing	Chord Distance
C10	333.36'	016°14'25"	1176.11	N34°33'28"W	332.25'
C11	297.07'	013°38'22"	1247.91	S35°20'24"E	296.37'



POB - 42.298 ACRES
FOUND TxDOT ROWM
STATION 34+00, 110' RIGHT
N: 6,771,703.48
E: 3,107,294.02

- Notes:
- VOLUME AND PAGE REFERENCES SHOWN HEREON ARE TO THE DEED RECORDS OF RUSK COUNTY, TEXAS (OPRRC), THE OFFICIAL PUBLIC RECORDS OF RUSK COUNTY, TEXAS (OPRRC), OR THE LAND RECORDS OF RUSK COUNTY, TEXAS (LRRC).
 - DIRECTIONAL CONTROL BASED UPON GPS DATA CONVERTED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE.
 - LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 - SEE LEGAL DESCRIPTION DATED 2/7/24.
 - DENOTES 1/2" IRON ROD, SET, (IRS) UNLESS OTHERWISE NOTED.
 - DENOTES 1/2" IRON ROD, FOUND,(IRF) UNLESS OTHERWISE NOTED.
 - DENOTES TxDOT ROW MARKER FOUND, (TxDOT)
 - EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THE SURVEYOR. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THESE PARCELS.
 - EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATION GENERATED FROM PREVIOUS MAPS AND SURVEY DATA. NO GUARANTEE IS GIVEN OR IMPLIED BY DDM SURVEYING INC. AS TO THE EXACT LOCATION OR IF ALL UNDERGROUND UTILITIES HAVE BEEN LOCATED.



LEGEND

PROPERTY LINE	---	---	---
WIRE FENCE	---	---	---
ROADWAY	---	---	---
OVERHEAD ELEC	---	---	---

SURVEYOR'S CERTIFICATION

I, Dwayne Miley, Registered Professional Land Surveyor, Rusk County, Texas, do hereby certify that this plat represents the results of a survey completed on the ground under my supervision in February 2024.

Dwayne Miley R.P.L.S. No. 4164

DDM Surveying, Inc.
121 N Van Buren
Henderson, Tx 75653
903.657.6229
903.657.8117
www.DDMSurveying.com
FIRM# 10045900

A SURVEY FOR:
City of Henderson
300 West Main
Henderson, Texas

DRAWN: DDM
CHECKED: VOSS
DATE: 01-30-2024
REVISION:

PROJECT NAME: 2024 Annexation Loop 571

DRAWING TITLE: Boundary Survey

ABSTRACT:
noted as shown heron

COUNTY: RUSK
SHEET NO: 3 of 3

DRAWING NO: 20240109.dwg

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

PURPOSE: Review

RELEASE DATE: 02-05-2024
DWAYNE MILEY R.P.L.S.#4164



City Council

Agenda Item # 7.

SUBJECT: Consideration and possible action upon Resolution 2024-04-02 setting two public hearing dates on an application for annexation of the Jim Allen Estate on Loop 571 and FM 2276 submitted by HEDCO. (Jimerson)

MEETING DATE: April 16, 2024

DEPARTMENT: City Secretary

CONTACT:

RECOMMENDED CITY COUNCIL ACTION:
ITEM SUMMARY:

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS:

1. 2024-04-02 Resolution-Annexation of the Jim Allen Estate Public Hearings
2. Jim Allen Estate Survey Updated to show the 994 Acre parcel owned by Carole Allen Hickman (002)
3. Jim Allen Estate Checklist

RESOLUTION 2024-04-02

RESOLUTION SETTING PUBLIC HEARINGS ON A PROPOSED ANNEXATION

WHEREAS, application has been submitted by Henderson Economic Development Corporation (HEDCO) which is attached as **Exhibit A**, requesting voluntary annexation; and is granted by the City Council of the City of Henderson.

WHEREAS, public hearings are required by 43.028 of the Texas Local Government Code to hear arguments for and against the annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Texas, that:

- 1) The governing body of the city must conduct two public hearings on any proposed annexation. The hearings must be held not more than 40 days nor less than 20 days prior to adoption of the ordinance annexing an area.
- 2) The Secretary of the City of Henderson, Texas is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.
- 3) Public hearings are scheduled for May day of 9th, 2024 at 6:00 p.m. and May day of 21st, 2024 at 6:00 p.m. in the City Council Chambers at 300 West Main Street, Henderson, Texas as the time and place the City Council will hear arguments for and against the annexation.
- 4) The City Manager is directed to prepare a Service Plan to provide for extension of full municipal services of the area to be annexed, publish appropriate notices and perform other activities necessary for the initiation of annexation proceedings for the aforementioned areas.
- 5) The annexation shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this the April day of 16th, 2024.

J.W. (Buzz) Fullen, Mayor

ATTEST:

Cheryl Jimerson, City Secretary

Petition to Annex into the City of Henderson Checklist
Jim Allen Estate (HEDCO)

- Send the petitioner the procedure and application form, Service Plan and Development Agreement.
 - Need survey and field notes.
 - Date forms were sent March 21, 2024
- Received application and forms.
 - Date received April 16, 2024
- Send information to the City Attorney to create an ordinance.
- Place on Council Agenda April 16, 2024
- Council members set two public hearing dates by Resolution.
 - 1st public hearing May 9, 2024 Special Meeting
 - 2nd public hearing May 21, 2024 Reg Meeting
- Send written notice to School District or other entity that provides services including ROW that may be incorporated (TXDOT, Railroad, County)
- Publish in paper 20th to 11th day before public hearing.
 - Public Notice must be on Website.
 - Date of first publication April 28, 2024
 - Date of second publication May 5, 2024
 - Date filed at Court House _____



City Council

Agenda Item # 8.

SUBJECT: Consideration and possible action upon Resolution 2024-04-03 setting two public hearing dates on an application for annexation of the East Texas Regional Business Park on Loop 571 submitted by HEDCO. (Jimerson)

MEETING DATE: April 16, 2024

DEPARTMENT: City Secretary

CONTACT: Cheryl Jimerson

RECOMMENDED CITY COUNCIL ACTION: Approval of a Resolution to set two public hearing dates as required.

ITEM SUMMARY: HEDCO has submitted an application to annex the East Texas Regional Business Park into the city limits.

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS:

1. Business Park Checklist
2. East Texas Regional Business Park Survey
3. 2024-04-03 Resolution-Annexation of East Texas Regional Business Park Public Hearings

Petition to Annex into the City of Henderson Checklist
East Texas Regional Business Park (HEDCO)

- Send the petitioner the procedure and application form, Service Plan and Development Agreement.
 - Need survey and field notes.
 - Date forms were sent March 21, 2024
- Received application and forms.
 - Date received April 16, 2024
- Send information to the City Attorney to create an ordinance.
- Place on Council Agenda April 16, 2024
- Council members set two public hearing dates by Resolution.
 - 1st public hearing May 9, 2024 Special Meeting
 - 2nd public hearing May 21, 2024 Reg Meeting
- Send written notice to School District or other entity that provides services including ROW that may be incorporated (TXDOT, Railroad, County)
- Publish in paper 20th to 11th day before public hearing.
 - Public Notice must be on Website.
 - Date of first publication April 28, 2024
 - Date of second publication May 5, 2024
 - Date filed at Court House _____

RESOLUTION 2024-04-03

RESOLUTION SETTING PUBLIC HEARINGS ON A PROPOSED ANNEXATION

WHEREAS, application has been submitted by Henderson Economic Development Corporation (HEDCO) which is attached as **Exhibit A**, requesting voluntary annexation; and is granted by the City Council of the City of Henderson.

WHEREAS, public hearings are required by 43.028 of the Texas Local Government Code to hear arguments for and against the annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Texas, that:

- 1) The governing body of the city must conduct two public hearings on any proposed annexation. The hearings must be held not more than 40 days nor less than 20 days prior to adoption of the ordinance annexing an area.
- 2) The Secretary of the City of Henderson, Texas is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.
- 3) Public hearings are scheduled for May day of 9th, 2024 at 6:00 p.m. and May day of 21st, 2024 at 6:00 p.m. in the City Council Chambers at 300 West Main Street, Henderson, Texas as the time and place the City Council will hear arguments for and against the annexation.
- 4) The City Manager is directed to prepare a Service Plan to provide for extension of full municipal services of the area to be annexed, publish appropriate notices and perform other activities necessary for the initiation of annexation proceedings for the aforementioned areas.
- 5) The annexation shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this the April day of 16th, 2024.

J.W. (Buzz) Fullen, Mayor

ATTEST:

Cheryl Jimerson, City Secretary



City Council

Agenda Item # 9.

SUBJECT: Consideration and possible action upon the creation of a new position titled Director of Utility Infrastructure and Delivery. This position, in accordance with the Henderson 2050 Comprehensive Plan, will focus on water and wastewater related infrastructure for future growth and versatility. (Abercrombie)

MEETING DATE: April 16, 2024

DEPARTMENT: Administration

CONTACT: Jay Abercrombie, City Manager

RECOMMENDED CITY COUNCIL ACTION:

ITEM SUMMARY: The City of Henderson staff have had numerous conversations recently with developers related to potential growth in our community. With growth comes development which creates the need for planned infrastructure. During the process of the Henderson 2050 Comprehensive Plan, public input was given that molded our new vision. Many land use objectives were suggested and adopted. As developers investigate development opportunities, the City of Henderson Utilities Department is charged with how to serve these areas with water and wastewater access.

The City of Henderson Utilities Department is working to maintain and replace all existing water and wastewater infrastructure that has been underground for many years. Although we are doing well, I believe we can do better by planning effectively with a Strategic Plan and Capital Improvement Plan (CIP) that will shape the future of safe drinking water for our citizens, business owners and visitors.

The City of Henderson Water and Wastewater Utility is also faced with the potential need for growth to sustain the water availability in our immediate region and county. Our water treatment and delivery are already being called on to help

supply water to other provider service areas outside of Henderson. This will only increase as the cost of maintenance, treatment, and delivery of water becomes more expensive. There are approximately 14 water providers within 8 miles of our current service area.

The City Manager, Director of Operations, Utilities Director, and Public Services Director are working to find the best way to move forward with this current and future demand. All agree that this would be difficult to take on as currently staffed and that the City would benefit greatly from the creation of a new Director position that would allow current Directors to focus on their respectful areas of expertise such as Community Development, Parks and Recreation, Water Treatment, and Streets and Right-of-Ways. The new Director of Utility Infrastructure and Delivery would be mainly charged with the following areas:

- Water and Wastewater Infrastructure (Not treatment plants)
- Relationships with neighboring water providers
- Capital Improvement Plan for water and wastewater infrastructure.
- Supervise water maintenance crew and meter readers for proper service delivery.
- Utilize demographic projections to determine long-range projections in water/wastewater demands to determine future infrastructure needs.
- Complete and maintain data for GIS of all utility infrastructure.
- Develop and maintain relationship with internal Community Development Department to meet with potential residential and commercial developers related to water and wastewater needs and expansions.
- Work cohesively with the City Engineer's office on all plans and projects presently and to determine future infrastructure requirements.

This position would be funded by the Water and Wastewater Fund. Creating and filling this position is recommended for immediate need. Please see the Job Description Summary for more details.

ja

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS:

1. Job Summary - Director of Infrastructure and Delivery

Job Title: DIRECTOR OF INFRASTRUCTURE AND DELIVERY**Department:** Henderson Utilities**Reports to:** City Manager**FSLA Status:** Exempt**Job Status:** Full Time**Pay Group:** 36

City of Henderson

Summary of Job Description

As our Director of Infrastructure and Delivery you will report directly to the City Manager and oversee all water and wastewater infrastructure that ensures service delivery to our utility customers across the City of Henderson water service area. This includes all pipes, pumps, lift stations, manholes, valves, etc. It also includes the supervision of the water/wastewater maintenance team of 5 or 6 people. This team does all routine maintenance and repairs to any of the infrastructure mentioned above. Supervisory responsibilities include complying with regulations and permit requirements, implementing corrective and preventative maintenance programs; planning, prioritizing, and assigning work; assist in budget preparation; monitor budgets and control expenditures; and conducting performance evaluations of team members.

This position will work closely with our City Engineer to produce a strategic plan and a Capital Improvement Plan (CIP) for the water and wastewater systems. Relationships with other neighboring water providers should be built to understand future water needs as it relates back to the Henderson Utility entity. You will research and understand capacities of our water and wastewater system and how to position our utility for success over the next 50 years!

Your key tasks and responsibilities will be:

- Marketing, planning and execution of municipal and industrial water and wastewater infrastructure projects.
- Serve as a member of the City's management team; provide information and recommendations regarding operations; assist in making decisions related to all facets of business-like activities related to the City.
- Strategic Plan implementation related to planning, design, permitting and construction phase services for water/wastewater infrastructure and resiliency projects.
- Manages budgets, project staff, subcontractors, task schedules, change orders and project risks (quality and revenue recognition) of all Water / Wastewater projects.
- Works directly with the City Engineer's office and water and wastewater production managers to make the water/wastewater systems efficient and productive.

- Utilize demographic projections to determine long-range projections in water/wastewater demands to determine future infrastructure needs.
- Create and implement a (CIP) Capital Improvement Plan to meet the future needs of water/wastewater systems.
- Complete the gathering of data for GIS mapping of water/wastewater systems including all pipes, pumps, manholes, etc.
- Develop and maintain relationships with other water providers in this region and County and understand each provider's service area and their capacities.
- Supervise a water/wastewater maintenance team of five or six individuals that predominately process maintenance and repair work orders and emergency repairs as needed within the system.
- Develop and maintain relationship with internal Community Development Department to meet with potential residential and commercial developers related to water and wastewater needs and expansions.
- Work with water and wastewater production and treatment staff by gathering and sharing data for all necessary reporting to TCEQ, EPA, and other agencies as needed.
- Responds to internal and external requests to explain how the water and sewer systems work and what needs are anticipated.
-

Constant Growth Starting Point:

- Comprehensive Knowledge of principles and practices of water and sewer planning
- Thorough knowledge of the relationship between land use planning and water and sewer planning.
- Strong interpersonal and communication skills.
- Desire for continuous improvement.
- Communicate effectively both verbally and in writing.
- Proficient in understanding Federal, State, and local environmental regulations and how they apply to municipalities.
- Demonstrated successful track record in business development activities with a focus on exceptional client services.
- Collection system operation and maintenance
- Training methods and techniques
- Sampling methods and techniques
- Supervisory principles
- Inventory control principles.
- Principles, practices, and methods of municipal budgeting

Constant Growth Ability To:

- Effectively access and involve other agencies, internal staff, the public, public officials, and special interest communities and groups
- Build strong relationships with the other teams/divisions/disciplines.
- Determine specific capacity requirements and the subsequent sizing of water and sewer infrastructure including pipeline sizing, valve and pressure reducing valve sizing, water and wastewater pump station capacity and head conditions, water and wastewater storage volumes, system pressures and velocities, and wastewater treatment plants and water treatment plants.
- Adapt to rapidly changing environments.
- Develop, evaluate, recommend, and implement procedures.

Education and Experience:

High school diploma or equivalent. Bachelor's degree preferred but not required. A degree may be substituted with relevant experience and/or certifications. Experience in management, water/wastewater infrastructure design.

Qualifications, Certifications, Licenses:

- Candidate should hold a "B" water license and "B" wastewater license or have the ability and desire to obtain them within 2 years.

Minimum Requirements:

- A High School Diploma or equivalent is required. College degree in public or business management preferred.
- Seven (7) Years of relative water/wastewater treatment, production and delivery experience required.
- Valid Texas Driver's License with an acceptable driving record.
- Experience in construction projects and public bidding requirements.
- Must have strong written and oral communication skills as demonstrated in prior experience.



City Council

Agenda Item # 10.

SUBJECT: Consideration and possible action on confirmation of the appointment of a Director of Utility Infrastructure and Delivery for the City of Henderson. (Abercrombie)

MEETING DATE: April 16, 2024

DEPARTMENT: City Manager

CONTACT:

RECOMMENDED CITY COUNCIL ACTION:
ITEM SUMMARY:

BACKGROUND INFORMATION:

SPECIAL CONSIDERATIONS:

SUPPORTING MATERIALS: None

HENDERSON FIRE DEPARTMENT



Fire Prevention and Public Relations

March 2024 Started with a bang: Chief Rusty Chote retired after 32 years which lead to the following promotions:

- Sonny Ybarra moved from Assistant Chief to Fire Chief
- Jeff Stoddard moved from C-shift Captain to Asst. Chief
- Chris Denison moved from C-shift LT to C-shift Captain.
- Ben Martin moved from B-shift firefighter to C-shift LT.

Although Chief Chote will leave a big hole, we would like to congratulate all of our staff.

March 1st, we had a Fire Department wide meeting in the council chambers with Jay Ambercrombie to discuss new changes in department and moving forward. It was a positive meeting.

March 8th, Henderson High School held a career day at HHS for students. Henderson Fire Department's C-shift attended the event along with city employees and other local agencies and businesses. Firefighters visited with students on what it would take if they were interested in the fire service. Some of the requirements are to attend an approved fire academy and pass the Texas Commission Fire Protection basic school, be a volunteer firefighter with required certification and challenge and pass the Texas Commission test and complete a Texas Department of Health EMS certification.

March 2024

Call Log

• Fire Calls:	35
• Medical Calls:	25
• Total Calls:	40
• Inspections:	85
• Hydrants:	104

Chief Ybarra attended the annual Texas Fire Chiefs Association March 19-22nd in Waco. The Texas Fire Chief Association "TFCA" organizes these conferences as an opportunity for fire administrators to attend classes that are related to their job duties and responsibilities. The conference also provides the CE required by the Texas Commission on Fire Protection for fire administrators. The TFCA Conference also allows fire chiefs to network with other fire chiefs around the state.

Some of the topics covered at this years conference were Texas Best Practices, Recurring and Retentions of Firefighters, Texas house bills, Line of Duty Deaths (LODD), Budget and Finances, TCFP upcoming schools.

Training is a big part of the Henderson Fire Department and we would like to recognize those that completed courses in March. Patrick Kelly completed his Fire Inspector, Bryce Tomlin & Austin Lee completed their Driver/Operator. We had 3 FFs go to Texas A & M Spring School in College Station: Kaleb Horne (Rope Awareness & Ops), Ben Martin (Incident Safety Officer), and William Baker (S-190/S-130 Wildland Training). These classes were all covered by the 2604 grant.

The Fire Department had a department wide NFPA 1006: Vehicle Rescuer training class held at Wallace & Sons Wrecker Yard. It was a 20 hour class where the FFs learned: PPE Requirements, Techniques & Safety Procedures, Terminology, Vehicle Stabilization, Cribbing, Gaining Patient Access, Hands-on Training and Simulations. It was a great learning experience and we thank Wallace & Sons for hosting it for us.

On March 21st, HFD A-shift attended Coffee with Cops at Herschel's restaurant. This public relations event is a good time for HPD officer and HFD Firefighters to meet and visit with local citizens. Positive contact was made with the public and enjoyed by all attending.

March 16th, B-shift attended a communications class which covered: Non-emergency calls, communications systems & equipment, dispatching emergency calls, portable radio for routine and emergency traffic. Several other fire departments attended as well.



March 27th, A shift gave a public demonstration on a vehicle extrication for Cassity Jones employees. They explained the tools being used, why and what for. Firefighters cut up car and explained each position on car where cuts were being made, how much power each tool has and how quick the battery operated tool works faster than the hydraulic tools. DPS covered distracted drivers and how to prevent accidents.





HENDERSON FIRE DEPARTMENT

401 West Main St.
Henderson, Texas 75654
903-657-6551

Rusty Chote, Fire Chief
Sonny Ybarra, Deputy Fire Chief

MONTHLY REPORT FOR MARCH 2024

<u>TYPE OF CALL</u>	<u>CITY</u>	<u>COUNTY</u>
<i>OTHER FIRES (Industrial/other)</i>	1	0
<i>STRUCTURE FIRES</i>	1	1
<i>VEHICLE FIRES</i>	0	1
<i>GRASS FIRES</i>	0	1
<i>ELECTRICAL FIRES</i>	0	1
<i>COOKING FIRES (KITCHEN)</i>	0	0
<i>POWER LINES</i>	0	0
<i>SMOKE CHECKS</i>	0	1
<i>ACCIDENTS (JAWS)</i>	0	1
<i>MVC'S (No Extrication)</i>	4	5
<i>AIRCRAFT STAND-BY</i>	0	0
<i>FUEL SPILLS/GAS LEAKS</i>	1	0
<i>RESCUE</i>	1	0
<i>MEDICAL CALLS</i>	17	8
<i>ALARM MALFUNCTIONS</i>	1	0
<i>FALSE ALARMS</i>	4	0
<i>DISPATCHED AND CANCELED ENROUTE</i>	2	3
<i>UNAUTHORIZED BURNING</i>	2	0
<i>CONTROL BURN (COUNTY ONLY)</i>	0	0
<i>ASSIST OTHER DEPARTMENTS</i>	0	1
<i>MISCELLANEOUS CALLS/PUBLIC SERVICE</i>	2	1
TOTAL	36	24
MILEAGE	109.1	211.7
MANHOURS	65.5	71.00
TOTAL CALLS		60
TOTAL MILEAGE		320.8
TOTAL MANHOURS		136.5
TRAINING	Paid 114 Vol 14	Total 128
INSPECTIONS		85
FIRE PREVENTION PROGRAMS		0
PUBLIC RELATIONS EVENTS		2
HYDRANT MAINTENANCE		104
WATER USAGE		2,050



City of Henderson

March 2024

Emergency Calls Compliance

Compliance
95.8

Calls
144

Late
6

Run# - 22785 – Priority 1 – Chest Pain
Total Response Time – 11minutes 15seconds

Delay due to long out of chute.

Run# - 22373 – Priority 2 – Unconscious
Total Response Time – 11minutes 07seconds

Delay due to call taker error.

Run# - 24327 – Priority 2 – Inter-facility
Total Response Time – 11minutes 04seconds

Delay due to long out of chute.

Run# - 24388 – Priority 2 – Inter-Facility
Total Response Time – 11minutes 45seconds

Delay due to long out of chute.

Run# - 26879 – Priority 2 – Inter-Facility
Total Response Time – 10 minutes 14seconds

Delay due to long out of chute time.

Run# - 28872 – Priority 2 – Unknown Problem (Man Down)
Total Response Time – 10 minutes 54 seconds

Delay due to long out of chute time.

CIVIC CENTER/PAVILION MONTHLY REPORT

MARCH

2024

CIVIC CENTER

Rental

Entire Hall	3	Reese, Ten East Texas, Johnson Elections, Women's Forum, Bowman Oil, Harper, King, Hendrix Reunion
1/3 Hall	6	
2/3 Hall	4	Brown Fam Reunion x3, Spanish Jehovah Wit., Grigsby, Hernandez, Blair, Speed, Renaissance Club, Reese, Family \$, Rivers, Sparks, Adams, Assist Care
Reception Room	11	
Board Room	9	Body Shop Wellness x3, Women's Forum, Reese, Walgreen's, Eclipse meeting, Main St Promo, CC Inc,
TOTAL	33	

PAVILIONS

Rental

Yates Park	2	Boys & Girls Club, Southside Bapt
Fair Park	3	Dixon, Kidz Club Preschool, Traylor Jackson, Pleasant Hill Bapt, Kosel, Ebenezer, Deed, Calvary,
Lake Forest-Lion	7	Skelton
Lake Forest-Mann	4	Peacock, Ebenezer, Dudley, Calvary, 1st Methodist
Lake Forest-Azalea	4	Croley, Ebenezer, Calvary, 1st Methodist
Lake Forest-Gazebo	1	Ebenezer,
Lake Forest-Plaza	3	Balderas, Ebenezer, Inglesia de dios
TOTAL	24	





SYRUP FESTIVAL PLANNING BEGINS

The Syrup Festival never sleeps. This month we finalized the brochure for the 2024 Festival and got it sent off for printing.

TRAVEL SHOW IN DALLAS

On March 21, Stephanie and I traveled to the quarterly meeting of the Northeast Texas Tourism Council in Canton, where we made plans for the summer months and prepared for our upcoming travel show. I attended the Dallas Travel & Adventure Show the weekend of March 23 as part of the team from the Northeast Texas Tourism Council. We handed out more than 600 information packets about things to see and do in East Texas and we ran out of giveaways from many of our member cities. We still have plenty of Henderson-branded luggage tags that did not go to the show -- if anyone wants one they are available at the Civic Center.

MAIN STREET BOARD RETREAT

Main Street Advisory Board President Leon Harris and I had several meetings to plan and prepare for the annual board retreat, which was held on March 26 at Henderson Country Club. The board adopted their transformation strategy goals for the year and the committees began to organize their work plans to achieve those goals.

MONTHLY OVERVIEW

- March
- 1 – Meet with printer for Syrup Festival brochure
 - 5 – Freedom Festival planning meeting
 - 8 – Phone meeting with carnival owner wanting to come to Henderson
 - 8 – Meeting with SiCoustics about extending audio coverage across the Syrup Festival
 - 11 – New Main Street Manager monthly Teams training
 - 12 – Main Street Board retreat planning session
 - 13 – Attend Kite Festival in Longview to see SiCoustics' equipment in action
 - 14 – Freedom Fest planning meeting
 - 14 – Eclipse planning meeting
 - 19 – Main Street Board retreat planning session
 - 20 – Phone meeting with USA Today re advertising
 - 20 – Phone meetings with VeraBank re Syrup Festival
 - 20 – Monthly Teams meeting with Texas Main Street Design Team
 - 21 – Northeast Texas Tourism Council meeting in Canton
 - 22-24 – Dallas Travel and Adventure Show
 - 26 – Henderson Main Street Advisory Board annual retreat
 - 28 – Texas Main Street Program quarterly network Teams meeting

