

CITY OF HUNTSVILLE, TEXAS

Mac Woodward, Mayor

Keith D. Olson, Mayor Pro Tem, Position 4
Andy Brauninger, Position 1 At-Large
Lydia Montgomery, Position 2 At-Large
Don H. Johnson, Position 3 At-Large



Joe Emmett, Ward 1
Tish Humphrey, Ward 2
Ronald Allen, Ward 3
Joe Rodriguez, Ward 4

HUNTSVILLE CITY COUNCIL AGENDA TUESDAY, AUGUST 4, 2015 4:00 P.M. WORKSHOP - 6:00 P.M. REGULAR SESSION

COUNCIL CHAMBERS AND LARGE CONFERENCE ROOM
HUNTSVILLE CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS, 77340

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (936.291.5403), two working days prior to the meeting for appropriate arrangements.

WORKSHOP [4:00 P.M.] – Consideration and discussion of Section 4a & 4b Economic Development sales tax, potential uses, and possible ballot wording. [Matt Benoit, City Manager]

MAIN SESSION [6:00 P.M.]

1. CALL TO ORDER

2. INVOCATION AND PLEDGES

U.S. Flag

Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.

3. CONSENT AGENDA

Public Comments will be called for by the presiding officer before action is taken on these items. *(Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)*

- a. Approve the minutes of the City Council meeting held on July 21, 2015 and the Special Session on July 28, 2015. [Lee Woodward, City Secretary]
- b. Adopt Ordinance 2015-37 calling the November 3, 2015 municipal general election for the purpose of electing the Mayor at-large and four (4) Councilmembers, one from each City ward, single reading required. [Lee Woodward, City Secretary]
- c. Approve the 2015 Joint Election Agreement and Election Services Contract with Walker County for the November 3, 2015 election. [Lee Woodward, City Secretary]
- d. Authorize the City Manager to apply for a Community Development Block Grant - Disaster Recovery (CDBG-DR), and adopt Resolution 2015-14 in support of same. [Dr. Sherry McKibben, Director of Neighborhood Resources]
- e. Adopt Ordinance 2015-34, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 10th Street and Avenue N, second reading. [Y. S. "Ram" Ramachandra, City Engineer]
- f. Adopt Ordinance 2015-36, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 14th Street and University Avenue, second reading. [Y. S. "Ram" Ramachandra, City Engineer]
- g. Approve purchase of Construction Roll-Off Containers for the Solid Waste Division. [Carol Reed, Director of Public Works]
- h. Authorize the use of TexasTERM by the City's Investment Officer and authorize the City Manager to sign the Participation Agreement. [Steve Ritter, Finance Director]

4. STATUTORY AGENDA

- a. *Presentation, public comment, discussion, and possible action* to consider adopting Ordinance 2015-35 amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 48 "Vehicles for Hire"; making other provisions and findings thereto; and declaring an effective date, second reading. [Assistant Chief of Police Darryle Slaven, Department of Public Safety]

5. MAYOR/CITY COUNCIL/CITY MANAGER AND CITY ATTORNEY REPORT

- a. *Presentation, public comment, discussion, and possible action* to consider approval of announcing the City Council's intention to adopt a maximum property tax rate of \$0.4106 per \$100 valuation for the City's 2015 – 2016 Fiscal Year (Tax Year 2015).

6. REQUESTS FOR CITIZEN PARTICIPATION

An opportunity for citizens to be heard on any topic and for the City Council to participate in the discussion. No action will be taken.

No requests were received by noon on July 28, 2015.

7. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

8. ITEMS OF COMMUNITY INTEREST

(Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff for which no action will be discussed or taken.)

9. EXECUTIVE SESSION

- a. The City Council will convene in closed session as authorized by Texas Government Code Chapter 551, Section 551.071 – consultation with counsel on legal matters concerning the log cabin on the Square and Section 551.072 – deliberation regarding purchase, exchange, lease or value of real property, concerning the log cabin on the Square. [Leonard Schneider, City Attorney]

10. RECONVENE

- a. Take action, if necessary, on items addressed during Executive Session.

11. ADJOURNMENT

*If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Sections: 551.071 – consultation with counsel on legal matters; 551.072 – deliberation regarding purchase, exchange, lease or value of real property; 551.073 – deliberation regarding a prospective gift; 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.076 – implementation of security personnel or devices; 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under the Texas Government Code. If a Closed or Executive session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the August 4, 2015 City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.huntsvilletx.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____

TIME OF POSTING: _____ am/pm

TAKEN DOWN: _____ am/pm

Lee Woodward, City Secretary

MINUTES FROM THE HUNTSVILLE CITY COUNCIL MEETING HELD ON THE 21ST DAY OF JULY 2015, IN THE CITY HALL, LOCATED AT 1212 AVENUE M, IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 6:00 P.M.

The Council met in a regular session with the following:

COUNCILMEMBERS PRESENT: Mac Woodward, Andy Brauning, Lydia Montgomery, Don H. Johnson, Keith D. Olson, Joe Emmett, Tish Humphrey, Ronald Allen, Joe P. Rodriguez

COUNCILMEMBERS ABSENT: None

OFFICERS PRESENT: Matt Benoit, City Manager, Leonard Schneider, City Attorney, Lee Woodward, City Secretary

WORKSHOP [5:00 P.M.] – The City Council will meet with the Planning & Zoning Commission to discuss the proposed updates to the Development Code, including subdivision plat review. [Aron Kulhavy, Director of Community & Economic Development].

The City Council and the Planning and Zoning Commission discussed current and potential process options for major subdivision plat approval decisions.

MAIN SESSION [6:00 P.M.]

1. **CALL TO ORDER** - Mayor Woodward called the meeting to order at 6:05 p.m.
2. **INVOCATION AND PLEDGES** – Councilmember Brauning gave an invocation and Kristen and Karson Harrell from the Boys & Girls Club led the pledges.
3. **CONSENT AGENDA**
Public Comments will be called for by the presiding officer before action is taken on these items. *(Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)*
 - a. **Approve the minutes of the City Council meeting held on July 7, 2015.** [Lee Woodward, City Secretary]
 - b. **Authorize the City Manager to accept the Emergency Management Performance Grant (EMPG) for FY14-15, in the amount of \$18,614.35.** [Dr. Sherry McKibben, Director of Neighborhood Resources]
 - c. **Approve tax sale bid for trust property GEO ID 3323-037-0-01900, Property ID 26176, Elkins Lake - Section 3A, Block 37, Lot 19, as recommended by the Walker County Appraisal District.** [Steve Ritter, Finance Director]
 - d. **Authorize the City Manager to enter into an agreement for a building encroachment into the City right of way for the property located at 1010 University Avenue.** [Aron Kulhavy, Director of Community and Economic Development]

Councilmember Olson moved to approve the consent agenda; the motion was seconded by Councilmember Montgomery. Motion was adopted unanimously, 9-0.

4. STATUTORY AGENDA

- a. **Presentation, public comment, discussion, and possible action to consider Decision Packages as recommended by the Planning and Zoning Commission for items to be included in the Development Code update.** [Aron Kulhavy, Director of Community and Economic Development]
 - Billboards
 - Historic Preservation
 - Subdivision Plat Approval
 - Mobile Homes Outside of Parks
 - Mobile Home Parks

Billboards - Councilmember Olson moved adopt Code Section 8.700, the motion was seconded by Councilmember Johnson.

Councilmember Montgomery moved to amend the main motion to prohibit all new billboard construction in the city limits and in the extraterritorial jurisdiction (ETJ), the motion was seconded by Councilmember Brauning. The motion to amend was adopted, 7-2, Councilmembers Emmett and Allen voting against.

The main motion as amended was adopted, 7-2, Councilmembers Emmett and Allen voting against.

Historic Preservation – James Patton, Cheryl Spencer, and Laura Bruns spoke in support of the Planning and Zoning Commission’s recommendation to allow the City Council, Historic Preservation Commission, and property owners initiate the designation process.

Councilmember Humphrey moved to amend the Historic Preservation Decision Package as adopted on July 7, 2015, to remove the words “subject to the approval of the property owner” and to be adopted as recommended by the Planning and Zoning Commission, allowing the City Council, Historic Preservation Commission, or the property owner to initiate the process for historic designation on a property; the motion was seconded by Councilmember Johnson. Motion failed, 2-7, Councilmembers Johnson and Humphrey voting in support.

Mayor Woodward moved to ratify the motion adopted by the City Council on July 7, 2015 (to allow for the property owner, or the Historic Preservation Commission (HPC), or the City Council to initiate request, subject to the approval of the property owner) and was seconded by Councilmember Montgomery. The motion was re-adopted, 8-1, Councilmember

Emmett voting against.

Subdivision Plat Approval - Councilmember Montgomery moved to approve Option 2 for the Subdivision Plat Approval Decision Package (revise major subdivision plat approval to allow for City Council consideration of plats) and to postpone the item until the City Council can determine what the process will be; the motion was seconded by Councilmember Allen. The motion was adopted, 8-1, Mayor Woodward voting against.

Mobile Homes Outside of Parks – (Councilmember Humphrey signed an Affidavit of Conflict of Interest and did not take part in this item.) Margaret Taylor, Dr. Richard Watkins, Joyce Parker, Blake Irving, John Escobedo, Diane Mack, Gary Adamek, Jerry DeWitt, Scott Cannon, Mark Smith, Kelsey Smith, Les Stone, Mader Hedspetch, Donna Pinon, and Linda Thompson urged the City Council to permit the placement of mobile homes outside of parks.

Councilmember Montgomery moved to adopt Option 1, to allow placement of mobile homes in management districts similar to current practice; the motion was seconded by Councilmembers Emmett and Brauning. The motion was adopted unanimously, 8-0.

Mobile Home Parks - (Councilmember Humphrey signed an Affidavit of Conflict of Interest and did not take part in this item.) Linda Thompson asked the City Council to continue its work with the community and local manufactured home vendors to address these issues. City Manager Matt Benoit pointed out the item was no longer an issue following the last vote. The Mayor called for a recess.

- b. **Presentation, public comment, discussion, and possible action to consider adoption of Ordinance 2015-33, amending Chapter 24, Land Development, of the Code of Ordinances of the City of Huntsville, Texas to adopt the updated Development Code of the City of Huntsville, Texas, second reading. [Aron Kulhavy, Director of Community and Economic Development]**

Councilmember Olson moved to postpone adoption until the August 18 meeting and was seconded by Councilmember Montgomery. The motion was unanimously adopted, 9-0.

- c. **FIRST READING - Presentation, public comment, discussion, and possible action to consider authorizing the City Manager to sign Addendum #1, in the amount of \$1,023,000, to the Construction Manager at Risk Agreement with Anchor Construction for the City of Huntsville Transfer Station. [Matt Benoit, City Manager, and Carol Reed, Director of Public Works]**

Councilmember Olson moved to suspend the Rules of Procedure as permitted under Section 9 and waive the second reading, the motion was seconded by Councilmember Johnson. The motion passed unanimously. Councilmember Olson moved to authorize the City Manager to sign Addendum #1, in the amount of \$1,023,000, to the Construction Manager at Risk Agreement with Anchor Construction for the City of Huntsville Transfer Station, the motion was seconded by Councilmember Johnson. The motion was unanimously adopted, 9-0.

- d. **FIRST READING - Presentation, public comment, discussion, and possible action to consider adopting Ordinance 2015-34, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 10th Street and Avenue N, first reading. [Y. S. "Ram" Ramachandra, City Engineer]**

(First reading, no action taken.)

- e. **FIRST READING - Presentation, public comment, discussion, and possible action to consider adopting Ordinance 2015-36, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 14th Street and University Avenue, first reading. [Y. S. "Ram" Ramachandra, City Engineer]**

(First reading, no action taken.)

- f. **Presentation, public comment, discussion, and possible action to consider approving Resolution 2015-13 authorizing proceeding with issuance of City of Huntsville, Texas combination Tax and Revenue Certificates of Obligation and further directing the publication of notice of intention to issue such Certificates of Obligation for the Transfer Station; and other matters related thereto. [Steve Ritter, Finance Director]**

Councilmember Olson made a motion to approve Resolution 2015-13 authorizing proceeding with issuance of City of Huntsville, Texas combination Tax and Revenue Certificates of Obligation and further directing the publication of notice of intention to issue such Certificates of Obligation for the Transfer Station; and other matters related thereto; the motion was seconded by Councilmember Humphrey. The motion was adopted unanimously, 9-0.

- g. **FIRST READING - Presentation, public comment, discussion, and possible action to consider adopting Ordinance 2015-35 amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 48 "Vehicles for Hire"; making other provisions and findings thereto; and declaring an effective date, first reading. [Aron Kulhavy, Director of Community and Economic Development, and Assistant Chief of Police Darryle Slaven, Department of Public Safety]**

(First reading, no action taken.) Bart Davis spoke as a representative of the owner of the bus terminal building, listing the advantages of the current terminal as he perceived them, and asked the City Council fully consider the item before voting. An unnamed representative of Greyhound spoke on their curbside service business plan.

5. MAYOR/CITY COUNCIL/CITY MANAGER AND CITY ATTORNEY REPORT

- a. **Presentation, public comment, discussion, and possible action to consider adopting Ordinance 2015-28, amending the City of Huntsville City Council Rules of Procedure; making various other finds and provisions related thereto; and declaring an effective date, second reading. [Matt Benoit, City Manager]**

Councilmember Olson moved to adopt Ordinance 2015-28, amending the City of Huntsville City Council Rules of Procedure: making various other finds and provisions related thereto; and declaring an effective date and to amend it by entering "three" in the blank in Exhibit A, 3.03d; the motion was seconded by Councilmembers Johnson and Montgomery.

Councilmember Brauning moved to postpone the item until the City Attorney was able to present a written opinion that the Ordinance was in accordance with the spirit of the Texas Open Meetings Act (TOMA), the motion was seconded by Councilmember Allen. Councilmember Olson moved that the City Attorney give his opinion in open session, the motion was seconded by Councilmembers Johnson and Humphrey. The motion passed unanimously, 9-0. The City Attorney said he agreed about the potential for a violation, but noted that there was nothing to prohibit the Council from requiring more than one Councilmember to place an item on an agenda, and cautioned the Council about self-governance. The motion to postpone failed, 3-6, Councilmembers Brauning, Allen, and Rodriguez voting in support.

The main motion was adopted, 5-4, Councilmembers Allen, Brauning, Emmett, and Rodriguez voting against..

- b. **Presentation, public comment, discussion, and possible action to ratify nominations for consideration for appointment to Houston-Galveston Area Council (H-GAC) committees. [Mayor Woodward]**

Mayor Woodward moved his nominations for consideration for appointment to Houston-Galveston Area Council (H-GAC) committees (Dessie Cherry for the Aging Programs Advisory Committee, Mark Short and Esther Herklotz for the Solid Waste Management Committee). Motion was adopted unanimously, 9-0.

- c. **Presentation, public comment, discussion, and possible action to appoint Councilmembers Emmett, Olson, and Rodriguez to the Rules of Procedure Review Ad Hoc Committee. [Mayor Woodward]**

Mayor Woodward moved his nominations of Councilmembers Emmett, Olson, and Rodriguez to the Rules of Procedure Review Ad Hoc Committee. Motion was adopted unanimously, 9-0.

- d. **City Manager's Report – FY15-16 budget preparation update by Finance Director Steve Ritter.**

Without objection, a budget and economic development special session was suggested for July 28 at 6 p.m.

6. REQUESTS FOR CITIZEN PARTICIPATION

An opportunity for citizens to be heard on any topic and for the City Council to participate in the discussion. No action will be taken.

No requests were received by noon on July 14, 2015.

7. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

There were no media inquiries.

8. ITEMS OF COMMUNITY INTEREST

(Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff for which no action will be discussed or taken.)

- *Feel the Sting! Day* will be August 28, 2015, the date of the Hornets' first game this fall. Show your support of our schools by ordering a flag from the Chamber of Commerce at 295-8113!
- HISD is sponsoring a summer lunch program, which is free to children 18 and younger, and at a significantly reduced cost to adults. Call 293-2681 for a list of times and locations.
- Relay for Life of Walker County and SHSU will be holding a Bowl Over Cancer Bowling Tournament on August 1st at noon at Huntsville Lanes. Call 577-1482 for more information.
- The Huntsville Public Library and the Walker County Genealogical Society will host their annual Genealogy Weekend July 31 and August 1. Contact is Mary Kokot at 291-5471.
- The Wynne Home is hosting a luau on August 1, from 4-8, call 291-5424 for more information.
- The Huntsville Public Library is holding a number of upcoming events, including an estate planning seminar and free Spanish classes. Find all the information at www.MyHuntsvilleLibrary.com
- The Mayor wished Linda Pease a speedy recovery and extended the Council's thoughts to Mary Joyner.

Councilmember Humphrey announced a fund raiser at the Fairgrounds Friday night, and also remembered former employee Sonny Davidson. She also shared her experience at the Central East Texas Alliance (CETA) seminar recently, encouraging people to go out and visit with their constituents and not worry about those who don't want to move forward.

Councilmember Brauning spoke of his pleasure during Lt. Col. Allen West's recent visit to the community and inspiring speech.

9. EXECUTIVE SESSION

- a. **The City Council will convene in closed session as authorized by Texas Government Code Chapter 551, Section 551.071 – consultation with counsel on legal matters to receive legal advice on the Trinity River Authority (TRA) construction contract for the expansion of the water plant. [Leonard Schneider, City Attorney]**
- b. **The City Council will convene in closed session as authorized by Texas Government Code Chapter 551, Section**

551.071 – consultation with counsel on legal matters McDonald Creek drainage regarding wetlands designation and the U.S. Corps of Engineers permit; and Section 551.072 – deliberation regarding purchase, exchange, lease or value of real property on McDonald Creek drainage regarding wetlands designation and the U.S. Corps of Engineers permit. [Leonard Schneider, City Attorney, Matt Benoit, City Manager]

The Mayor adjourned the Council into Executive Session at 10:19 p.m.

10. RECONVENE

- a. Take action, if necessary, on items addressed during Executive Session.**

The Council reconvened at 11:17 p.m. No action was taken.

11. ADJOURNMENT

Mayor Woodward adjourned the meeting at 11:18 p.m.

Lee Woodward, City Secretary

MINUTES FROM THE HUNTSVILLE CITY COUNCIL MEETING HELD ON THE 28TH DAY OF JULY 2014, IN THE CITY HALL, LOCATED AT 1212 AVENUE M IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 5:00 PM.

The Council met in a regular session with the following:

COUNCILMEMBERS PRESENT: Mac Woodward, Andy Brauningner, Lydia Montgomery, Don H. Johnson, Keith D. Olson, Joe Emmett, Tish Humphrey, Ronald Allen, Joe P. Rodriquez

COUNCILMEMBERS ABSENT: None

OFFICERS PRESENT: Matt Benoit, City Manager, Lee Woodward, City Secretary

WORKSHOP [6:00PM]

1. CALL TO ORDER

Mayor Woodward called the meeting to order at 6:01 p.m.

2. INVOCATION AND PLEDGES – City Manager Matt Benoit gave an invocation and Mayor Woodward led the pledges.

3. DISCUSSION/CONSIDERATION

a. *Presentation, discussion and possible action on the 2015-2016 Budget the tax rates and calculations, and economic development.*

Finance Director Steve Ritter presented an overview of the City funds including expectations for the end of the current FY and projections for FY15-16. Economic Development and the salary survey were discussed by City Manager Matt Benoit and HR Director Julie O'Connell, respectively. Public hearings and future discussions are expected for the next two regular City Council meetings.

4. ADJOURNMENT

Mayor Woodward adjourned the meeting at 8:39 p.m.

Lee Woodward, City Secretary

ORDINANCE NO. 2015-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, ORDERING A MUNICIPAL ELECTION TO BE HELD ON THE 3RD DAY OF NOVEMBER 2015, FOR THE PURPOSE OF ELECTING A MAYOR AT-LARGE AND FOUR COUNCILMEMBERS, ONE FROM EACH OF THE CITY'S FOUR WARDS, ONE, TWO, THREE, AND FOUR; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, that:

SECTION 1. The general municipal election of the City of Huntsville, prescribed by Section 6.01 of the City Charter, shall be held between the hours of seven (7:00) o'clock a.m. and seven (7:00) o'clock p.m. on the 3rd day of November 2015, in the City, for the purpose of electing a Mayor at-large and four Ward Councilmembers, one for each of the City's four wards: (1) one, (2) two, (3) three, and (4) four.

SECTION 2. The City is hereby divided into seven (7) election precincts. The polling places for these election precincts shall be as follows:

<u>Precinct</u>	<u>Polling Place</u>
101/102	Walker County Annex; 1301 Sam Houston Avenue, Ste. 101
201	Walker County Storm Shelter; 455 State Highway 75
205	Elkins Lake Recreation Conference Center; 634 Cherry Hills Drive
206	Huntsville Fire Station No. 1; 1987 Veterans Memorial Parkway
301	Huntsville ISD Transportation Building; 95 Martin Luther King
401	University Heights Baptist Church; 2400 Sycamore Avenue

SECTION 3. This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In all City elections, the Mayor, City Secretary or City Council shall do and perform each act as in other elections required to be done and performed, respectively, by the County Judge, the County Clerk or the Commissioners' Court. The City Council has determined, pursuant to Chapter 31 of the Texas Election Code, that the City is authorized to enter into an Election Services Agreement with Walker County, Texas, and, pursuant to Chapter 271 of the Texas Election Code, the City is authorized to enter into a Joint Election Agreement with Walker County and other participating political subdivisions for this election. The City Secretary and Mayor are hereby authorized to perform all duties and take all actions as required by any joint election agreement(s) and/or the contract(s) for election services and election agreement that may be authorized by City Council after the passage of this Ordinance.

SECTION 4. A Mayor at-large and Councilmembers for each of the City's four wards shall be selected. The Mayor and Ward Councilmembers to be elected shall hold office for a period of two (2) years.

SECTION 5. Each of the five Councilmembers (the Mayor and four Ward Councilmembers) shall be citizens of the United States, qualified and registered voters of the State of Texas; residents within the present corporate limits of Huntsville for at least twelve months immediately preceding the election; and current in payment of taxes and assessments due to the City.

SECTION 6. Any eligible and qualified person may have his name upon the official ballot as an independent candidate by submitting an application, which, in accordance with Texas Election Code Section 141.031, must be in writing and be signed and sworn to by the candidate and indicate the date that the candidate swears to the application. Such application for the general election may be filed with the City Secretary beginning on July 25, 2015 and must be filed not later than 5:00 p.m. on August 24, 2015.

SECTION 7. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing of the City Secretary as provided by Section 52.094 of the Texas Election Code.

The form of the ballot for the election shall be as follows:

OFFICIAL BALLOT
Regular Election
City of Huntsville, Texas
November 3, 2015

INSTRUCTION NOTE: Vote for the candidate of your choice in each race by placing an "X" in the square beside the candidate's name.

Mayor (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, Ward One (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, Ward Two (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, Ward Three (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, Ward Four (Vote for one)

- (candidates' name)
- (candidates' name)

SECTION 8. Diana L. McRae, the Walker County Election Officer/Tax Assessor-Collector, is the Early Voting Clerk (EVC), and Julie Cooper, Walker County Elections Manager, is appointed Deputy Early Voting Clerk (DEVK) for the joint early voting approved by Commissioners' Court, as with respect to early voting in person and voting by mail, and the Walker County Annex, 1301 Sam Houston Avenue, Suite 101, is hereby designated as the Main Early Voting Site for early voting for the election. Early Voting in the election by personal appearance shall be conducted at the times, dates and polling places as provided for in the Walker County Joint Election Agreement and Election Services Contract between the City of Huntsville, Texas and Walker County, Texas and further adopts any additions or amendments to such concerning early voting times, dates, and polling location as approved by the Walker County Deputy Elections Administrator. During the lawful early voting period, such clerk shall keep such place for early voting open for early voting from 8:00 a.m. - 5:00 p.m., Monday through Friday, October 19-30, 2015; from 7:00 a.m. - 7:00 p.m. on Tuesday, October 20, 2015 and Tuesday, October 27, 2015; except official state holidays.

SECTION 9. The Mayor and City Secretary are hereby directed to give notice of the election by:

- a) causing said notice of such election to be published at least forty (40) days prior to the date of such election in the newspaper;
- b) by publishing the notice at least one time, not more than thirty (30) days nor less than ten (10) days before the election, in the newspaper;
- c) by filing with the City Secretary, for posting, a copy of said notice at least twenty-one (21) days before the election; and

d) by posting at City Hall and the Walker County Courthouse bulletin boards notice of the election at least twenty-one (21) days before the election.

The Mayor and City Secretary shall file with the City Secretary a copy of the notice as published, together with the name of the newspaper and the dates of publication.

SECTION 10. It is further found and determined that in accordance with the order of this governing body the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting. A copy of the return of such posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SECTION 11. That the Mayor and/or the City Secretary of the City of Huntsville are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

SECTION 12. The Mayor and/or the City Secretary and the attorney for the City are hereby authorized and directed to make any filings required by the Federal Voting Rights Act. The Mayor and/or the City Secretary and the attorney for the City are further authorized and directed to take any action necessary to comply with the provisions of the Texas Elections Code, the Federal Voting Rights Act and the terms and provisions of any Election Services Contract(s) and the Joint Election Agreement(s) in carrying out the provisions of this Ordinance, whether or not expressly authorized herein.

SECTION 13. This ordinance shall take effect from and after its passage.

PASSED AND APPROVED this 4th day of August 2015.

THE CITY OF HUNTSVILLE

Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Leonard Schneider, City Attorney

ORDENANZA NO. 2015-37

UNA ORDENANZA DEL CONSEJO DE LA CIUDAD DE HUNTSVILLE, TEXAS QUE DECRETA LAS ELECCIONES MUNICIPALES QUE TENDRAN LUGAR EL DIA 3 DE NOVIEMBRE DEL 2015 CON EL PROPOSITO DE ELEGIR EL ALCALDE DE PLAZA LIBRE Y CUATRO MIEMBROS DE LA SALA DEL CONSEJO 1, 2, 3, Y 4; DESIGNANDO LUGARES Y MODO DE LAS ELECCIONES; Y PROPORCIONANDO EL AVISO Y PUBLICACION DE TAL NOTICIA.

ORDENESE POR EL CONSEJO DE LA CIUDAD DE HUNTSVILLE, TEXAS QUE:

SECCIÓN 1. Las elecciones municipales regulares en la ciudad de Huntsville, según lo proscrito en la Sección 6.01 del Código Municipal, se efectuarán entre las siete (7:00) en punto A.M. y las siete (7:00) en punto P.M. el día 3 de Noviembre de 2015, en la ciudad, con el propósito de elegir el alcalde de plaza libre y cuatro miembros de la sala del Consejo, 1, 2, 3, y 4.

SECCION 2 Por la presente la Ciudad se divide en siete (7) precintos electorales. Los sitios de votación para estos precintos electorales serán los siguientes:

<u>Precinto</u>	<u>Sitio de votación</u>
101/102	Walker County Annex; 1301 Sam Houston Avenue, Ste. 101
201	Walker County Storm Shelter; 455 State Highway 75
205	Elkins Lake Recreation Conference Center; 634 Cherry Hills Drive
206	Huntsville Fire Station No. 1; 1987 Veterans Memorial Parkway
301	Huntsville ISD Transportation Building; 95 Martin Luther King
401	University Heights Baptist Church; 2400 Sycamore Avenue

SECCIÓN 3. Estas elecciones se efectuarán de acuerdo con y se regirán por las leyes electorales del Estado de Texas. En todas las elecciones de la Ciudad, el Alcalde, el Secretario o el Consejo deberá hacer y realizar cada acto de la misma manera que se requiere que haga y realice en otras elecciones el Juez del Condado, el Secretario del Condado o el Tribunal de Comisionados respectivamente. Los miembros de la sala de consejo han determinado, con acuerdo con el Capítulo 31 del Código de Elección de Texas, que se autoriza que la Ciudad firme un Acuerdo de Servicios de Elección con el Condado de Walker, Texas, y, de acuerdo con el Capítulo 271 del Código de Elección de Texas, se autoriza que la Ciudad firme un Acuerdo de Elección Conjunto con el Condado de Walker y otras subdivisiones políticas participantes para esta elección. El secretario municipal y el alcalde por la presente están autorizados para llevar a cabo todas las tareas y tomar las medidas requeridas por los acuerdos de elección conjunta y/o el contrato de servicios electorales y acuerdos electorales que puedan ser autorizados por el Consejo de la Ciudad después de la aprobación de esta Ordenanza.

SECCIÓN 4. Un Alcalde en libertad y miembros de consejo para cada una de las cuatro salas de la Ciudad serán seleccionadas. El Alcalde y miembros de consejo de la Sala que seran elegidos sostendrán la oficina para el periodo de dos (2) años.

SECCIÓN 5. Cada uno de los cinco miembros del Consejo deberán ser ciudadanos de los Estados Unidos, votantes calificados y registrados en el Estado de Texas, residentes entre los límites corporativos de Huntsville durante por lo menos doce meses inmediatamente anteriores a las elecciones y haber liquidado todos los impuestos y cargos debidos a la Ciudad.

SECCIÓN 6. Cualquier persona calificada puede efectuar que su nombre aparezca en la boleta oficial como candidato independiente al entregar una solicitud que, de acuerdo a la Sección 141.031 del Código Electoral de Texas, debe entregarse por escrito y ser firmada y jurada por el candidato, indicando la fecha

en que el candidato jura la solicitud. Tal solicitud se puede entregar al Alcalde o al Secretario de la Ciudad, desde el 25 de Julio de 2015, y debera entregarse antes del 24 de agosto de 2015 a las 5:00 p.m.

SECCIÓN 7. El orden en que se imprimirán los nombres de los candidatos en la boleta se determinará por una rifa conducida por el Secretario como se proscribe en la sección 52.094 del Código Electoral del Estado de Texas.

El formato de la boleta electoral será el siguiente:

BOLETA OFICIAL
Elecciones regulares
Ciudad de Huntsville Texas
3 de noviembre de 2015

INSTRUCCIONES: Vote por el candidato de su preferencia al colocar una X en el cuadrado al lado del nombre del candidato.

Alcalde (Vote por uno)

- (nombre del candidato)
- (nombre del candidato)

Miembro del Consejo, Sala del Consejo Uno (Vote por uno)

- (nombre del candidato)
- (nombre del candidato)

Miembro del Consejo, Sala del Consejo Dos (Vote por uno)

- (nombre del candidato)
- (nombre del candidato)

Miembro del Consejo, Sala del Consejo Tres (Vote por uno)

- (nombre del candidato)
- (nombre del candidato)

Miembro del Consejo, Sala del Consejo Cuatro (Vote por uno)

- (nombre del candidato)
- (nombre del candidato)

SECCIÓN 8. Diana McRae, Administradora de elecciones, condado de Walker, Texas, es designada por lo presente como Secretaria de elecciones anticipadas, y Julie Cooper, Gerente de Elecciones, condado de Walker, Texas, y el Anexo del Condado de Walker (Walker County Annex), 1301 Sam Houston Avenue, Room 101, Huntsville, Texas 77340, es por la presente designado como el lugar principal para votar por anticipado en las elecciones. Votación Temprana en la elección por el aspecto personal será conducida en los tiempos, fechas y sitios que votan como está previsto para en el Contrato de Servicios de Elección y Acuerdo de Elección de Unión del Condado de Walker entre la Ciudad de Huntsville, Texas y Condado de Walker, Texas y adelante adopta cualquier adición o enmiendas a tal acerca de tiempos de votación tempranos, fechas, y votación de la posición como aprobado por el Diputado del Administrador de Elecciones del Condado de Walker. Durante el período legal para votar por anticipado, dicho secretario deberá mantener abierto dicho lugar para votar por anticipado desde las 8:00 A.M. hasta las 5:00 P.M., lunes hasta viernes del 21 de octubre al 1 de noviembre; y desde las 7:00 A.M. hasta las 7:00 P.M., el martes 22 de octubre, de 2015, y el martes 29 de octubre, de 2015, excepto días festivos estatales oficiales.

SECCIÓN 9. Ordénese por la presente al Alcalde y al Secretario de la ciudad avisar de las elecciones:

- a) publicando el aviso en el periódico al menos una vez, por lo menos cuarenta (40) días antes de la fecha de las elecciones
- b) publicando el aviso en el periódico por lo menos una vez, a no más de treinta (30) ni menos de diez (10) días antes de la fecha de las elecciones
- c) presentando copia de dicho aviso ante el Secretario de la Ciudad con el fin de ponerlo a la vista en un lugar público al menos veintiún (21) días antes de las elecciones; y
- d) colocando aviso de las elecciones en los tableros de anuncios del Ayuntamiento de la Ciudad y el Tribunal del Condado de Walker al menos veintiún (21) días antes de las elecciones.

El Alcalde y el Secretario de la Ciudad deberán presentar copia del aviso publicado ante el Secretario, junto con el nombre del periódico y las fechas de publicación.

SECCIÓN 10. Además se determina y se encuentra que de acuerdo con el mandato de este cuerpo gubernamental, el Secretario puso aviso por escrito del día, lugar, fecha y materia de esta junta en el tablero de avisos ubicado en el Ayuntamiento de la Ciudad, lugar conveniente y accesible para el público en general y que dicho aviso habiendo sido colocado de esta manera y habiéndose quedado colocado de manera continua por al menos setenta y dos (72) horas antes de la hora de tal junta. Copia de tal colocación se adjuntará a la minuta de esta junta y formará parte de la misma para toda intención y propósito.

SECCIÓN 11. Que el Alcalde y/o el Secretario de la Ciudad de Huntsville por la presente están autorizados para ejecutar o emitir, para y en nombre de la Ciudad, tales órdenes, documentos y formas, que puedan promulgarse de vez en cuando por el Secretario de Estado del Estado de Texas en conjunción con las elecciones aquí decretadas.

SECCIÓN 12. El Alcalde y/o el Secretario de Ciudad y el abogado para la Ciudad están por este medio autorizados y ordenados hacer cualquier limadura requerida por el Acto de Derechos de Votación Federal. El Alcalde y/o el Secretario de Ciudad y el abogado para la Ciudad están autorizados adelante y ordenados a tomar cualquier acción necesaria de cumplir con las provisiones del Código de Elecciones de Texas, el Acto de Derechos de Votación Federal y los términos y las provisiones del cualquier Contrato(s) de Servicios de Elección y el Acuerdo(s) de Elección Conjunto en la realización de las provisiones de esta Ordenanza, se expresamente autorizado aquí.

SECCIÓN 13. Esta Ordenanza tendrá vigencia en cuanto se apruebe.

ADOPTADA Y APROBADA EL DIA 4 de Agosto de 1 2015.

LA CIUDAD DE HUNTSVILLE

Mac Woodward, Alcalde

DOY FE:

APROBADA PARA FORMARSE:

Lee Woodward, Secretaria de la Ciudad

Leonard Schneider, Abogado de la Ciudad



2015 JOINT ELECTION AGREEMENT

Between the County of Walker, City of Huntsville, City of New Waverly, City of Riverside,
Huntsville Independent School District, New Waverly Independent School District,
and Walker County Hospital District,

AND

ELECTION SERVICES CONTRACT

Between the County Election Officer
And the Political Subdivisions Listed Above Respectively

WHEREAS Texas Election Code Chapter 271, Joint Elections, authorizes two or more political subdivisions to enter into an agreement to hold their elections jointly in the election precincts that can be served by common polling places if the elections are to be held on the same day in all or part of the same territory; and

WHEREAS the County of Walker, Texas ("County"), the City of Huntsville, Texas ("CityH"), the City of New Waverly, Texas ("CityNW"), the City of Riverside, Texas ("CityR"), the Huntsville Independent School District ("HISD"), the New Waverly Independent School District ("NWISD"), and the Walker County Hospital District ("WCHD") shall hold their respective general elections on Tuesday, November 3, 2015; and

WHEREAS the County Election Officer, Diana L. McRae, hereinafter referred to as "Contracting Officer", along with the Voter Registration/Elections Department (VR/ED) she oversees, and by authority of Section 31.092(a) of the Texas Election Code, enters into this election services contract with each political subdivision holding their respective general election on Tuesday, November 3, 2015 for the conduct and supervision of; and

WHEREAS the County, CityH, CityNW, CityR, HISD, NWISD, and WCHD (*also referred to as participating authority(ies)/entity(ies), joint participants, political subdivisions*) represent that they have each adopted orders, resolutions or other official documents required by their respective governing bodies reciting the terms of this joint election agreement and the contract for election services; and

WHEREAS the County, CityH, CityNW, CityR, HISD, NWISD, and WCHD find that this joint election agreement and this election services contract will adequately and conveniently serve all voters in Walker County and will facilitate the orderly conduct of the elections; and

THEREFORE, the County, CityH, CityNW, CityR, HISD, NWISD, and WCHD agree as follows:

The Walker County Voter Registration/Elections Department (VR/ED), under the direction of the County Election Officer, agrees to coordinate, supervise, and handle all aspects of administering the Joint Election in accordance with the provisions of the Texas Election Code and as outlined in this agreement. Each participating authority agrees to pay Walker County for leasing the equipment, election supplies, services and administrative costs as outlined in this agreement. The VR/ED will serve as administrator for the election; however, each participating authority remains responsible for the lawful conduct of their respective election.



1. Uniform Election Date. Joint elections to be held November 3, 2015, unless canceled by certification of unopposed candidates under Section 2.051-2.053 of the Texas Election Code. If a political subdivision cancels its respective election pursuant to Section 2.053, the Contracting Officer shall be entitled to receive an administrative fee of \$75.00 [Section 31.100(d)] and shall prepare and submit an invoice for payment within 60 days after the unofficial notification of cancellation is received. Once the cancellation of the election is formally approved by the respective governing body, the political subdivision shall provide a copy of the certification of cancellation to the VR/ED in order for it to be posted at each affected poll place on Election Day. Note: This Agreement does not include any provisions or costs associated with a subsequent runoff election. Any additional election, held on any day other than said uniform election date of November 3, 2015, will be subject to VR/ED availability and a new contract.
2. Voting Equipment. The VR/ED will provide voting machines and equipment, prepare them for use in the election including logic and accuracy testing, and transport them (*or arrange to have them transported*) to and from the early voting location(s) and the Election Day polling places.
3. Election Supplies. The VR/ED will arrange for all necessary election supplies, including but not limited to ballots, election forms, maps, and supplies for election judges, ballot boxes, voting booths, transfer cans, electronic poll book and accessories, etc. and if necessary, instructions and other information needed to enable the election judges to conduct a proper election.

The VR/ED will combine election forms and records in a manner convenient and adequate to record and report the results of the election for each of the participating entities as prescribed by Section 271.009 of the Texas Election Code. This includes the use of a single ballot containing all the offices or propositions stating measures to be voted on at a particular polling place (Section 271.007 Texas Election Code).

Each participating entity will remain the filing authority for applications for a place on the ballot respectively and shall furnish to the VR/ED a list of candidates and/or propositions showing the order and the exact manner in which their candidate names and/or propositions are to appear on the official ballot in both English and in Spanish. The list will be delivered to the VR/ED as soon as possible after ballot positions have been determined by each of the participating authorities. Each participating authority will be responsible for proofreading and approving the ballot in so far as it pertains to the authority's candidates and/or propositions. The VR/ED will order programming and ballots based on the ballot approval of each participating authority. In the event, a participating authority approved a ballot containing an error, that authority will be solely, financially responsible for all replacement costs of the programming and ballots, along with any additional related expenses (i.e. shipping, etc.).

The VR/ED will be responsible for procuring the election supplies for an election. The ballot allocation will be in accordance to Section 51.005 of the Texas Election Code. In the case of a Local Option Election, the ballot allocation will be in accordance to Title 17, Section 501.104 of the Texas Election Code. However, the final ballot order will be calculated and authorized by the VR/ED to ensure sufficient supplies without excessive waste.

4. Election Notices and other Pre-Election Matters.

NEW RULING - Effective June 25, 2013, United States Supreme Court ruled Section 5 of The Voting Rights Act of 1965 "unconstitutional" – based on this ruling, we've been advised by the Secretary of State's Office that changes in voting procedures no longer require approval or "preclearance" by federal authorities known as the Department of Justice. At this time, the language will remain in the Joint Election Agreement (4.a.) however we have suspended the submission for preclearance to the DOJ as instructed until further notice.

- ~~a. The VR/ED will be responsible for making the submission required by the Federal Voting Rights Act of 1965, as amended, with regard to administration of the joint election. A copy of the preclearance letter to the DOJ will be furnished to each participating authority.~~
- b. Each authority will post their respective election orders and public election notices; and provide a copy of the orders and notices with the VR/ED and those issued by VR/ED to each participating authority.



- c. The VR/ED will select, with Commissioners' Court approval, and arrange for the use of all voting locations. Voting locations will be, whenever possible, the usual, *Court/DOJ approved* county voting locations for the precincts. In the event a voting location is not available or a change has been made for another reason, the VR/ED will arrange for an alternate location or combine it with another and will notify each participating authority affected by the change. **The voting locations are listed in Attachment "A" of this agreement.** The VR/ED will notify each participating authority of any changes from the locations listed in Attachment "A".

5. Election Judges, Clerks and Other Election Information.

- a. The VR/ED will be responsible for the appointment by Commissioners' Court of the presiding judge and an alternate for each polling location. The VR/ED will arrange for training and compensation of all presiding judges and clerks. **The election judges are listed in Attachment "B" of this agreement.** If a person is unable or unwilling to serve, the VR/ED will be responsible for the appointment of a replacement judge for the precinct and notify each participating authority affected by the change.
- b. The VR/ED will take the necessary steps to insure that all election judges appointed for the joint election are eligible to serve.
- c. The presiding judge for each election precinct appoints the election clerks, one of which must be the alternate judge, in the number determined/recommended by VR/ED and approved by Commissioners' Court. *The number of clerks may vary based on the type of the election(s), number of registered voters in the election precinct, if it's a combined voting box, number of ballots and/or split ballots in the election precinct, etc.* The presiding judge is responsible for ensuring the eligibility of each appointed clerk. The VR/ED is available upon request to assist with eligibility questions and/or confirmations.
- d. The VR/ED will conduct one or more election schools, and will notify the election judges/workers and each participating authority of the date(s), time(s), and place(s) of such school(s).
- e. The election judges are responsible for picking up election supplies at the time and place determined by the VR/ED. Each election judge will receive \$10 per hour and each clerk \$9 per hour (for a maximum of 14 hours). The election judge will receive an additional \$25 for picking up the election supplies prior to Election Day and for delivering election returns and supplies to the County Annex building on Election Night.
- f. The VR/ED will employ other personnel necessary for the proper administration of the election, including temporary staff, as is necessary to prepare for the election, to ensure the timely delivery of supplies and equipment during the period of early voting and for Election Day, and for the efficient collection of precinct supplies on election night at the central accumulation station. This temporary, election personnel will be paid \$9 an hour as agreed upon by the participating authorities.

6. Early Voting.

- a. All participating entities agree to conduct their early voting jointly (Section 271.006 of the Texas Election Code). Diana L. McRae, the County Election Officer/Tax Assessor-Collector, is the Early Voting Clerk (EVC) as established by Secs. 83.002 and 31.071 of the Texas Election Code. Julie Cooper, Elections Manager, is appointed Deputy Early Voting Clerk (DEVVC) for the joint early voting approved by Commissioners' Court, as with respect to early voting in person and voting by mail. Additional clerks may be appointed by the EVC/DEVVC as needed to assist in the conduct of the election.
- b. The joint early voting will be conducted at the early voting poll place of the County at the Walker County Annex and at minimum, will be the hours that the early voting clerk regularly conducts early voting and if applicable, will be extended to include any extended or weekend hours.
- c. The EVC/DEVVC may appoint additional clerks for early voting by personal appearance/voting by mail as needed to assist in the conduct of the election.



d. Early voting will be conducted at the following location:

Location: Walker County Annex, 1301 Sam Houston Avenue, Suite 101

Dates: October 19th – October 30th , Monday thru Friday

Times: 8:00 am – 5:00 pm

EXCEPTION: There will be two twelve hour days during early voting:
Tuesday, Oct. 20th and Tuesday, Oct. 27th – Early Voting Hours 7:00am – 7:00pm

- e. The Early Voting Ballot Board (EVBB), consisting of a presiding judge and at least two other members depending on type of election(s), will be appointed by the County Election Board in even numbered years and in odd numbered years Commissioners' Court appoints the EVBB Judge only (*name submitted by applicable party chair*). The presiding judge is responsible for appointing election clerks and for their eligibility. The VR/ED is available upon request to assist with eligibility questions and/or confirmations.
- f. The presiding election judge and election clerks of the EVBB will receive \$9 per hour for at least 10 hours, minimum call for service, regardless of number of hours worked.

7. Election Day.

- a. The VR/ED will monitor all polling locations on Election Day for adequate supplies, operating voting systems, voter check-in assistance, qualifying the voter, etc.
- b. As required by law, the VR/ED will be open on Election Day and also available by phone, cell phone, e-mail, and instant messaging (via electronic poll books) to assist all election workers and participating authorities.

8. Returns of Elections.

- a. The VR/ED is responsible for establishing and operating the central accumulation station in accordance with the provisions of the Texas Election Code and this agreement. The CAS is overseen by the County Election Officer/Central Accumulation Manager, appointed by Commissioners' Court, with the assistance of the Election Manager as Tabulation Supervisor, an Assistant Tabulation Supervisor, and numerous Receiving Clerks.
- b. On election night as precinct returns arrive for processing, the VR/ED will provide timely cumulative reports of election results as soon as the returns are processed, accumulated and the initial reconciliation is completed. The VR/ED will be responsible for releasing cumulative totals, reflecting precinct returns via a "media report"/"summary report" to include early voting and election day, to the joint participants, candidates, media, and general public by distribution of hard copies and/or electronic transmittals. Walker County will operate an Election Results Center to release election results in the Walker County Annex Building located at 1301 Sam Houston Avenue.
- c. On election night, the VR/ED will have a designated area set up in Room 114 to accommodate one representative from each participating entity to observe the election results center operation and receive election results. Internet access via data lines will be available as well *if needed*. Specific instructions regarding recommended arrival time, entrance access, etc. will be sent out via email to each participating entity before Election Day as instructions may vary with each election.
- d. The VR/ED will be responsible for entering election night returns electronically as required by the Secretary of State's Office.



- e. The VR/ED will prepare, after Election Day, the unofficial canvass report after all precinct returns have been accumulated, and will make available a copy of the unofficial precinct returns for canvassing to each participating authority as soon as possible after all returns, provisional and mail ballots have been tabulated; the unofficial precinct returns will be available by 12:00 noon on Tuesday, November 10th, 2015.
- f. All participating authorities will be responsible for canvassing their respective election returns. As stated in Section 271.012 of the Texas Election Code, the presiding officer of the canvassing authority of each participating entity shall issue certificates of election to candidates elected in the joint election to offices of political subdivisions. *Please refer to the publication provided by the Elections Division of the Secretary of State's Office titled "Canvassing Elections and Qualification for Public Office" for an outline summarizing Texas case law and statutes relating to canvassing and reporting official election returns, as well as the laws specifying how candidates take office upon election.*
- g. The VR/ED will be responsible for conducting the post election manual recount, unless a waiver is given from the Secretary of State in accordance with Section 127.201 of the Texas Election Code. Each political subdivision must notify the VR/ED if waiver has been granted or denied upon receipt of notification from the Secretary of State. The VR/ED will post required notice of recount and may require a representative of each participating authority to be present and if necessary, assist with the recount process.
- h. Each participating authority is responsible for entering their respective election results precinct return reporting, also known as the Vote Count List, as required by the Secretary of State.

9. Records of the Election.

- a. The Contracting Officer (County Election Officer) shall serve as the general custodian of election records in accordance with Section 271.010 of the Texas Election Code. However, each participating entity will be the custodian and responsible for pre-election and post-election records for their respective elections to include but not limited to election orders, public election notices, applications for a place on the ballot, candidate drawing documents, along with canvassing records and certificates of election, etc.
- b. Election records will be available to each participating authority as well as to the public in accordance with the Public Information Act, Chapter 552 of the Texas Government Code and Chapter 66 of the Texas Election Code.
- c. Records of the election will be retained and disposed of in accordance with the records retention schedule adopted by the Walker County Tax Assessor-Collector/County Elections Officer, and accepted by the Texas State Library and Archives Commission on May 10, 2010 and in accordance with Chapter 66 of the Texas Election Code. The preservation period for non-federal elections is 6 months (instead of 22 months) after Election Day. (Sec.66.058)
- d. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, the VR/ED will maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of any participating authority to bring to the attention of the VR/ED any notice of any pending contest, investigation, litigation, or Texas Public Information Act request which may be filed with a participating authority.
- e. Upon request to maintain records beyond eligibility for preservation according with Section 66.058 of the Texas Election Code, the VR/ED shall supply a written cost estimate for storage to requesting participant.

10. Election Expenses.

- a. The participating authorities mutually agree to pay the actual expenses attributable to their portion of the programming, coding, and ballot layout costs. Programming of voting equipment owned by Walker County is prepared by Election Systems and Software (ES&S).



- b. The cost of any special request from a participant, which is not agreed upon by all authorities, shall be borne by that participant.
- c. The participating authorities mutually agree to share election expenses incurred, including but not limited to, the costs and expenses of election supplies, newspaper publication of the testing notice, air cards for electronic poll books, logic and accuracy testing, voting machines and equipment transportation, and other election related expenses.
- d. The participating authorities mutually agree to share the cost of all election personnel (*excluding the Contracting Officer*). This will include the early voting election workers, Election Day workers, Early Voting Ballot Board, along with any temporary employees hired to assist with delivery of equipment and supplies, and election workers at the central accumulation station, etc. On Election Day, only the political subdivisions sharing that polling location will equally split the personnel cost. Any hours worked over forty (40) hours per week by the full-time employees of the VR/ED (*shall be monitored and authorized by the County Election Officer*) beginning the Friday immediately before early voting begins and concluding the Friday following Election Day, due to the complexity of the elections, will be paid at one and one half (1 ½) time his/her regular rate and will be a shared cost by all participating authorities.
- e. The participating authorities mutually agree to lease the county-owned election equipment in accordance with Section 123.032 of the Texas Election Code. The voting system to be used in the election is the ES&S Model 100 Precinct Scanner. One accessible voting system, the ES&S AutoMark, will be provided at each poll location. Early voting equipment will be shared by participating entities. However, on Election Day, only the political subdivisions sharing that polling location will equally split the cost to lease the equipment at that location.
- f. The participating authorities mutually agree to pay an administrative fee to the county election officer for election services performed not to exceed 10% of the total cost of the election, but may not be less than \$75, as authorized by Section 31.100(d) of the Texas Election Code.
- g. The participating authorities mutually agree to pay Walker County within thirty (30) days of receipt of the invoice.

11. Waiver of Damages.

The Participating Authorities acknowledge that the electronic voting system and the programming of paper ballots is highly technical and that it is conceivable that despite the effort of the Voter Registration/Elections Department it might fail during an election or might contain errors. The Participating Authorities agree that should the electronic voting system fail, the Participating Authorities will not make any claim against the County of Walker, the elected officials signed herein, or any of their employees, or agents for damages of any kind, including but not limited to damages incurred for having to conduct a second election caused as a result of such failure or error.

The Participating Authorities acknowledge that joint elections present logistical problems and other problems over and above elections that may be conducted individually. The County of Walker, the elected officials signed herein, or any of their employees, or agents will use their best efforts to help ensure that a joint election will be conducted without error or mishap, but on occasion, errors or mishaps occur. Accordingly, the Participating Authorities agree that should an error or mishap occur they will not make any claim against the County of Walker, the elected officials signed herein, or any of their employees, or agents for damages of any kind including but not limited to damages incurred for having to conduct a second election, as a result of such error or mishap.

To the extent possible by law, if legal action is filed against any of the Participating Authorities involving its' respective election and if, the County and/or the elected officials signed herein or any of their employees, or agents, is named as a party to this legal action and the complaint is based solely on allegations made against that particular political subdivision, then that political subdivision, Participating Authority, shall be solely responsible for the costs and defense of that suit and shall be authorized to provide counsel of its choice for the County and/or the elected officials signed herein or any of their employees, or agents.

The VR/ED will print multiple original documents and facilitate the coordination between the participating authorities and their respective governing bodies in order for each to have an original, signed and completed contract for each authority's records. The VR/ED shall file a copy of this executed contract with the County Treasurer, County Judge, and County Auditor.

SIGNED AND ENTERED into this joint agreement 27th day of July, 2015 in duplicate originals.

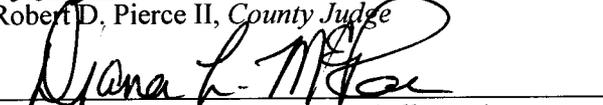
WALKER COUNTY

THE CITY OF HUNTSVILLE



Robert D. Pierce II, *County Judge*

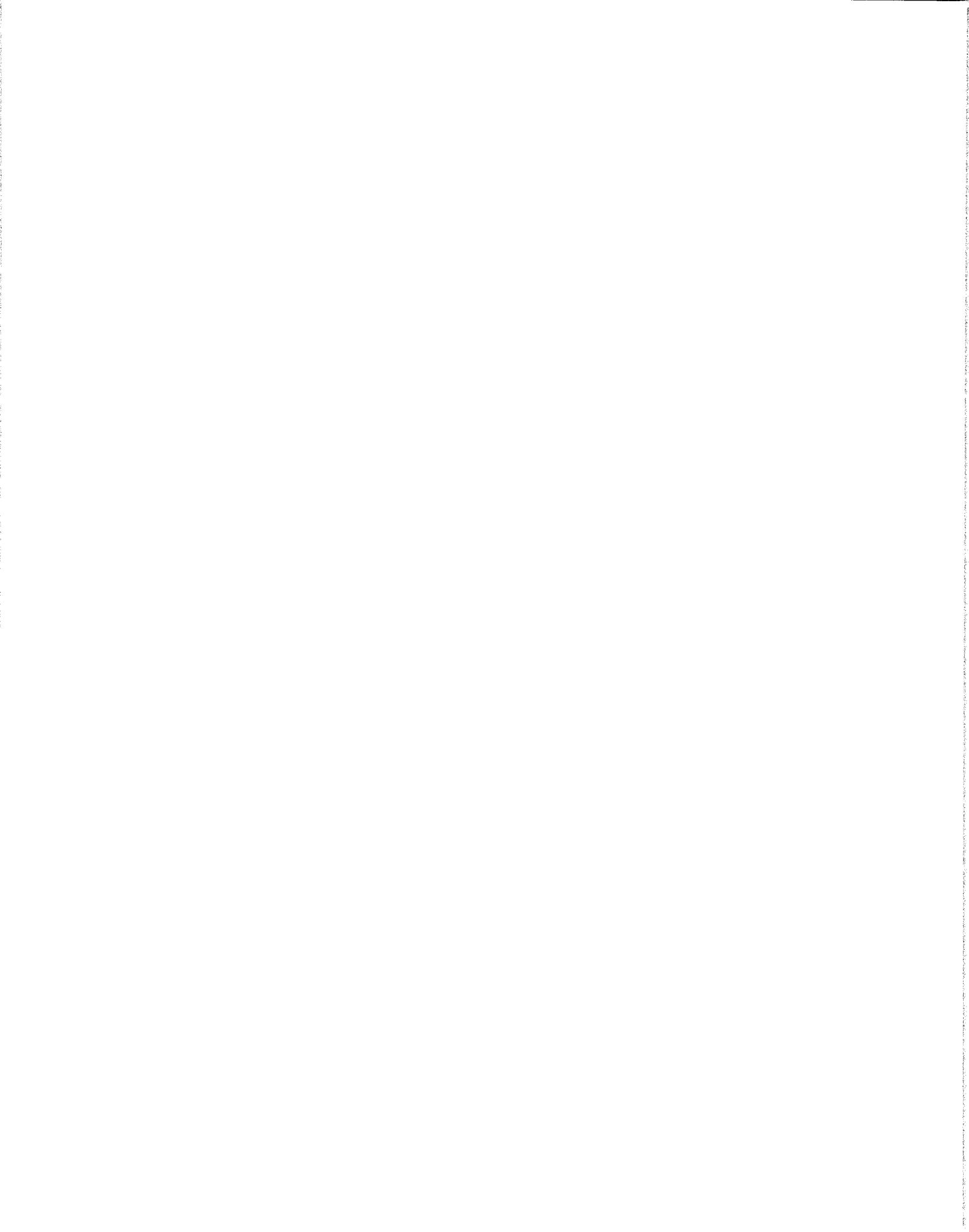
Mac Woodward, *Mayor*



Diana L. McRae, *Tax Assessor-Collector/
County Election Officer*

Lee Woodward, *City Secretary*

*Attachment A – Polling Locations
Attachment B – Election Judges*



Attachment A

POLLING LOCATIONS

Approved by Commissioners' Court on July 27, 2015

<u>PCT</u>	<u>LOCATION</u>
101/102	WALKER COUNTY ANNEX 1301 Sam Houston Ave. Ste. 101, Huntsville, Texas 77340
103	COOK SPRINGS BAPTIST CHURCH 1936-A SH 75 N, Huntsville, Texas 77320
104	NORTHSIDE BAPTIST CHURCH 1207 FM 980, Huntsville, Texas 77320
201	WALKER COUNTY STORM SHELTER 455 SH 75 N, Huntsville, Texas 77320
203/204	WALKER COUNTY FAIRGROUNDS 3925 SH 30 W, Huntsville, Texas 77320
205	ELKINS LAKE CONFERENCE CENTER 634 Cherry Hills Drive, Huntsville, Texas 77340
206	HUNTSVILLE FIRE STATION NO. 1 1987 Veterans Memorial Parkway, Huntsville, Texas 77340
301	HUNTSVILLE ISD TRANSPORTATION BUILDING 95 Martin Luther King, Huntsville, Texas 77320
302/303	CALVARY BAPTIST CHURCH 1135 U. S. Hwy 190, Huntsville, Texas 77320
304	RIVERSIDE UNITED METHODIST CHURCH 2341 FM 980, Huntsville, Texas 77320
401	UNIVERSITY HEIGHTS BAPTIST CHURCH 2400 Sycamore Avenue, Huntsville, Texas 77340
403	PHELPS FIRST METHODIST CHURCH 13 Dorrell Road off FM 2296, Huntsville, Texas 77340
404	NEW WAVERLY FIRST BAPTIST CHURCH 460 Fisher Street (at corner of Hardy), New Waverly, Texas 77358

Attachment B

ELECTION JUDGES

(Submitted/Nominated by Party Chairs; To Be Appointed by Commissioners' Court)

Republican Judge/Alt		Democrat Judge/Alt	
Precinct		Precinct	
101	Stephanie Fors	101	Thelma Giddens
102	Stephanie Fors	102	Marsie Grant
103	Rich Baldwin	103	Shen Grigsby
104	Tom Olejnik	104	Deborah Willett
201	Pat Phillips	201	Cheryl A. Irving
203	Kara Veinotte	203	Judy Goodwell
204	Kara Veinotte	204	Greg Anderson
205	Andrea Cottle	205	Donje Heiland
206	Charlotte Miller	206	Chris Tyson
301	Linda Thompson	301	Fred Gullory
302	Rebecca K...	302	Melba Alalos
303	Rebecca K...	303	Wanda Fisher
304	Paula White	304	Daphna Dennis
401	Rosemary Heinsohn	401	Helen Belcher
403	Cindy Rohe	403	Jacklyn Fisher
404	Martha Grisham	404	Raymond Martin

**To be Updated
Not Ready for
Court Approval**

Once the final list of party nominated presiding judges/alternate judges is brought before Commissioners' Court and the judges are appointed by the Court, the list of election judges will replace this preliminary list as Attachment B of the Joint Election Agreement.



CITY COUNCIL AGENDA

8/4/2015

Agenda Item: 3d

Item/Subject: Consider authorizing the City Manager to apply for a Community Development Block Grant - Disaster Recovery (CDBG-DR), and adopt Resolution 2015-14 in support of same.

Initiating Department/Presenter: Neighborhood Resources

Presenter: Sherry McKibben

Recommended Motion: Move to authorize the City Manager to apply for a Community Development Block Grant - Disaster Recovery (CDBG-DR), and adopt Resolution 2015-14 in support of same.

Strategic Initiative: Goal #4 - Infrastructure - Ensure the quality of the City utilities, transportation and physical structures so that the City's core services can be provided in an effective and efficient manner.

Discussion: During May and June of this year, the City suffered through multiple strong storms that resulted in the Mayor, Governor and President declaring Walker County as a Disaster Area. These Declarations have made Huntsville eligible for Disaster Recovery Funds. The Community Development Block Grant Disaster Recovery (CDBG-DR) is for \$350,000 with no matching funds required.

On May 25, 2015, Huntsville suffered a severe thunderstorm that resulted in two power outages at the A.J. Brown Wastewater Treatment Facility. The generator functioned through the first outage, but failed to function during the second. Staff was able to use portable generators as an emergency back-up, but only essential equipment was powered. Back-up power is required at the plant by the Texas Commission on Environmental Quality (TCEQ).

The generator at this facility is over 20 years old and parts are difficult to find and usually have to be fabricated. When the vender, Wakashaw Pierce, came to repair the generator, they used aftermarket parts because of the age of the equipment. Staff is recommending replacing this generator.

Previous Council Action: No Action has been taken.

Financial Implications:

- There is no financial impact associated with this item.
 Item is budgeted: _____ In the amount of \$ _____
 Item is not budgeted:
 Item is estimated to generate additional revenue:

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Resolution 2015-14 (page 2)

RESOLUTION NO. 2015-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE DISASTER RELIEF FUND; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS the City desires to develop a viable urban community, including decent housing and a suitable living environment and expanding the economic opportunities, principally for persons of low to moderate income; and

WHEREAS certain conditions exist which represent a threat to public health and safety; and

WHEREAS it is necessary and in the best interests of Huntsville to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, be it resolved by the City Council of the City of Huntsville, Texas, that:

SECTION 1: A Texas Community Development Block Grant Program application for the Disaster Relief Funds is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.

SECTION 2: The City's application be placed in competition for funding under the Disaster Relief Fund.

SECTION 3: The application will be for \$350,000 of grant funds to replace the generator at the A.J. Brown Wastewater Treatment Facility.

SECTION 4: The City Council directs and designates the City Manager as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.

SECTION 5: All funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

PASSED AND APPROVED this 4th day of August, 2015.

THE CITY OF HUNTSVILLE

Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

8/4/2015

Agenda Item: 3e

Item/Subject: Consider adopting Ordinance 2015-34, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 10th Street and Avenue N, second reading.

Initiating Department/Presenter: Engineering

Presenter: Y. S. "Ram" Ramachandra, City Engineer

Recommended Motion: Move to adopt Ordinance 2015-34, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 10th Street and Avenue N.

Strategic Initiative: Goal #4 - Infrastructure - Ensure the quality of the City utilities, transportation and physical structures so that the City's core services can be provided in an effective and efficient manner.

Discussion: Traffic control at the intersection of 10th Street and Avenue N was changed from a 2-Way STOP to a 4-Way STOP during early April 2015, upon gathering necessary traffic data and accident history, and approval of the City Manager. This change was made on a temporary basis for observation purposes and was subject to the City Council approval for a permanent change. Approval of the ordinance for permanently changing the traffic control from a 2-Way STOP to a 4-Way STOP is being sought from the Council at this time.

Prior to making the change in April 2015, the traffic control measure at the intersection consisted of STOP signs on Avenue N with right-of-movement for vehicles on 10th Street. The City received a request in February (request letter is attached) to consider changing intersection traffic control from a 2-Way STOP to a 4-Way STOP. The requestor has mainly brought out the following as the main issues that the drivers are encountering at the intersection with 2-Way STOP control:

- Long waits for traffic on Avenue N
- Confusion (due to long waits for stopped drivers on Avenue N) as to who has right-to proceed when there is a safe gap on 10th Street.
- Possibly numerous traffic accidents at the intersection due to 2-Way STOP control.

The City staff gathered and evaluated necessary traffic (volume and speed) data and accident history for determining warrants for making the change from a 2-Way STOP to a 4-Way STOP. Evaluation was made in accordance with the guidelines /requirements outlined in the *Texas Manual on Uniform Traffic Control Devices (TxMUTCD)*, which provides methodologies to follow in preparing traffic studies. Also, factors specific to the subject intersections were also evaluated. A copy of the memo outlining the evaluation findings is included in the agenda item materials.

The study findings concluded with the recommendation for changing the traffic control at the intersection of 10th Street and Avenue N from a 2-Way STOP to a 4-Way STOP.

Previous Council Action: A first reading was conducted at the July 7, 2015 City Council meeting.

Financial Implications:

Item is budgeted: Street Sign Replacement – a/c # 603-323-53170

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Intersection Evaluation memo (pages 3 to 10)
- Proposed Ordinance 2015-34 (page 11)



MEMORANDUM

TO: Matt Benoit, City Manager
FROM: Y. S. 'Ram' Ramachandra, City Engineer
CC: Kevin Lunsford, Police Chief
DATE: July 11, 2015
SUBJECT: 10th Street & Avenue N Intersection – 4-Way STOP Request

ATTACHMENTS: *a) Exhibit 'A' – Map of the Study Location*
b) Summary Reports of Traffic Data
c) Request letter for 4-Way STOP

1. NATURE OF REQUEST

A request was received by the City to consider providing a 4-way STOP at the intersection of 10th Street & Avenue N by replacing the existing 2-way STOP. Currently, 10th Street has through movement with STOP signs on Avenue N approaches. Extended waiting time for stopped vehicles on Avenue N to proceed safely and several possible collisions are quoted as the reasons to consider providing 4-way STOP at the intersection.

2. LOCATION DESCRIPTION

10th Street is a designated Collector Street and Avenue N is a designated Local Street as per the current City of Huntsville Transportation Plan. Both streets are in 30 mph speed zone. Traffic on 10th Street has the right-of-way for movement through the intersection, with traffic on Avenue N need to stop and can proceed only when its movement does not hinder the traffic movement on 10th Street.

3. TRAFFIC & SPEED DATA

Traffic and Speed Data were gathered during March 2015 at all four approaches of the intersection using Numetric traffic counters for another study at the time.

Attached Exhibit 'A' shows the location of the intersection, average daily traffic and peak hourly traffic for all 4 approaches at the intersection. Also attached to this memo are the summary traffic report generated from the data gathered using Numetric traffic counters.

85th percentile speed of vehicles on 10th Street (which has the through movement at the intersection) is in 34 to 36 miles per hour range.

4. ACCIDENT (CRASH) HISTORY

Four accidents have been reported by Huntsville Police Department (HPD) for the intersection of 10th Street and Avenue N between January 2014 and February 2015 (14 months period).

5. WARRANTS FOR 4-WAY STOP

Broadly, warrants for 4-Way STOP are determined based on the following criteria:

- Traffic Characteristics – mainly relative volumes on intersecting streets
- Accidents – 5 or more reported crashes in a 12 month period
- Physical Characteristics – geometry, visibility/sight distance

Analysis for warrants will be mainly made in accordance with the procedures outlined in *Texas Manual on Uniform Traffic Control Devices (TxMUTCD)* and *A Policy on Geometric Design of Highways and Streets (Green Book)*. Also, evaluation of local factors, specific to the community or to the intersection itself will be made, which may also lead to making appropriate recommendations for changing traffic control.

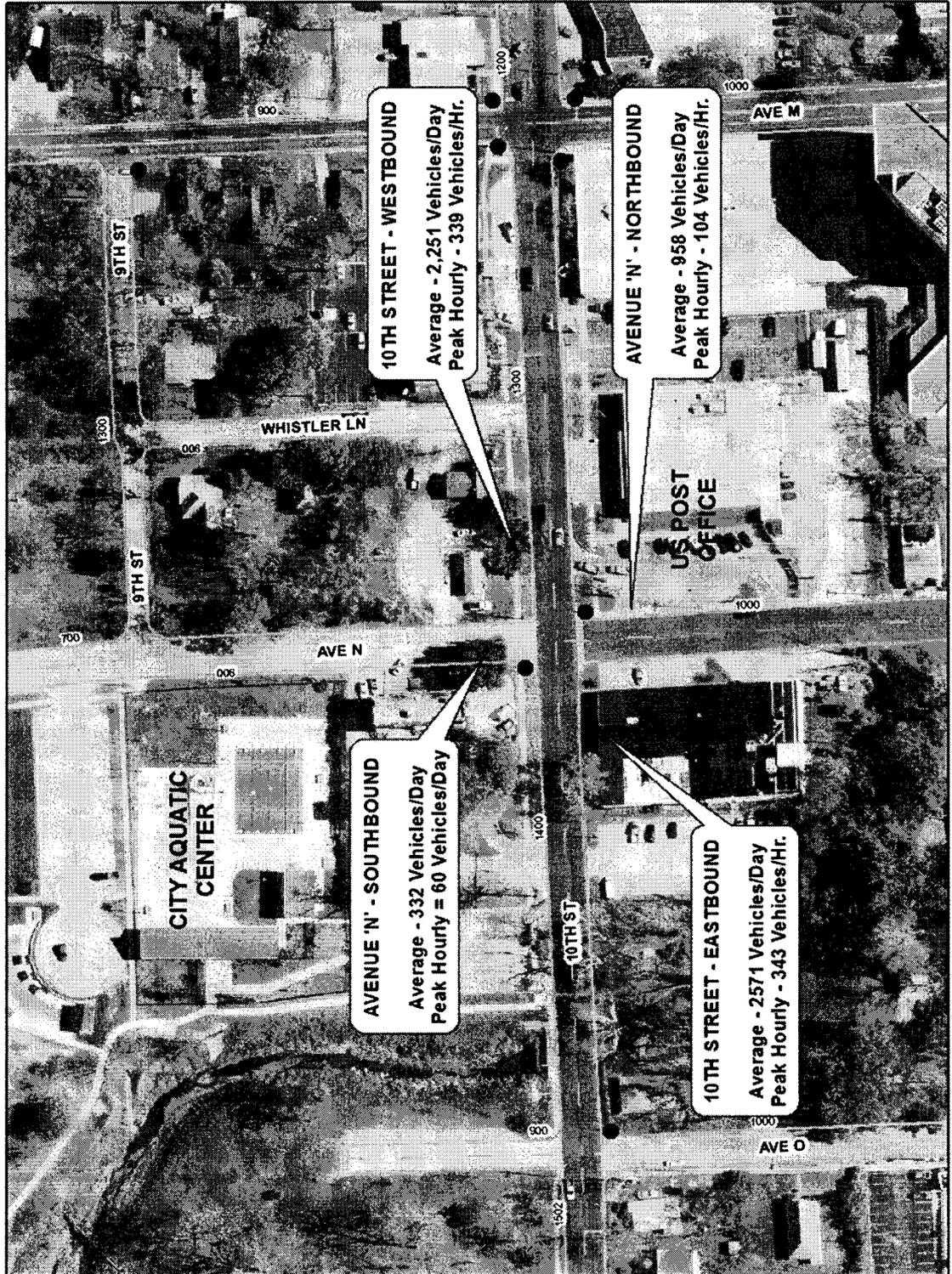
6. CONCLUSION AND RECOMMENDATION

Upon the review of traffic data, accident history and site characteristics specific to 10th Street and Avenue N intersection, the intersection does not meet any of the warrants for a 4-Way STOP as outlined in TxMUTCD and Green Book. However, with regards to accidents, the 2-Way intersection has susceptibility to continued or even higher accident incident rate due to:

- Relatively significant vehicular volume on Avenue N for a minor intersecting street (10th street being the major intersecting street)
- Long waits on Avenue N and ensuing confusion between stopped vehicles about who has the right-to-proceed when there is a safe gap on 10th Street
- Presence of a high volume unrestricted driveway (US Post Office) on 10th Street (major intersecting street) within 40 feet of the intersection with Avenue N

For above listed reasons, it is recommended to change the traffic control at 10th Street and Avenue N intersection from a 2-Way STOP to a 4-Way STOP to mitigate vehicular accidents.

EXHIBIT 'A' - 10TH STREET AND AVENUE N INTERSECTION



**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: Avenue N 900blk**

A study of vehicle traffic was conducted with HI-STAR unit number 9155. The study was done in the Southbound lane at Avenue N 900blk in Huntsville, Tx in Walker county. The study began on Mar/03/2015 at 12:00:00 AM and concluded on Mar/10/2015 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 2324 vehicles passed through the location with a peak volume of 60 on Mar/03/2015 at [15:00-16:00] and a minimum volume of 0 on Mar/08/2015 at [21:00-22:00]. The AADT count for this study was 332.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 15 - 20 MPH range or lower. The average speed for all classified vehicles was 17 MPH with 1.89% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.00 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 15MPH and the 85th percentile was 21.35 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
149	498	1033	281	45	22	16	14	8	1	0	0	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 0 which represents 0 percent of the total classified vehicles. The number of Vans & Pickups in the study was 1774 which represents 86 percent of the total classified vehicles. The number of Busses & Trucks in the study was 0 which represents 0 percent of the total classified vehicles. The number of Tractor Trailers in the study was 293 which represents 0 percent of the total classified vehicles.

< to 21	22 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 139	140 to >												
1774	257	12	6	7	4	7	0												

CHART 2

HEADWAY

During the peak traffic period, on Mar/03/2015 at [15:00-16:00] the average headway between vehicles was 59.016 seconds. During the slowest traffic period, on Mar/08/2015 at [21:00-22:00] the average headway between vehicles was 3600 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 37.00 and 74.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: Avenue N 1000blk**

A study of vehicle traffic was conducted with HI-STAR unit number 9190. The study was done in the Northbound lane at Avenue N 1000blk in Huntsville, Tx in Walker county. The study began on Mar/03/2015 at 12:00:00 AM and concluded on Mar/10/2015 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 6707 vehicles passed through the location with a peak volume of 104 on Mar/06/2015 at [17:00-18:00] and a minimum volume of 0 on Mar/05/2015 at [03:00-04:00]. The AADT count for this study was 958.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 15 - 20 MPH range or lower. The average speed for all classified vehicles was 18 MPH with 1.37% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.00 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 15MPH and the 85th percentile was 22.61 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
236	1206	3142	1238	157	90	32	21	22	9	0	0	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 0 which represents 0 percent of the total classified vehicles. The number of Vans & Pickups in the study was 5558 which represents 90 percent of the total classified vehicles. The number of Busses & Trucks in the study was 0 which represents 0 percent of the total classified vehicles. The number of Tractor Trailers in the study was 595 which represents 0 percent of the total classified vehicles.

< to 21	22 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 139	140 to >												
5558	537	24	17	8	5	4	0												

CHART 2

HEADWAY

During the peak traffic period, on Mar/06/2015 at [17:00-18:00] the average headway between vehicles was 34.286 seconds. During the slowest traffic period, on Mar/05/2015 at [03:00-04:00] the average headway between vehicles was 3600 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 33.00 and 93.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: 10th Street 1300blk**

A study of vehicle traffic was conducted with HI-STAR unit number 9162. The study was done in the Westbound lane at 10th Street 1300blk in Huntsville, Tx in Walker county. The study began on Mar/03/2015 at 12:00:00 AM and concluded on Mar/10/2015 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 15756 vehicles passed through the location with a peak volume of 339 on Mar/03/2015 at [15:00-16:00] and a minimum volume of 2 on Mar/07/2015 at [03:00-04:00]. The AADT count for this study was 2,251.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 25 - 30 MPH range or lower. The average speed for all classified vehicles was 28 MPH with 8.82% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.05 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 25MPH and the 85th percentile was 33.86 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
20	124	733	2974	6146	4215	1015	215	78	32	26	8	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 0 which represents 0 percent of the total classified vehicles. The number of Vans & Pickups in the study was 13912 which represents 89 percent of the total classified vehicles. The number of Busses & Trucks in the study was 0 which represents 0 percent of the total classified vehicles. The number of Tractor Trailers in the study was 1674 which represents 0 percent of the total classified vehicles.

< to 21	22 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 139	140 to >												
13912	1599	44	16	7	4	4	0												

CHART 2

HEADWAY

During the peak traffic period, on Mar/03/2015 at [15:00-16:00] the average headway between vehicles was 10.588 seconds. During the slowest traffic period, on Mar/07/2015 at [03:00-04:00] the average headway between vehicles was 1200 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 33.00 and 93.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: 10th Street 1400blk**

A study of vehicle traffic was conducted with HI-STAR unit number 9178. The study was done in the Eastbound lane at 10th Street 1400blk in Huntsville, Tx in Walker county. The study began on Mar/03/2015 at 12:00:00 AM and concluded on Mar/10/2015 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 18000 vehicles passed through the location with a peak volume of 343 on Mar/06/2015 at [17:00-18:00] and a minimum volume of 3 on Mar/03/2015 at [03:00-04:00]. The AADT count for this study was 2,571.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 25 - 30 MPH range or lower. The average speed for all classified vehicles was 28 MPH with 14.42% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.21 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 25MPH and the 85th percentile was 34.89 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
78	400	1713	3059	5115	4896	1636	513	201	87	63	31	6	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 0 which represents 0 percent of the total classified vehicles. The number of Vans & Pickups in the study was 13966 which represents 79 percent of the total classified vehicles. The number of Busses & Trucks in the study was 0 which represents 0 percent of the total classified vehicles. The number of Tractor Trailers in the study was 3632 which represents 0 percent of the total classified vehicles.

< to 21	22 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 139	140 to >												
13966	3433	106	48	24	8	13	0												

CHART 2

HEADWAY

During the peak traffic period, on Mar/06/2015 at [17:00-18:00] the average headway between vehicles was 10.465 seconds. During the slowest traffic period, on Mar/03/2015 at [03:00-04:00] the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 35.00 and 89.00 degrees F.

THOMAS A. LEEPER
200 Elmwood
Huntsville, Texas 77320

February 21, 2015

Hon. Matt Benoit, City Manager
City of Huntsville, Texas
1212 Ave. M
Huntsville, Texas 77340

Re: Intersection of Avenue N and 10th Street

Dear Mr. Benoit,

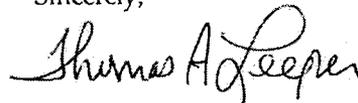
I request the City of Huntsville to consider changing the traffic control for the intersection of Avenue N and 10th Street to a four way stop sign. I believe that study of such a change would reveal it would improve safety and traffic flow. Other citizens have shared a similar opinion.

As my office is nearby, I frequently observe this intersection. The presence of the downtown U.S. Post Office, Eastham-Thomason Park, Frank D. "Poncho" Roberts Aquatic Center and the Huntsville Item office near the intersection add to the traffic flow. Additionally, a large volume of traffic traverses this intersection due to nearby public schools, and it is often used as an alternate route by drivers on 11th Street seeking to avoid the 11th Street/Avenue M major intersection.

I believe records will report numerous traffic accidents at this intersection. Because of the park, aquatic center and nearby schools, safety of many children is impacted by this intersection. Because only Avenue N has stop signs, there are long waits for traffic on Avenue N, and drivers are often confused by one or both the southbound and northbound cars attempting left turns. Drivers often are confused whether a left turn driver who has waited a long time must yield to an opposing direction vehicle which recently came to the intersection but is moving straight through or turning right; the ensuing hesitation further frustrates traffic flow and sometimes leads to dangerous movements. A four-way stop sign would provide more orderly and less confusing traffic flow.

Thank you for your consideration of my thoughts.

Sincerely,



Thomas A. Leeper

ORDINANCE NO. 2015-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING CHAPTER 44, TRAFFIC AND MOTOR VEHICLES, OF ITS CODE OF ORDINANCES BY PLACING STOP SIGNS ON 10TH STREET AT AVENUE N TO PROVIDE A 4-WAY STOP TRAFFIC CONTROL AT THE INTERSECTION; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, THAT:

Section 1: The following described STOP signs shall be placed by the amendments shown below:

<u>Street</u> <i>10th Street</i>	<u>At</u> <i>Avenue N</i>
--	------------------------------

Section 2: The City Manager is authorized and directed to cause the placement of proper signs along the above described streets.

Section 3: It shall be unlawful for driver of a vehicle to disobey the instruction of the signs placed in accordance with the provisions of this ordinance unless at the time otherwise directed by a Police Officer.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect any of the remaining provisions of this ordinance.

Section 5: All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: This ordinance shall take effect ten (10) days after its passage by the City Council. The City Secretary shall publish the caption of this ordinance in the official City newspaper at least twice within ten (10) days of its passage.

PASSED AND APPROVED THIS 4TH DAY OF AUGUST 2015.

THE CITY OF HUNTSVILLE

Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Leonard Schneider, City Attorney





CITY COUNCIL AGENDA

8/4/2015

Agenda Item: 3f

Item/Subject: Consider adopting Ordinance 2015-36, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 14th Street and University Avenue, second reading.

Initiating Department/Presenter: Engineering

Presenter: Y. S. "Ram" Ramachandra, City Engineer

Recommended Motion: Move to adopt Ordinance 2015-36, changing the intersection traffic control from a 2-Way STOP to a 4-Way STOP at the intersection of 14th Street and University Avenue.

Strategic Initiative: Goal #4 - Infrastructure - Ensure the quality of the City utilities, transportation and physical structures so that the City's core services can be provided in an effective and efficient manner.

Discussion: Traffic control at the intersection of 14th Street and University Avenue was changed from a 2-Way STOP to a 4-Way STOP during August 2014, upon the completion of a traffic study and approval of the City Manager. This change was made on a temporary basis for observation purposes and was subject to the City Council approval for a permanent change. Approval of the ordinance for permanently changing the traffic control from a 2-Way STOP to a 4-Way STOP is being sought from the Council at this time.

Prior to making the change in August 2014, the traffic control measure at the intersection consisted of STOP signs on 14th Street with right-of-movement for vehicles on University Avenue. There were requests over the last two years to change the traffic control at the intersection from a 2-Way STOP to a 4-Way STOP. Insufficient sight distance for stopped vehicles on 14th Street to proceed safely was the main reason quoted by the requestor.

The City staff gathered and evaluated necessary traffic (volume and speed) data and accident history for determining whether the intersection meets any warrants for making the change from a 2-Way STOP to a 4-Way STOP. The traffic study was developed in accordance with the guidelines/requirements outlined in the *Texas Manual on Uniform Traffic Control Devices (TxMUTCD)* and *A Policy on Geometric Design of Highways and Streets*. These two documents provide methodologies to follow in preparing traffic studies. A copy of the traffic study developed for the intersection of 14th Street and University Avenue is included in this agenda item.

The study findings revealed that the intersection meets the warrant for a 4-Way STOP due to insufficient sight distance for stopped vehicles on 14th Street to proceed safely.

Previous Council Action: A first reading was conducted at the July 21, 2015 City Council meeting.

Financial Implications:

Item is budgeted: Street Sign Replacement – a/c # 603-323-53170

Item is not budgeted:

Item is estimated to generate additional revenue:

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Traffic Study (pages 3 to 16)
- Texas MUTCD section on STOP signs (17 to 19)
- Proposed Ordinance 2015-36 (page 20)



MEMORANDUM

TO: Matt Benoit, City Manager

FROM: Y. S. 'Ram' Ramachandra, City Engineer

CC: Aron Kulhavy, Comm. & Econ Dev Director; David Welch, Street Superintendent; Kevin Lunsford, Police Chief

DATE: July 29, 2014

SUBJECT: University Ave & 14th Street Intersection – 4-Way STOP Request

ATTACHMENTS: a) *Exhibit A Map of the Study Location (page 4)*
b) *Summary Reports of Traffic Data (pages 5 to 8)*
c) *AASHTO Guideline for Intersection Sight Distance (pages 9 to 14)*

1. NATURE OF REQUEST

A request has been received by the City to consider providing a 4-way STOP at the intersection of University Avenue & 14th Street by replacing the existing 2-way STOP. Currently, University Avenue has through movement with STOP signs on 14th Street approaches. Insufficient sight distance for stopped vehicles on 14th Street to proceed safely and several near misses of potential collisions are quoted as the reasons to consider providing 4-way STOP at the intersection.

2. LOCATION DESCRIPTION

University Avenue is a designated Primary Arterial Street and 14th Street is a Local Street in the study segment per current City of Huntsville Transportation Plan. Both streets are in 30 mph speed zone in the study segment. Traffic on University Avenue has the right-of-way for through movement, with Traffic on 14th Street need to STOP and can proceed only when its movement will not hinder the traffic movement on University Avenue.

3. TRAFFIC & SPEED DATA

Traffic and Speed Data were gathered during early 2013 at all four approaches of the intersection using Numetric traffic counters for another study at the time. These traffic and speed data can be considered valid for the current study also. Based on the evaluation of the traffic data with regards

to the volume of traffic on University Avenue approaches and the volume of traffic on 14th Street approaches at the intersection, the intersection does not meet any of the warrants outlined in the Texas Manual on Uniform Traffic Control Devices (TxMUTCD) for a 4-Way STOP.

Attached Figure 1 shows the location of the intersection, average daily traffic (ADT) & 85th Percentile speeds for all 4 approaches in both directions and the existing parallel parking limits (approximate) along the both sides of the north approach near the intersection. Also attached to this memo are the summary traffic report generated from the data gathered using Numetric traffic counters.

4. ACCIDENT (CRASH) HISTORY

No accident has occurred at the intersection of University Avenue and 14th intersection during the last 12 months, as reported by Huntsville Police Department (HPD).

5. EXISTING STREET PARKING AND SIGHT DISTANCE

Currently, parking is allowed on both University Avenue and 14th Street. Due to steep street grade (7%) combined with allowed parking in the south approach of University Avenue (between 14th St and 15th St), there is less than desired/required sight distance for east and west bound traffic at the intersection to safely proceed after stopping. Available sight distance for stopped vehicles on 14th Street at the intersection is approximately 210 feet. This is less than recommended sight distance of 330 feet in *A Policy on Geometric Design of Highways and Streets* published by the American Association of State Highway and Transportation Officials (AASHTO) for intersections similar to University Avenue & 14th Street (that has posted 30 mph speed limit).

6. WARRANTS FOR 4-WAY STOP

Existing street geometry and traffic data were compared with various criteria laid out in TxMUTCD for warranting 4-Way STOP at an intersection.

- a) **Vehicular Volume Criteria:** To warrant a 4-Way STOP, the vehicular volume entering an intersection from the major street approaches (in this case, University Avenue) should average at least 300 vehicles/hour for any 8 hour of an average day AND the combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street (14th St) approaches averages at least 200 units/hour for the same 8 hours, with an average delay to minor street vehicular traffic of at least 30 seconds/vehicle during the highest hour.

The vehicular volumes recorded are much lower than 300 vehicles/hour from both approaches on University Avenue (major street) and lower than 200 units/hour (in all probability) on 14th Street (minor street). Hence vehicular volume does not warrant 4-Way STOP at the intersection of University Avenue & 14th Street.

- b) **Crash History** – To warrant a 4-Way STOP, there shall be five (5) or more reported crashes in a 12-month period that are susceptible to correction by a multi-way STOP installation warrant a multi-way stop installation.

There were no accidents recorded by the Police Department in the last two 12-month periods. Hence crash history also does not warrant a 4-Way STOP.

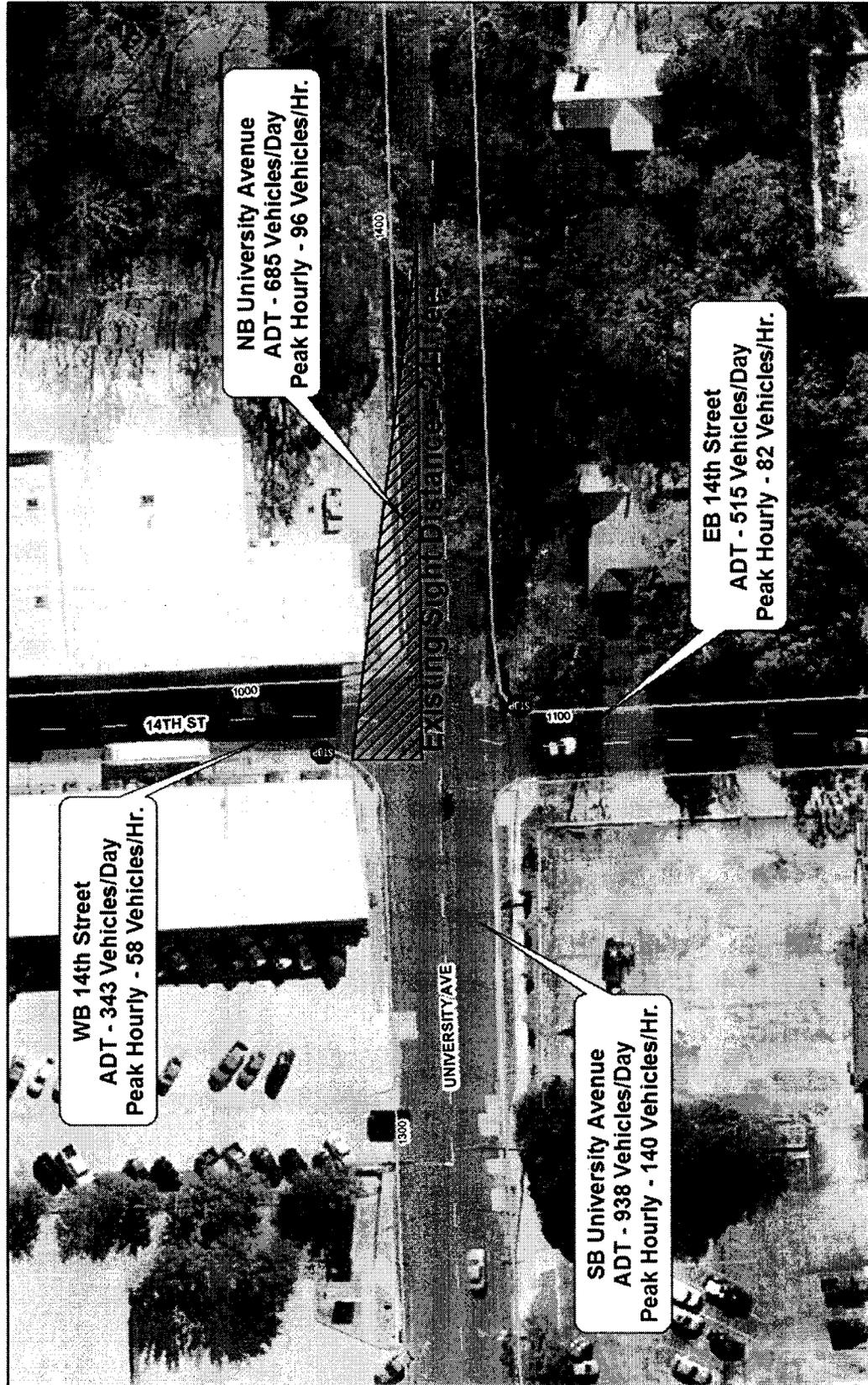
7. CONCLUSION AND RECOMMENDATION

While the intersection does not meet any criteria laid out by TxMUTCD warranting a 4-Way STOP at the intersection of University Avenue and 14th Street, the intersection is not meeting the sight distance criteria recommended by AASHTO in *A Policy on Geometric Design of Highways and Streets*. As stated above in an earlier section, minimum sight distance requirement is 210 feet for a stopped vehicle on 14th Street to safely proceed under the existing 2-Way STOP scenario. Because parking is allowed on both sides of University Avenue, available sight distance will be further reduced when the vehicles are parked. Hence, 4-Way STOP is essential to meet the recommended minimum sight distance of 330 feet by AASHTO.

University Avenue is a designated primary arterial street in the City of Huntsville Transportation Plan. From the overall transportation, mobility and emergency services point of view, it is always desired to keep the interruption to the traffic movement on any arterial street to a minimum. However, considering the traffic volume on University Avenue being much lower than what is expected of Primary Arterial Street, providing a 4-Way STOP will not adversely affect the overall traffic mobility in the downtown area.

In conclusion, in view of insufficient sight distance for stopped vehicles on 14th Street to safely proceed, a 4-Way STOP at the intersection is warranted to improve the traffic safety at this intersection. Hence, it is recommended to change the traffic control measure at the University Avenue and 14th Street intersection from the existing 2-Way STOP to a 4-Way STOP.

**UNIVERSITY AVENUE AND 14TH STREET INTERSECTION
EXISTING - 2 WAY STOP**



**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: 14th Street(1100)**

A study of vehicle traffic was conducted with HI-STAR unit number 9196. The study was done in the Eastbound lane at 14th Street(1100) in Huntsville, Tx in Walker county. The study began on Feb/22/2013 at 12:00:00 AM and concluded on Mar/01/2013 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 3606 vehicles passed through the location with a peak volume of 82 on Feb/25/2013 at [12:00-13:00] and a minimum volume of 0 on Feb/22/2013 at [20:00-21:00]. The AADT count for this study was 515.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 20 - 25 MPH range or lower. The average speed for all classified vehicles was 21 MPH with 1.00% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.00 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 20MPH and the 85th percentile was 24.47 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
24	195	1372	1547	290	36	18	6	6	3	2	0	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 2207 which represents 63 percent of the total classified vehicles. The number of Vans & Pickups in the study was 1159 which represents 33 percent of the total classified vehicles. The number of Busses & Trucks in the study was 93 which represents 3 percent of the total classified vehicles. The number of Tractor Trailers in the study was 40 which represents 1 percent of the total classified vehicles.

< to 17	18 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to 61	62 to >												
2207	1159	72	21	17	7	11	5												

CHART 2

HEADWAY

During the peak traffic period, on Feb/25/2013 at [12:00-13:00] the average headway between vehicles was 43.373 seconds. During the slowest traffic period, on Feb/22/2013 at [20:00-21:00] the average headway between vehicles was 3600 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 44.00 and 93.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: 14th Street(1000)**

A study of vehicle traffic was conducted with HI-STAR unit number 9162. The study was done in the Westbound lane at 14th Street(1000) in Huntsville, Tx in Walker county. The study began on Feb/22/2013 at 12:00:00 AM and concluded on Mar/01/2013 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 2400 vehicles passed through the location with a peak volume of 58 on Feb/28/2013 at [13:00-14:00] and a minimum volume of 0 on Feb/22/2013 at [01:00-02:00]. The AADT count for this study was 343.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 20 - 25 MPH range or lower. The average speed for all classified vehicles was 24 MPH with 5.49% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.00 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 20MPH and the 85th percentile was 29.52 MPH.

<	10	15	20	25	30	35	40	45	50	55	60	65	70	75					
to	to	to	to	to	to	to	to	to	to	to	to	to	to	to					
9	14	19	24	29	34	39	44	49	54	59	64	69	74	>					
45	105	348	772	651	145	52	24	20	20	4	0	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 1232 which represents 56 percent of the total classified vehicles. The number of Vans & Pickups in the study was 745 which represents 34 percent of the total classified vehicles. The number of Busses & Trucks in the study was 126 which represents 6 percent of the total classified vehicles. The number of Tractor Trailers in the study was 83 which represents 4 percent of the total classified vehicles.

<	18	24	28	32	38	44	62												
to	to	to	to	to	to	to	to												
17	23	27	31	37	43	61	>												
1232	745	87	39	33	10	30	10												

CHART 2

HEADWAY

During the peak traffic period, on Feb/28/2013 at [13:00-14:00] the average headway between vehicles was 61.017 seconds. During the slowest traffic period, on Feb/22/2013 at [01:00-02:00] the average headway between vehicles was 3600 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 44.00 and 101.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: University (1300)**

A study of vehicle traffic was conducted with HI-STAR unit number 9177. The study was done in the Southbound lane at University (1300) in Huntsville, Tx in Walker county. The study began on Feb/22/2013 at 12:00:00 AM and concluded on Mar/01/2013 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 6564 vehicles passed through the location with a peak volume of 140 on Feb/26/2013 at [07:00-08:00] and a minimum volume of 1 on Feb/23/2013 at [04:00-05:00]. The AADT count for this study was 938.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 25 - 30 MPH range or lower. The average speed for all classified vehicles was 27 MPH with 9.73% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.05 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 25MPH and the 85th percentile was 33.68 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
21	262	660	1482	2056	1278	425	96	36	35	26	3	0	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 3952 which represents 62 percent of the total classified vehicles. The number of Vans & Pickups in the study was 2055 which represents 32 percent of the total classified vehicles. The number of Busses & Trucks in the study was 270 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 103 which represents 2 percent of the total classified vehicles.

< to 17	18 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to 61	62 to >												
3952	2055	217	53	42	28	27	6												

CHART 2

HEADWAY

During the peak traffic period, on Feb/26/2013 at [07:00-08:00] the average headway between vehicles was 25.532 seconds. During the slowest traffic period, on Feb/23/2013 at [04:00-05:00] the average headway between vehicles was 1800 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 48.00 and 99.00 degrees F.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: Huntsville
Street: University (1400)**

A study of vehicle traffic was conducted with HI-STAR unit number 9161. The study was done in the Northbound lane at University (1400) in Huntsville, Tx in Walker county. The study began on Feb/22/2013 at 12:00:00 AM and concluded on Mar/01/2013 at 12:00:00 AM, lasting a total of 168.00 hours. Traffic statistics were recorded in 60 minute time periods. The total recorded volume showed 4792 vehicles passed through the location with a peak volume of 96 on Feb/28/2013 at [15:00-16:00] and a minimum volume of 0 on Feb/23/2013 at [04:00-05:00]. The AADT count for this study was 685.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 29 MPH with 15.80% vehicles exceeding the posted speed of 30 MPH. The HI-STAR found 0.34 percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 35.38 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >					
18	83	452	876	1240	1254	485	134	58	24	19	15	1	0	0					

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 2662 which represents 57 percent of the total classified vehicles. The number of Vans & Pickups in the study was 1703 which represents 37 percent of the total classified vehicles. The number of Busses & Trucks in the study was 215 which represents 5 percent of the total classified vehicles. The number of Tractor Trailers in the study was 79 which represents 2 percent of the total classified vehicles.

< to 17	18 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to 61	62 to >												
2662	1703	171	44	34	16	21	8												

CHART 2

HEADWAY

During the peak traffic period, on Feb/28/2013 at [15:00-16:00] the average headway between vehicles was 37.113 seconds. During the slowest traffic period, on Feb/23/2013 at [04:00-05:00] the average headway between vehicles was 3600 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 46.00 and 101.00 degrees F.

384
A POLICY ON

Geometric Design of Highways and Streets

2004

American Association of State Highway
and Transportation Officials

Where the grade along an intersection approach exceeds 3 percent, the leg of the clear sight triangle along that approach should be adjusted by multiplying the appropriate sight distance from Exhibit 9-51 by the appropriate adjustment factor from Exhibit 9-53.

If the sight distances given in Exhibit 9-51, as adjusted for grades, cannot be provided, consideration should be given to installing regulatory speed signing to reduce speeds or installing stop signs on one or more approaches.

No departure sight triangle like that shown in Exhibit 9-50B is needed at an uncontrolled intersection because such intersections typically have very low traffic volumes. If a motorist finds it necessary to stop at an uncontrolled intersection because of the presence of a conflicting vehicle on an intersecting approach, it is very unlikely another potentially conflicting vehicle will be encountered as the first vehicle departs the intersection.

Case B—Intersections with Stop Control on the Minor Road

Departure sight triangles for intersections with stop control on the minor road should be considered for three situations:

- Case B1—Left turns from the minor road;
- Case B2—Right turns from the minor road; and
- Case B3—Crossing the major road from a minor-road approach.

Intersection sight distance criteria for stop-controlled intersections are longer than stopping sight distance to ensure that the intersection operates smoothly. Minor-road vehicle operators can wait until they can proceed safely without forcing a major-road vehicle to stop.

Case B1—Left Turn from the Minor Road

Departure sight triangles for traffic approaching from either the right or the left, like those shown in Exhibit 9-50B, should be provided for left turns from the minor road onto the major road for all stop-controlled approaches. The length of the leg of the departure sight triangle along the major road in both directions is the recommended intersection sight distance for Case B1.

The vertex (decision point) of the departure sight triangle on the minor road should be 4.4 m [14.5 ft] from the edge of the major-road traveled way. This represents the typical position of the minor-road driver's eye when a vehicle is stopped relatively close to the major road. Field observations of vehicle stopping positions found that, where necessary, drivers will stop with the front of their vehicle 2.0 m [6.5 ft] or less from the edge of the major-road traveled way. Measurements of passenger cars indicate that the distance from the front of the vehicle to the driver's eye for the current U.S. passenger car population is nearly always 2.4 m [8 ft] or less (10). Where practical, it is desirable to increase the distance from the edge of the major-road traveled way to the vertex of the clear sight triangle from 4.4 m to 5.4 m [14.5 to 18 ft]. This

		Metric										US Customary															
		Design speed (km/h)										Design speed (mph)															
Approach grade (%)		20	30	40	50	60	70	80	90	100	110	120	130	15	20	25	30	35	40	45	50	55	60	65	70	75	80
-6		1.1	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.2	1.2	1.2	1.2	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.2	1.2	1.2	1.2
-5		1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.2
-4		1.0	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.0	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
-3 to +3		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
+4		1.0	1.0	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	1.0	1.0	1.0	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
+5		1.0	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	1.0	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
+6		1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9

Note: Based on ratio of stopping sight distance on specified approach grade to stopping sight distance on level terrain.

Exhibit 9-53. Adjustment Factors for Sight Distance Based on Approach Grade

increase allows 3.0 m [10 ft] from the edge of the major-road traveled way to the front of the stopped vehicle, providing a larger sight triangle. The length of the sight triangle along the minor road (distance *a* in Exhibit 9-50B) is the sum of the distance from the major road plus 1/2 lane width for vehicles approaching from the left, or 1-1/2 lane width for vehicles approaching from the right.

Field observations of the gaps in major-road traffic actually accepted by drivers turning onto the major road have shown that the values in Exhibit 9-54 provide sufficient time for the minor-road vehicle to accelerate from a stop and complete a left turn without unduly interfering with major-road traffic operations. The time gap acceptance time does not vary with approach speed on the major road. Studies have indicated that a constant value of time gap, independent of approach speed, can be used as a basis for intersection sight distance determinations. Observations have also shown that major-road drivers will reduce their speed to some extent when minor-road vehicles turn onto the major road. Where the time gap acceptance values in Exhibit 9-54 are used to determine the length of the leg of the departure sight triangle, most major-road drivers should not need to reduce speed to less than 70 percent of their initial speed (10).

The intersection sight distance in both directions should be equal to the distance traveled at the design speed of the major road during a period of time equal to the time gap. In applying Exhibit 9-54, it can usually be assumed that the minor-road vehicle is a passenger car. However, where substantial volumes of heavy vehicles enter the major road, such as from a ramp terminal, the use of tabulated values for single-unit or combination trucks should be considered.

Exhibit 9-54 includes appropriate adjustments to the gap times for the number of lanes on the major road and for the approach grade of the minor road. The adjustment for the grade of the minor-road approach is needed only if the rear wheels of the design vehicle would be on an upgrade that exceeds 3 percent when the vehicle is at the stop line of the minor-road approach.

The intersection sight distance along the major road (dimension "b" in Exhibit 9-50B) is determined by:

Metric	US Customary
$ISD = 0.278 V_{major} t_g$	$ISD = 1.47 V_{major} t_g$ (9-1)
where:	where:
<i>ISD</i> = intersection sight distance (length of the leg of sight triangle along the major road) (m)	<i>ISD</i> = intersection sight distance (length of the leg of sight triangle along the major road) (ft)
<i>V_{major}</i> = design speed of major road (km/h)	<i>V_{major}</i> = design speed of major road (mph)
<i>t_g</i> = time gap for minor road vehicle to enter the major road (s)	<i>t_g</i> = time gap for minor road vehicle to enter the major road (s)

Design vehicle	Time gap (t_g) (seconds) at design speed of major road
Passenger car	7.5
Single-unit truck	9.5
Combination truck	11.5

Note: Time gaps are for a stopped vehicle to turn left onto a two-lane highway with no median and grades 3 percent or less. The table values require adjustment as follows:

For multilane highways:

For left turns onto two-way highways with more than two lanes, add 0.5 seconds for passenger cars or 0.7 seconds for trucks for each additional lane, from the left, in excess of one, to be crossed by the turning vehicle.

For minor road approach grades:

If the approach grade is an upgrade that exceeds 3 percent; add 0.2 seconds for each percent grade for left turns

Exhibit 9-54. Time Gap for Case B1—Left Turn from Stop

For example, a passenger car turning left onto a two-lane major road should be provided sight distance equivalent to a time gap of 7.5 s in major-road traffic. If the design speed of the major road is 100 km/h [60 mph], this corresponds to a sight distance of $0.278(100)(7.5) = 208.5$ or 210 m [$1.47(60)(7.5) = 661.5$ or 665 ft], rounded for design.

A passenger car turning left onto a four-lane undivided roadway will need to cross two near lanes, rather than one. This increases the recommended gap in major-road traffic from 7.5 to 8.0 s. The corresponding value of sight distance for this example would be 223 m [706 ft]. If the minor-road approach to such an intersection is located on a 4 percent upgrade, then the time gap selected for intersection sight distance design for left turns should be increased from 8.0 to 8.8 s, equivalent to an increase of 0.2 s for each percent grade.

The design values for intersection sight distance for passenger cars are shown in Exhibit 9-55. Exhibit 9-56 includes design values, based on the time gaps for the design vehicles included in Exhibit 9-54.

No adjustment of the recommended sight distance values for the major-road grade is generally needed because both the major- and minor-road vehicle will be on the same grade when departing from the intersection. However, if the minor-road design vehicle is a heavy truck and the intersection is located near a sag vertical curve with grades over 3 percent, then an adjustment to extend the recommended sight distance based on the major-road grade should be considered.

Metric				US Customary			
Design speed (km/h)	Stopping sight distance (m)	Intersection sight distance for passenger cars		Design speed (mph)	Stopping sight distance (ft)	Intersection sight distance for passenger cars	
		Calculated (m)	Design (m)			Calculated (ft)	Design (ft)
20	20	41.7	45	15	80	165.4	170
30	35	62.6	65	20	115	220.5	225
40	50	83.4	85	25	155	275.6	280
50	65	104.3	105	30	200	330.8	335
60	85	125.1	130	35	250	385.9	390
70	105	146.0	150	40	305	441.0	445
80	130	166.8	170	45	360	496.1	500
90	160	187.7	190	50	425	551.3	555
100	185	208.5	210	55	495	606.4	610
110	220	229.4	230	60	570	661.5	665
120	250	250.2	255	65	645	716.6	720
130	285	271.1	275	70	730	771.8	775
				75	820	826.9	830
				80	910	882.0	885

Note: Intersection sight distance shown is for a stopped passenger car to turn left onto a two-lane highway with no median and grades 3 percent or less. For other conditions, the time gap must be adjusted and required sight distance recalculated.

Exhibit 9-55. Design Intersection Sight Distance—Case B1—Left Turn from Stop

Sight distance design for left turns at divided-highway intersections should consider multiple design vehicles and median width. If the design vehicle used to determine sight distance for a divided-highway intersection is larger than a passenger car, then sight distance for left turns will need to be checked for that selected design vehicle and for smaller design vehicles as well. If the divided-highway median is wide enough to store the design vehicle with a clearance to the through lanes of approximately 1 m [3 ft] at both ends of the vehicle, no separate analysis for the departure sight triangle for left turns is needed on the minor-road approach for the near roadway to the left. In most cases, the departure sight triangle for right turns (Case B2) will provide sufficient sight distance for a passenger car to cross the near roadway to reach the median. Possible exceptions are addressed in the discussion of Case B3.

If the design vehicle can be stored in the median with adequate clearance to the through lanes, a departure sight triangle to the right for left turns should be provided for that design vehicle turning left from the median roadway. Where the median is not wide enough to store the design vehicle, a departure sight triangle should be provided for that design vehicle to turn left from the minor-road approach.

The median width should be considered in determining the number of lanes to be crossed. The median width should be converted to equivalent lanes. For example, a 7.2-m [24-ft] median should be considered as two additional lanes to be crossed in applying the multilane highway adjustment for time gaps in Exhibit 9-54. Furthermore, a departure sight triangle for left turns

Texas MUTCD

Manual on Uniform Traffic Control Devices

Revision 2, October 2014



04 At intersections where all approaches are controlled by STOP signs (see Section 2B.07), an ALL WAY supplemental plaque (R1-3P) shall be mounted below each STOP sign. The ALL WAY plaque (see Figure 2B-1) shall have a white legend and border on a red background.

05 The ALL WAY plaque shall only be used if all intersection approaches are controlled by STOP signs.

06 Supplemental plaques with legends such as 2-WAY, 3-WAY, 4-WAY, or other numbers of ways shall not be used with STOP signs.

Support:

07 The use of the CROSS TRAFFIC DOES NOT STOP (W4-4P) plaque (and other plaques with variations of this word message) is described in Section 2C.59.

Guidance:

08 Plaques with the appropriate alternative messages of TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP (W4-4aP) or ONCOMING TRAFFIC DOES NOT STOP (W4-4bP) should be used at intersections where STOP signs control all but one approach to the intersection, unless the only non-stopped approach is from a one-way street.

Option:

09 An EXCEPT RIGHT TURN (R1-10P) plaque (see Figure 2B-1) may be mounted below the STOP sign if an engineering study determines that a special combination of geometry and traffic volumes is present that makes it possible for right-turning traffic on the approach to be permitted to enter the intersection without stopping.

Support:

10 The design and application of Stop Beacons are described in Section 4L.05.

Section 2B.06 STOP Sign Applications

Guidance:

01 At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).

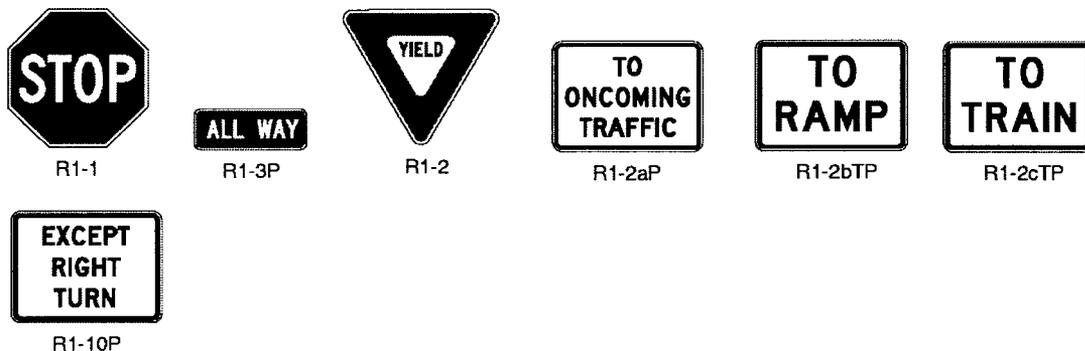
02 The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:

- A. The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;
- B. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or
- C. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.

Support:

03 The use of STOP signs at grade crossings is described in Sections 8B.04 and 8B.05.

Figure 2B-1. STOP and YIELD Signs and Plaques



Sect. 2B.05 to 2B.06

December 2011

Section 2B.07 Multi-Way Stop Applications**Support:**

- 01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.
- 02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

- 03 *The decision to install multi-way stop control should be based on an engineering study.*
- 04 *The following criteria should be considered in the engineering study for a multi-way STOP sign installation:*
- A. *Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
 - B. *Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*
 - C. *Minimum volumes:*
 1. *The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and*
 2. *The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but*
 3. *If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.*
 - D. *Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

Option:

- 05 Other criteria that may be considered in an engineering study include:
- A. The need to control left-turn conflicts;
 - B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
 - C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and
 - D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Section 2B.08 YIELD Sign (R1-2)**Standard:**

- 01 The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

- 02 The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down to a speed that is reasonable for the existing conditions or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications**Option:**

- 01 YIELD signs may be installed:
- A. On the approaches to a through street or highway where conditions are such that a full stop is not always required.
 - B. At the second crossroad of a divided highway, where the median width at the intersection is 30 feet or greater. In this case, a STOP or YIELD sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway.

ORDINANCE NO. 2015-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING CHAPTER 44, TRAFFIC AND MOTOR VEHICLES, OF ITS CODE OF ORDINANCES BY PLACING STOP SIGNS ON UNIVERSITY AVENUE AT 14TH STREET TO PROVIDE A 4-WAY STOP TRAFFIC CONTROL AT THE INTERSECTION; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, THAT:

Section 1: The following described STOP signs shall be placed by the amendments shown below:

<u>Street</u>	<u>At</u>
<i>University Avenue</i>	<i>14th Street</i>

Section 2: The City Manager is authorized and directed to cause the placement of proper signs along the above described streets.

Section 3: It shall be unlawful for driver of a vehicle to disobey the instruction of the signs placed in accordance with the provisions of this ordinance unless at the time otherwise directed by a Police Officer.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect any of the remaining provisions of this ordinance.

Section 5: All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: This ordinance shall take effect ten (10) days after its passage by the City Council. The City Secretary shall publish the caption of this ordinance in the official City newspaper at least twice within ten (10) days of its passage.

PASSED AND APPROVED THIS 4TH DAY OF AUGUST 2015.

THE CITY OF HUNTSVILLE

Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

8/4/2015

Agenda Item: 3g

Item/Subject: Consider purchase of Construction Roll-Off Containers for the Solid Waste Division.

Initiating Department/Presenter: Public Works

Presenter: Carol Reed, Public Works Director

Recommended Motion: Move to approve the purchase of five construction roll-off containers from Wastequip for the Solid Waste Division.

Strategic Initiative: Goal #4 - Infrastructure - Ensure the quality of the City utilities, transportation and physical structures so that the City's core services can be provided in an effective and efficient manner.

Discussion: The City of Huntsville Solid Waste Department provides roll-off services to contractors, apartments, and residents for remodeling projects. Roll-offs are large containers which are hoisted on to a truck when full and the container is emptied at the Transfer Station. These containers are placed outside for businesses and residents to utilize during their construction project. The containers vary in capacity from a 20 cubic yard to a 40 cubic yard.

The City currently has 75 roll-offs. Due to the increased number of apartments and increased construction projects for new business, the Solid Waste Division is in need of additional containers. This purchase will increase the roll-off inventory to help fill the void being created by the increase in customers. All 75 roll-offs are currently in use, therefore, when a new project is started, the City is unable to provide service to the new potential customer. The additional containers being requested for purchase for this FY is four 30 yard roll-offs and one 20 yard roll-offs. A typical roll-off will last around 10 – 15 years depending on material placed in the container and the frequency of use.

A 30 cubic yard container will cost \$3,844.82 each, and a 20 cubic yard will cost \$3,557.57 each. The total cost for the purchase of these roll-offs, to include freight, will be approximately \$ 20,028.85. These containers will bring revenue of \$68.72 per ton for inside the city limits use, and \$78.08 per ton for outside the city limits use. The revenue received for the three previous years for construction roll-offs have been increasing. For FY 2012, the revenue was \$460,257. For FY 2013, the revenue was \$482,382. For FY 2014, the revenue was \$611,507.

This purchase will place the FY purchase of commercial containers from a single vendor over \$50,000 and requires Council approval.

Previous Council Action:

June 19, 2012 – Approved purchase
30 yard containers at \$3,599 each
20 yard containers at \$3,253 each

Financial Implications:

There is no financial impact associated with this item.

Item is budgeted: 224-373-52220 In the amount of \$ 24,622

Item is not budgeted:

Item is estimated to generate additional revenue: Inside City limits \$68.72 per ton and outside the city limits of \$78.08 per ton. The revenue received for the three previous years for construction roll offs have been increasing. For FY 2012, the revenue was \$460,257. For FY 2013, the revenue was \$482,382. For FY 2014, the revenue was \$611,507.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Price quote (pages 3-4)



100 East Industrial Park Blvd, Beeville, TX, 78102
 PHONE: 800-242-0122 FAX: 361-358-0418
 Quote Number: WQ-0054552



QUOTATION			
Sell To:		Ship To:	
Customer Contact	Billie Smith	Ship To Name	
Customer Name	City of Huntsville	Shipping Address	448 State Highway 75th N Huntsville, TX 77320
Billing Address	448 State Highway 75th N Huntsville, TX 77320	Customer Job Reference	NJPA Contract # 060612-WQI
Email	bsmith@huntsvilletx.gov		
Phone	(936) 291-5495		

Salesperson: David Minton
 Email: dminton@wastequip.com
 Phone: (800) 242-0122
 Created Date: 07/17/2015
 Expiration Date: 07/31/2015
 Quote Number: WQ-0054552

Customer Service Contact: Marya Jenkins
 Email: mjenkins@wastequip.com
 Phone: (800) 424-0422
 NJPA Member Info: 31,701
 Address: 1212 Ave M, Huntsville, TX
 Member Since: 8/19/10 City

Product	Product Description	Details	Options	QTY	Unit Price	Extended Price
134029	30 Cubic Yard Standard Duty Rectangular Roll Off Container 22' Long - Floor: 7 gauge with 3" structural channels on 18" centers and 6" x 2" x 3/16" Structural Tubing Main Rails, Walls: 12 gauge with side columns on 36" centers and 3" x 4" x 11 gauge Top Rails, Primed and Painted any Standard Color			4	\$3,844.82	\$15,379.28
154439	20 Cubic Yard Standard Duty Rectangular Roll Off Container 22' Long - Floor: 7 gauge with 3" structural channels on 18" centers and 6" x 2" x 3/16" Structural Tubing Main Rails, Walls: 12 gauge with side columns on 24" centers and 3" x 4" x 11 gauge Top Rails, Primed and Painted any Standard Color			1	\$3,557.57	\$3,557.57

Subtotal: \$18,936.85
 Freight (F.O.B): \$1,092.00
 Tax: \$0.00
 Total: \$20,028.85

Special Instructions and Information

Additional Information
 Special Instructions



100 East Industrial Park Blvd, Beeville, TX, 78102
 PHONE: 800-242-0122 FAX: 361-358-0418
 Quote Number: WQ-0054552



Shipping Details		
Est. Ship Date	Shipping Terms	FOB Destination
Shipping Instructions	Shipping Terms Details	
Installation Instructions	Off Loading by Others	

Additional Information	
Payment Terms	Net 30 Days
Additional Terms	<p>Our quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms and Conditions, including our limited warranties, the terms of which are incorporated herein by reference, which constitutes the entire agreement between the parties. The Wastequip Terms and Conditions are available on our website at: http://www.wastequip.com/terms-conditions.cfm</p> <p>pricing is based on your anticipated Order, including product specifications, quantities and timing - any differences to your order may result in different pricing. Due to volatility in petrochemical, steel and related product material markets, actual prices, as well as freight, are subject to change and will be confirmed prior to acceptance of an Order. Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variations and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this quotation may not include all applicable taxes, brokerage fees or duties.</p> <p>Wastequip, Toter, Galbreath, Cusco, Accurate, Mountain Tarp, Pioneer, and Parts Place are registered trademarks, trade names and subsidiaries of Wastequip, LLC.</p>
Special Contract Information	<p>Pricing is based on Wastequip's National Joint Powers Alliance (NJPA) Contract No. 060612-WQ1 as awarded on July 17, 2012. Per the terms of the contract, pricing may be amended at any time with proper documentation, and subject to NJPA approval. Pricing may change without written prior notice.</p>

Signatures	
Salesperson: _____	Accepted By: _____
	Company Name: _____
	Date: _____
CC: _____	Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



CITY COUNCIL AGENDA

8/4/2015
Agenda Item: 3h

Item/Subject: Consider adopting Resolution 2015-12, authorizing the use of TexasTERM by the City's Investment Officer, and authorizing the City Manager to sign the Participation Agreement.

Initiating Department/Presenter: Finance

Presenter: Steve Ritter, Finance Director

Recommended Motion: Move to adopt Resolution 2015-12, authorizing the use of TexasTERM by the City's Investment Officer, and authorize the City Manager to sign the Participation Agreement.

Strategic Initiative: Goal #7 - Finance - Provide a sustainable, efficient and fiscally sound government through conservative fiscal practices and resource management.

Discussion: TexasTERM is a Local Government Investment Pool as defined and allowed by the Texas Public Funds Investment Act (PFIA). Use of TexasTERM by the City may provide for the opportunity to earn additional interest. TexasTERM requires approval of a Resolution by Council before investments can be made with them. The use of TexasTERM was discussed with the Finance Committee at its June 16, 2015 meeting.

Previous Council Action: None

Financial Implications: Use of TexasTERM may provide additional interest earnings.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Resolution 2015-12/Participation Agreement (page 2)



Resolution 2015-12

Participation Agreement

Authorizing Participation in TexasTERM

WHEREAS City of Huntsville ("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the TexasTERM Local Government Investment Pool ("TexasTERM"), a public funds investment pool, was created on behalf of entities whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

A. That Participant shall enter into a Participation Agreement to establish an account in its name in TexasTERM, for the purpose of transmitting local funds for investment in TexasTERM.

B. The Participant shall designate one or more individuals to act as "Authorized Representatives" of the Participant, in the manner provided in the form attached to this Participation Agreement, to transmit funds for investment in the Pool and to withdraw funds from the Pool from time to time, to issue letters of instruction, and take such other actions deemed necessary or appropriate for the investment of local funds.

C. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexasTERM receives a copy of any such amendment or revocation.

This Resolution is hereby introduced and adopted by the Participant at its regular meeting held on the 4th day of August, 2015.

NAME OF PARTICIPANT: The City of Huntsville

BY: Signature

Printed Name

Title

ATTEST: Signature

Printed name

Title

Seal



CITY COUNCIL AGENDA

8/4/2015

Agenda Item: 4a

Item/Subject: Consider approving Ordinance 2015-35 amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 48 "Vehicles for Hire"; making other provisions and findings thereto; and declaring an effective date, second reading.

Initiating Department/Presenter: Community & Economic Development

Presenter: Darryle Slaven, Assistant Chief of Police

Recommended Motion: Move to adopt Ordinance 2015-35 amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 48 "Vehicles for Hire"; making other provisions and findings thereto; and declaring an effective date.

Strategic Initiative: Goal #4 - Infrastructure - Ensure the quality of the City utilities, transportation and physical structures so that the City's core services can be provided in an effective and efficient manner.

Discussion: (This item was prepared by Kevin Lunsford, Director of Public Safety. In his absence, it is being presented by Aron Kulhavy and Darryle Slaven.)

For years, the vast majority of TDCJ offenders have been released from the Huntsville "Walls" Unit near downtown. Upon release, the offenders are given a small amount of money in the form of a check, along with a bus voucher for Greyhound buses, consistent with an agreement between TDCJ and Greyhound. The releasees then generally proceed to the current Greyhound Bus Station located near Avenue J and 12th Street, board the proper bus, and leave town. In the 1980s and 1990s, a number of entrepreneurs flocked to the area of the "Walls" Unit to provide alternate means of transportation in the forms of various taxicabs, party buses, etc. Additionally, storefronts began fierce competition for check cashing services, clothing sales, and so on. The situation quickly grew chaotic and out of control, causing the City to pass a number of ordinances attempting to curtail some of the unruly activity. Those ordinances, still in effect, continue to serve their purpose and the situation today is much more organized and controlled in that area of town.

Early in June this year, the City was contacted by Greyhound Bus Lines. Greyhound is considering a business decision to terminate their contract with the local bus station facility at Avenue J and 12th Street. If they proceed with that business decision, Greyhound has asked permission to create an on-street loading/unloading area nearer the Huntsville "Walls" Unit for bus passengers. The vast majority of their passengers are TDCJ releasees with Greyhound bus vouchers. For the few citizens who wish to buy a bus ticket, Greyhound will make arrangements with a local business(es) for ticket purchases. Those citizens would then board the bus at the designated location near the "Walls" Unit.

The Mayor, City Manager, and Police Chief met with Richard Alford, the Regional Director of TDCJ, to discuss this situation. It was agreed that if Greyhound follows through with their proposed business decision, neither The City nor TDCJ would object to creating on-street bus parking near the Huntsville "Walls" unit. After inspecting the general area, it was decided that the best place to designate for the buses is directly west of the "Walls" Unit in the 1200 block of Avenue I, just south of 12th Street. There is ample available on-street parking in that area to facilitate the buses that arrive and depart daily, as well

as to allow for ADA-compliant bus stops. Greg Grafeman, National Operations Manager of Greyhound, stated that Greyhound would cover the cost of any necessary ADA-compliant pads for loading/unloading of passengers.

The attached ordinance change leaves the meat of the original ordinance in effect, while updating language and allowing for commercial buses with TDCJ agreements in place to park for loading/unloading in the described location near the Huntsville "Walls" Unit.

Previous Council Action: Between 1991 and 1993, the City Council created, or substantially updated, Chapter 48 of the Code of Ordinances to provide for regulations affecting vehicles for hire near the Huntsville "Walls" Unit of TDCJ. The City Council had a first reading on this item at the July 21, 2015 meeting.

Financial Implications:

There is no financial impact associated with this item.

Item is budgeted: 603-323-53170 In the amount of estimated less than \$100 for proper street markings

Item is not budgeted:

Item is estimated to generate additional revenue:

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Ordinance 2015-35 (page 3)
- Exhibit "A" – revised language in code (pages 4-6)
- Map of area (page 7)

ORDINANCE NO. 2015-35

AN ORDINANCE AMENDING THE CITY OF HUNTSVILLE, TEXAS CODE OF ORDINANCES, SPECIFICALLY CHAPTER 48 “VEHICLES FOR HIRE”; MAKING OTHER PROVISIONS AND FINDINGS THERETO; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Huntsville Code of Ordinances, Chapter 48 “VEHICLES FOR HIRE” provides for the regulation of streets and public property for the health, safety and public welfare of the City’s residents:

WHEREAS, the City of Huntsville, as a home rule city may regulate this activity pursuant to its broad powers of self-government; and

WHEREAS, City Council finds it necessary to amend its existing regulations of these activities to protect the health and public safety; now therefore

WHEREAS, the City Council of the City of Huntsville, Texas now wishes to amend Chapter 48 to help promote the health, safety and welfare of its residents;

WHEREAS, notice of the agenda for this meeting, was given in accordance with law by posting the same at the place reserved and designated for notices of public meetings and public activities and prior to the adoption of this ordinance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, that:

SECTION 1: The facts and matters set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified, and confirmed.

SECTION 2: Huntsville Code of Ordinances Chapter 48 “VEHICLES FOR HIRE”, Article II “Taxicabs and Other Vehicles for Hire”, Division 6 “Regulations Affecting Taxicabs and Other Vehicles for Hire” is hereby amended by amending Sections 48-182 through 48-186 all of which shall read as shown on the attached Exhibit “A”.

SECTION 3: All ordinances or parts of Ordinances that are in conflict or inconsistent with the provisions of this Ordinance shall be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4: Should any paragraph, sentence, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 5: This Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Article 4.14 of the Charter of the City of Huntsville, Texas.

PASSED AND APPROVED on the Second Reading on this, the ____th day of _____, 2015.

THE CITY OF HUNTSVILLE

Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Leonard Schneider, City Attorney

EXHIBIT "A"

CHAPTER 48 – VEHICLES FOR HIRE

ARTICLE II.- TAXICABS AND OTHER VEHICLES FOR HIRE

DIVISION 6. - REGULATIONS AFFECTING TAXICABS AND OTHER VEHICLES FOR HIRE

Sec. 48-182. - Staging for Walls area.

A staging area for taxicabs and other vehicles for hire in the Walls area may be designated on the north side of 13th Street between Avenue J and University Avenue. Vehicles for hire will not park, stand or stop in a manner that will block any private driveway. This section does not apply to commercial buses regulated by the Federal Motor Carrier Safety Administration (FMCSA).

(Code 1961, § 28.06.01; Ord. No. 91-36, § 1, 12-17-1991; Ord. No. 92-08, 5-8-1992; Ord. No. 93-02, 1-12-1993)

Sec. 48-183. - Staging area; regulations for use.

(a) Taxicabs or other vehicles for hire as outlined in this article may use the staging area to await entry into a boarding area.

(b) It shall be unlawful for any person, or driver of a taxicab or other vehicle for hire waiting in the staging area, to solicit or accept a passenger.

(c) A driver shall not leave the interior of the driver's taxicab or other vehicle for hire while parked or stopped in the staging area.

(d) This section does not apply to commercial buses regulated by the Federal Motor Carrier Safety Administration (FMCSA).

(Code 1961, § 28.06.02; Ord. No. 91-36, § 1, 12-17-1991; Ord. No. 92-08, 5-8-1992)

Sec. 48-184. - Ground transportation service; boarding for Walls area.

City boarding areas shall be established for the Walls area at the following locations:

(1) Boarding area I begins on the north side of the 1000 block 12th Street approximately 76 feet from the northwest corner of Avenue J at 12th Street and extends west for approximately 50 feet. Use of this location is reserved exclusively for taxicabs permitted with the city for the transportation of passengers.

(2) Boarding area II includes the south side of the 1000 block of 12th Street approximately 57 feet from the southwest corner of Avenue J at 12th Street and extends west for approximately 87 feet and the north side of 12th Street at Avenue J extending east from the intersection of Avenue J approximately 30 feet. Use of this location is reserved exclusively for vehicles for hire permitted by the railroad commission

appropriate State or Federal regulatory agency for ground transportation services between cities in the state but does not apply to commercial buses regulated by the Federal Motor Carrier Safety Administration (FMCSA). No vehicle accepting passengers from this location may deliver any fare to a location within the incorporated city limits.

(3) Boarding Area III begins on the east side of the 1200 block of Avenue I approximately 30 feet from the northeast corner of Avenue I at 12th Street and extends south approximately 195 feet. Use of this location is reserved exclusively for commercial buses regulated by the FMCSA for the transportation of passengers and who have an agreement with the Texas Department of Criminal Justice for transportation of recently released offenders. Parallel parking spaces shall be painted on the street and appropriate signage shall be in place designating the area for commercial buses regulated by FMCSA.

(Code 1961, § 28.06.03; Ord. No. 91-36, § 1, 12-17-1991; Ord. No. 92-08, 5-8-1992; Ord. No. 93-02, 1-12-1993)

Sec. 48-185. - Boarding areas; regulations for use.

(a) All taxicabs and other vehicles transporting released state department of criminal justice inmates for hire are required to use the designated boarding areas located within the Walls area as described in Sec 48-184.

(b) Use of the boarding area I shall be for taxicabs permitted by the city. ~~or other vehicles for hire that have been permitted by the state railroad commission.~~

(c) No driver shall permit more than one vehicle for hire permitted by one company to use boarding area II at a time.

~~(d) If the railroad commission permits more than four companies to provide vehicle for hire service from the Walls area, then the permitted companies may use the boarding area on a first come basis; provided that:~~

~~(1)~~

~~No company shall have more than one vehicle in the staging or boarding area at a time; and~~

~~(2)~~

~~The vehicle in the staging area shall have priority access to boarding area upon departure of a vehicle from the boarding area.~~

~~(e d) No more than two taxicabs may occupy area I at the same time and no more than or one vehicle for hire, from any one company, may occupy either boarding area II, in any combination, at the same time.~~

(f e) All parking of vehicles within the designated staging and boarding areas must be parallel to the curb or curblines and in compliance with state law and city ordinance.

(g f) Drivers of taxicabs or other vehicles for hire using the boarding areas must be in compliance with section 48-184

(h g) A driver shall not leave the interior of the driver's taxicab or other vehicle for hire except to assist a passenger as reasonably necessary after being engaged.

(i h) A driver shall not perform or allow to be performed repairs or maintenance on a taxicab, or other vehicle for hire, while parked in the staging or boarding area.

(j i) A person shall not park a taxicab, or other vehicle for hire, in a boarding area unless the vehicle is for hire.

(k j) The driver of a taxicab or other vehicle for hire must attend the vehicle at all times when the vehicle is parked in a staging or boarding area.

(l k) A driver of a vehicle for hire may solicit passengers, but only by posting signs in or on the vehicle for hire which state only fare and destination information.

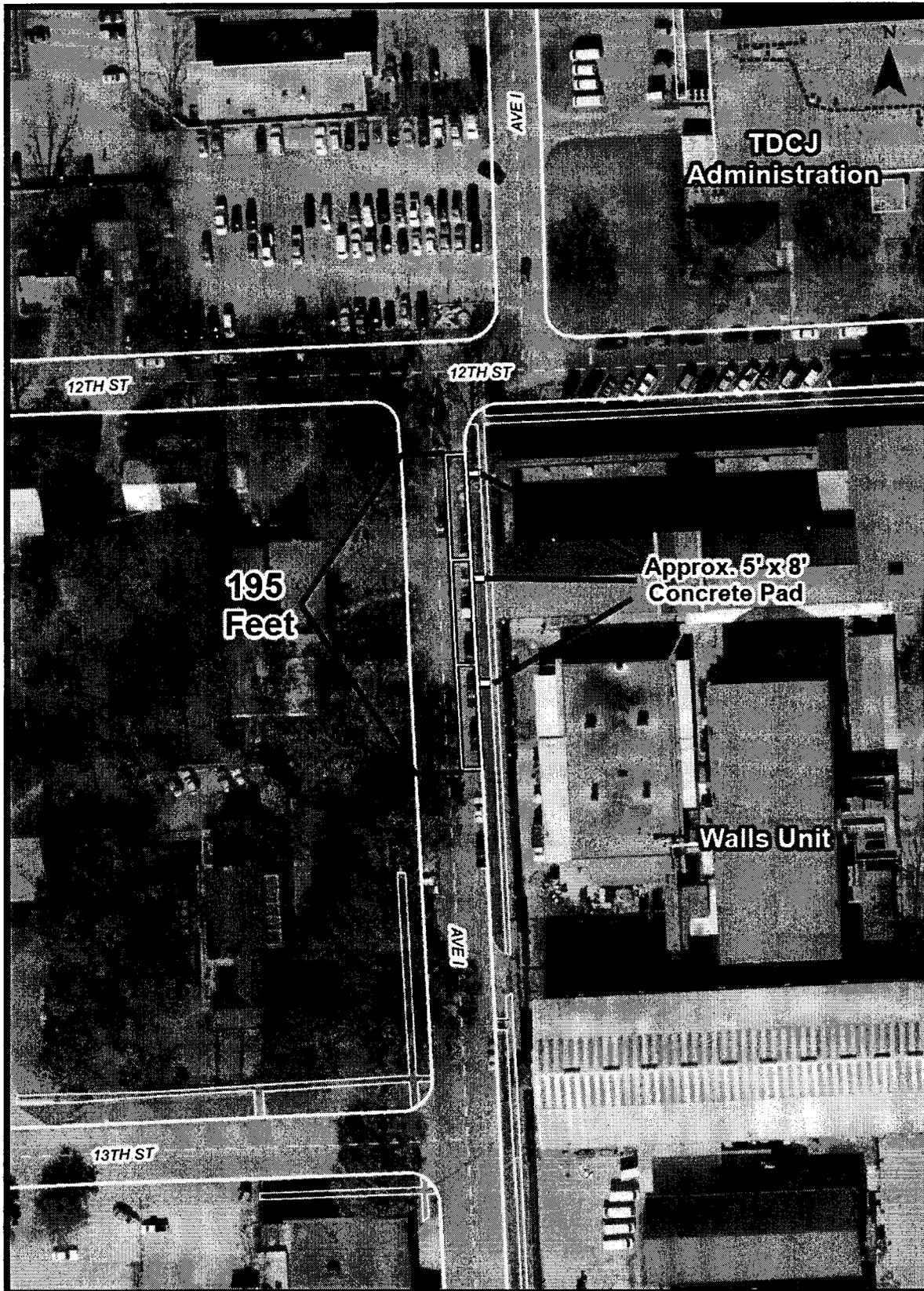
(Code 1961, § 28.06.04; Ord. No. 91-36, § 1, 12-17-1991; Ord. No. 92-08, 5-8-1992)

Sec. 48-186. - Conduct of drivers.

While on duty a driver shall:

- (1) Conduct himself in a reasonable, prudent and courteous manner;
- (2) Maintain a sanitary and well-groomed appearance;
- (3) Not respond to a radio dispatch assigned to another driver;
- (4) Not consume alcoholic beverages, controlled substances, or other substances which could adversely affect the driver's ability to drive a motor vehicle;
- (5) Not monitor the radio frequency of a taxicab company other than the driver's own nor respond to a call for service dispatched by another company;
- (6) Not possess a radio equipped to receive the frequency of a taxicab other than his own;
- (7) Not interfere with the chief of police or his designee in the performance of ~~the chief of police's~~ their official duties; and
- (8) Comply with all lawful orders of the chief of police or his designee issued in the performance of ~~the chief of police's~~ their official duties.

(Code 1961, § 28.06.05; Ord. No. 91-36, § 1, 12-17-1991)



1 in = 75 ft

