

# CITY OF HUNTSVILLE, TEXAS

Mac Woodward, Mayor

Keith D. Olson, Mayor Pro Tem, Position 4  
Andy Brauning, 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

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## HUNTSVILLE CITY COUNCIL AMENDED AGENDA MONDAY, NOVEMBER 16, 2015 – 6:00 P.M. SPECIAL 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.

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#### 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. ELECTION MATTERS

- a. *Presentation, public comment, discussion, and possible action to adopt Ordinance 2015-03 2016-04 to canvass the returns of the General Election held on the 5<sup>th</sup> 3<sup>rd</sup> day of November 2015, for the purpose of electing a Mayor At-Large and four Ward Councilmember positions; roll-call vote. [Lee Woodward, City Secretary]*
- b. *Administer the Oath of Office to the newly-elected City Councilmembers. [Walker County Judge Danny Pierce]*

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

5. 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.)*

6. 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 November 16, 2015 City Council AMENDED 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](http://www.huntsvilletx.gov), in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: \_\_\_\_\_

TIME OF POSTING: \_\_\_\_\_ am/pm

TAKEN DOWN: \_\_\_\_\_

\_\_\_\_\_  
Lee Woodward, City Secretary

**ORDINANCE NO. 2016-04**

**AN ORDINANCE CANVASSING THE RETURNS OF THE REGULAR AND SPECIAL MUNICIPAL ELECTIONS HELD WITHIN THE CITY OF HUNTSVILLE ON THE 3<sup>RD</sup> 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; A SPECIAL ELECTION FOR THE PURPOSE OF VOTING ON THE ADOPTION OR REJECTION OF A PROPOSITION ON THE COMBINED QUESTION OF THE ADOPTION OF A TYPE B CORPORATION ECONOMIC DEVELOPMENT SALES AND USE TAX WITHIN THE CITY AT THE RATE OF ONE-EIGHTH OF ONE PERCENT FOR PROJECTS AS ALLOWED BY CHAPTER 505 OF THE LOCAL GOVERNMENT CODE AND THE ADOPTION OF AN ADDITIONAL SALES AND USE TAX WITHIN THE CITY AT A RATE OF THREE-EIGHTHS OF ONE PERCENT TO BE USED TO REDUCE THE PROPERTY TAX RATE; DECLARING THE RESULTS OF THE ELECTION; FINDING THAT NOTICE OF THE ELECTION WAS DULY AND PROPERLY GIVEN, THAT THE ELECTION WAS PROPERLY HELD AND RETURNS THEREOF MADE BY THE PROPER OFFICIALS IN ACCORDANCE WITH THE LAWS OF THE STATE.**

**WHEREAS** pursuant to Section 6.07 of the Charter of the City of Huntsville, the City Council, at a regular meeting held on the 16<sup>th</sup> day of November 2015, proceeded to canvass the returns of the regular and special municipal elections held in the City on the 3<sup>rd</sup> day of November 2015, for the purpose of electing a Mayor At-Large; four Ward Councilmembers, one for each of the City's four wards: (1) one, (2) two, (3) three, and (4) four; and the adoption or rejection of a proposition on the combined question of the adoption of a Type B corporation economic development sales and use tax within the City at the rate of one-eighth of one percent for projects as allowed by Chapter 505 of the Local Government Code and the adoption of an additional sales and use tax within the City at a rate of three-eighths of one percent to be used to reduce the property tax rate; and

**WHEREAS** the election was held under and pursuant to the provisions of Ordinance No. 2015-37 and No. 2015-40 calling the election; and

**WHEREAS** the election having been duly and regularly held as called in the ordinance and according to law, and the returns thereof having been made and the election judges having certified the results of the election, as hereinafter set out, and the City Council having duly and regularly canvassed the returns of the election and finding that the total votes cast at the election were as follows:

**FOR MAYOR**

WAYNE BARRETT	666
ANDY BRAUNINGER	964
KEITH D. OLSON	841
JOHN SMITHER	287

**FOR COUNCILMEMBER, WARD 1**

JOE EMMETT	531
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**FOR COUNCILMEMBER, WARD 2**

TISH HUMPHREY	212
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FOR COUNCILMEMBER, WARD 3  
RONALD ALLEN 232

FOR COUNCILMEMBER, WARD 4  
JOE RODRIQUEZ 1034

4B SALES TAX PROPOSITION  
FOR 1239  
AGAINST 1430

**WHEREAS** the City Council of the City of Huntsville finds that the election returns set out above to be accurate and correct. A runoff election per Section 6.02 of the City Charter will be called for the position of Mayor. No other election protest or contest has been filed with Council or instituted in connection with the election returns.

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

SECTION 1: As no candidate received a majority of the votes cast at the election for the office of Mayor At-Large, a runoff election per Section 6.02 of the City Charter shall be called for the two candidates receiving the highest number of votes cast for the office of Mayor At-Large.

SECTION 2: Joe Emmett received a majority of the votes cast at the election for the office of Councilmember, Ward 1, and accordingly, Joe Emmett is declared elected to the office of Councilmember, Ward 1, subject to the taking of his oath and filing bond as provided by the laws of the State of Texas.

SECTION 3: Tish Humphrey received a majority of the votes cast at the election for the office of Councilmember, Ward 2, and accordingly, Tish Humphrey is declared elected to the office of Councilmember, Ward 2, subject to the taking of her oath and filing bond as provided by the laws of the State of Texas.

SECTION 4: Ronald Allen received a majority of the votes cast at the election for the office of Councilmember, Ward 3, and accordingly, Ronald Allen is declared elected to the office of Councilmember, Ward 3, subject to the taking of his oath and filing bond as provided by the laws of the State of Texas.

SECTION 5: Joe Rodriquez received a majority of the votes cast at the election for the office of Councilmember, Ward 4, and accordingly, Joe Rodriquez is declared elected to the office of Councilmember, Ward 4, subject to the taking of his oath and filing bond as provided by the laws of the State of Texas.

SECTION 7: The 4B economic development corporation sales and use was not approved by a majority of the votes cast at the election on amendments and accordingly, will not be instituted.

SECTION 14: City Council finds that the notice of the election was duly and properly given as required by law and as provided in ordinance calling the election, and that the election was duly and regularly held, and the returns thereof duly and regularly made by the proper officials of the election, and in all things according to the law.

SECTION 15: This ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED** this the 16<sup>th</sup> day of November 2015.

**THE CITY OF HUNTSVILLE, TEXAS**

\_\_\_\_\_  
Mac Woodward, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lee Woodward, City Secretary

\_\_\_\_\_  
Leonard V. Schneider, City Attorney



**DIANA L. McRAE**  
**TAX ASSESSOR-COLLECTOR**  
**COUNTY ELECTION OFFICER**

**Voter Registration/Elections Department**  
**Julie Cooper, Elections Manager**  
1301 Sam Houston Avenue, Suite 114  
Huntsville, Texas 77340  
(936) 436-4957 Office / 436-4961 Fax

**REPORT ON ELECTION RETURNS**  
November 3, 2015 General Election

Pursuant to Section 67 of the Texas Election Code, I, Diana McRae, Tax Assessor-Collector/ County Election Officer, certify the election returns to the City of Huntsville, the Local Canvassing Authority, for the purpose of canvassing the election below:

**Special Election: City of Huntsville Mayor, Councilmembers, and Special Type B Corporation Election**

Registered Voters in the District: 14,409

Total Ballots Cast: 2,815

**Early Voting Report**

Ballots Cast – Total: 1,293

Mayor, City of Huntsville

WAYNE BARRETT 272  
ANDY BRAUNINGER 490  
KEITH D OLSON 381  
JOHN SMITHER 130

Councilmember, Ward 1

JOE EMMETT 276

Councilmember, Ward 2

TISH HUMPHREY 128

Councilmember, Ward 3

RONALD ALLEN 124

Councilmember, Ward 4

JOE RODRIQUEZ 425

Type B Corporation Proposition

FOR 537  
AGAINST 704

**Election Day Report**

Ballots Cast – Total: 1,522

Mayor, City of Huntsville

WAYNE BARRETT 394  
ANDY BRAUNINGER 474  
KEITH D OLSON 460  
JOHN SMITHER 157

Councilmember, Ward 1

JOE EMMETT 255

Councilmember, Ward 2

TISH HUMPHREY 84

Councilmember, Ward 3

RONALD ALLEN 108

Councilmember, Ward 4

JOE RODRIQUEZ 609

Type B Corporation Proposition

FOR 702  
AGAINST 726



**DIANA L. McRAE**  
**TAX ASSESSOR-COLLECTOR**  
**COUNTY ELECTION OFFICER**

Voter Registration/Elections Department  
Julie Cooper, *Elections Manager*  
1301 Sam Houston Avenue, Suite 114  
Huntsville, Texas 77340  
(936) 436-4957 Office / 436-4961 Fax

**ELECTION TOTALS:**

**Mayor, City of Huntsville**

**WAYNE BARRETT 666**  
**ANDY BRAUNINGER 964**  
**KEITH D OLSON 841**  
**JOHN SMITHER 287**

**Councilmember, Ward 1**

**JOE EMMETT 531**

**Councilmember, Ward 2**

**TISH HUMPHREY 212**

**Councilmember, Ward 3**

**RONALD ALLEN 232**

**Councilmember, Ward 4**

**JOE RODRIQUEZ 1,034**

**Proposition – “Shall the City of Huntsville, Texas be authorized to adopt a Type B Corporation Economic Development sales and use tax at the rate of one-eighth of one percent with the proceeds to be used to undertake projects as authorized and described in Chapter 505 of the Texas Local Government Code, as amended from time to time, including but not limited to projects for public parks, park facilities, open space improvements, landscape of public facilities, and projects related to recreational or community facilities, and projects to promote new or expanded business enterprises that create or retain primary jobs, and streets and roads, drainage, and related improvements, demolition of existing structures, or land, buildings, equipment, facilities that are related to any of the above projects and any other projects that the board determines will promote new or expanded business enterprises that create or retain jobs, and the maintenance and operations expenses for any of the above described projects and the adoption of an additional sales and use tax within the City of three-eighths of one percent to be used to reduce the property tax rate.”**

**FOR 1,239**  
**AGAINST 1,430**

I, Diana McRae, Tax Assessor-Collector of Walker County, do hereby certify that the above election return is true and correct election results for the City of Huntsville’s General and Special Elections held on the 3<sup>rd</sup> day of November, 2015.

*Diana L. McRae*

11/10/15

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

Date

**Attachments:** (1) Central Accumulation Report – Canvas Summary  
(2) Precinct by Precinct CAS Summary

Run Date:11/10/15 08:49 AM

Report EL30A Page 0001-01

0001 PRECINCT 101

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL	635				
BALLOTS CAST - TOTAL	60		28	0	32
VOTER TURNOUT - TOTAL		9.45			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1

Wayne Barrett	11	19.64	6	0	5
Andy Brauninger	13	23.21	5	0	8
Keith D. Olson	16	28.57	9	0	7
John Smither	16	28.57	7	0	9

Councilmember, Ward 3

VOTE FOR 1

Ronald Allen	43	100.00	20	0	23
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City of Huntsville Special Election Prop

VOTE FOR 1

For	32	57.14	15	0	17
Against	24	42.86	11	0	13

**UNOFFICIAL  
 RETURNS**

Run Date:11/10/15 08:49 AM

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0002 PRECINCT 102

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL . . . . .	3,342				
BALLOTS CAST - TOTAL . . . . .	721		349	8	364
VOTER TURNOUT - TOTAL . . . . .		21.57			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1					
Wayne Barrett . . . . .	194	27.17	81	4	109
Andy Brauningner . . . . .	195	27.31	112	2	81
Keith D. Olson. . . . .	220	30.81	112	1	107
John Smither . . . . .	105	14.71	42	1	62

Councilmember, Ward 1

VOTE FOR 1					
Joe Emmett . . . . .	531	100.00	269	7	255

City of Huntsville Special Election Prop

VOTE FOR 1					
For . . . . .	313	45.96	144	4	165
Against . . . . .	368	54.04	189	4	175

**UNOFFICIAL  
RETURNS**

PREC REPORT-GROUP DETAIL

Walker County, Texas  
 Const. Amendment and Joint Ele  
 November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 08:49 AM

Report EL30A Page 0005-01

0005 PRECINCT 201

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL	2,224				
BALLOTS CAST - TOTAL	278		158	11	109
VOTER TURNOUT - TOTAL		12.50			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1

Wayne Barrett	66	24.72	37	2	27
Andy Brauning	75	28.09	50	3	22
Keith D. Olson	96	35.96	51	1	44
John Smither	30	11.24	18	2	10

Councilmember, Ward 2

VOTE FOR 1

Tish Humphrey	207	100.00	120	7	80
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City of Huntsville Special Election Prop

VOTE FOR 1

For	141	54.44	69	10	62
Against	118	45.56	79	0	39

**UNOFFICIAL  
 RETURNS**

Run Date:11/10/15 08:49 AM

Report EL30A Page 0008-01

0008 PRECINCT 205

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL . . . . .	2,326				
BALLOTS CAST - TOTAL . . . . .	1,080		412	6	662
VOTER TURNOUT - TOTAL . . . . .		46.43			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1					
Wayne Barrett . . . . .	249	23.34	75	1	173
Andy Brauninger . . . . .	468	43.86	191	5	272
Keith D. Olson. . . . .	301	28.21	121	0	180
John Smither . . . . .	49	4.59	22	0	27

Councilmember, Ward 4

VOTE FOR 1					
Joe Rodriguez . . . . .	766	100.00	297	6	463

City of Huntsville Special Election Prop

VOTE FOR 1					
For . . . . .	441	42.86	163	4	274
Against . . . . .	588	57.14	241	2	345

**UNOFFICIAL  
 RETURNS**

Run Date:11/10/15 08:49 AM

Report EL30A Page 0009-01

0009 PRECINCT 206

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL . . . . .	965				
BALLOTS CAST - TOTAL. . . . .	219		88	2	129
VOTER TURNOUT - TOTAL . . . . .		22.69			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1					
Wayne Barrett . . . . .	46	21.60	17	0	29
Andy Brauninger . . . . .	76	35.68	39	1	36
Keith D. Olson. . . . .	72	33.80	21	0	51
John Smither . . . . .	19	8.92	9	1	9

Councilmember, Ward 4

VOTE FOR 1					
Joe Rodriguez . . . . .	136	100.00	54	0	82

City of Huntsville Special Election Prop

VOTE FOR 1					
For . . . . .	92	45.32	24	2	66
Against . . . . .	111	54.68	57	0	54

**UNOFFICIAL  
 RETURNS**

Run Date:11/10/15 08:49 AM

Report EL30A Page 0010-01

0010 PRECINCT 301

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL . . . . .	2,615				
BALLOTS CAST - TOTAL . . . . .	265		138	4	123
VOTER TURNOUT - TOTAL . . . . .		10.13			
Mayor CITY OF HUNTSVILLE					
VOTE FOR 1					
Wayne Barrett . . . . .	66	25.48	33	0	33
Andy Brauningner . . . . .	73	28.19	42	1	30
Keith D. Olson. . . . .	78	30.12	43	0	35
John Smither . . . . .	42	16.22	19	2	21
Councilmember, Ward 3					
VOTE FOR 1					
Ronald Allen . . . . .	189	100.00	102	2	85
City of Huntsville Special Election Prop					
VOTE FOR 1					
For . . . . .	127	50.00	60	3	64
Against . . . . .	127	50.00	71	1	55

**UNOFFICIAL  
RETURNS**

Run Date:11/10/15 08:49 AM

Report EL30A Page 0014-01

0014 PRECINCT 401

	TOTAL VOTES	%	EARLY VOTING	EV BY MAIL/PR	ELECTION DAY
REGISTERED VOTERS - TOTAL	2,302				
BALLOTS CAST - TOTAL	192		87	2	103
VOTER TURNOUT - TOTAL		8.34			

Mayor CITY OF HUNTSVILLE

VOTE FOR 1					
Wayne Barrett	34	18.68	16	0	18
Andy Brauninger	64	35.16	37	2	25
Keith D. Olson	58	31.87	22	0	36
John Smither	26	14.29	7	0	19

Councilmember, Ward 2

VOTE FOR 1					
Tish Humphrey	5	100.00	1	0	4

Councilmember, Ward 4

VOTE FOR 1					
Joe Rodriguez	132	100.00	66	2	64

City of Huntsville Special Election Prop

VOTE FOR 1					
For	93	49.73	39	0	54
Against	94	50.27	47	2	45

**UNOFFICIAL  
 RETURNS**