

CITY OF HUNTSVILLE, TEXAS
Andy Brauninger, Mayor

Paul Davidhizar, Position 1 At-Large
Dee Howard Mullins, Position 2 At-Large
Clyde D. Loll, Position 3 At-Large
Mari Montgomery, Position 4 At-Large



Mayor Pro Tem Joe Emmett, Ward 1
Tish Humphrey, Ward 2
Ronald Allen, Ward 3
Joe P. Rodriguez, Ward 4

HUNTSVILLE CITY COUNCIL AGENDA **AMENDED**
TUESDAY, AUGUST 20, 2019 - REGULAR SESSION 6:00 P.M.
CITY COUNCIL CHAMBERS & 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 (936.291.5413), two working days prior to the meeting for appropriate arrangements.

MAIN SESSION [6:00 P.M.]

CALL TO ORDER

INVOCATION AND PLEDGES

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

1. PUBLIC HEARING

- The City Council will receive public comment on their consideration to adopt a maximum property tax rate of \$0.3307 per \$100 valuation for the City's 2019–2020 Fiscal Year (Tax Year 2019). [Steve Ritter, Finance Director]

2. 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 August 6, 2019. [Brenda Poe, City Secretary].
- b. Approve the 2019 Joint Election Agreement Amendment B naming Election Judges for a one-year term. [Brenda Poe, City Secretary]
- c. Consider authorizing the City Manager to apply for the U.S. Department of Justice - 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, enter into an Interlocal Agreement with Walker County, and adopt Resolution 2019-36 in support of same. [Kristie Hadnot, Grants Manager]
- d. Consider authorizing the City Manager to apply for and accept if awarded the proposed and final Hurricane Harvey Infrastructure Application to the Texas General Land Office (GLO), regarding funds associated with the Community Development Block Grant DR-4332, as provided by the U.S. Department of Housing and Urban Development (HUD), requesting the programmatic allocated grant amount of \$1,848,751. [Kristie Hadnot, Grants Manager]
- e. Consider adoption of Ordinance 2019-48 to amend the budget for FY 18-19 and/or CIP Project budgets. [Steve Ritter, Finance Director]

3. STATUTORY AGENDA

- a. Consider setting the date for second reading of Annexation Ordinances. [Leigha Larkin, City Planner]
- b. **FIRST READING** - Consider amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 40 "Streets, Sidewalks and Other Public Property"; Section 40-8 "Riding bicycles on sidewalks prohibited"; providing an exemption for Police, Fire, and EMS personnel while in the performance of their authorized duties, first reading. [Kevin Lunsford, Director of Public Safety/Police Chief]

4. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY

- a. Consider approving nominees for City boards, committees, and commissions. [Brenda Poe, City Secretary]
- b. Presentation of the FY19-20 Budget. [Aron Kulhavy, City Manager]

5. 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.

Fred Valone would like to discuss the many animals at the state park that use the adjacent properties to the park as part of their roaming territory.

Ethel J. Hawkins would like to discuss the Mayor's Kingdom Vision TEAM (Together Everyone Achieves More) – bringing UNITY to the CommUNITY of Huntsville, Texas.

6. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

7. 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.)

8. EXECUTIVE SESSION

- a. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, 551.071 to receive legal advice on potential claims by City against OceanLink and Suddenlink/Altice USA and by City against MBHS Investments and Quality Suites.

9. RECONVENE

Take action on items discussed in executive session, if needed.

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, Section 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; Sec. 551.089 - deliberation regarding security devices or security audits; 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 to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Brenda Poe, City Secretary, do hereby certify that a copy of the August 20, 2019, 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: ~~8/15/19~~ 8/16/19
TIME OF POSTING: ~~2:50 pm~~ 9:10 am
TAKEN DOWN:

Brenda Poe

Brenda Poe, City Secretary



CITY COUNCIL AGENDA

8/20/2019

Agenda Item: Public Hearing

Item/Subject: Council will hear public comment on their consideration to adopt a maximum property tax rate of \$0.3307 per \$100 valuation for the City's 2019 – 2020 Fiscal Year (Tax Year 2019)

Initiating Department/Presenter: Finance

Presenter: Steve Ritter – Finance Director

Recommended Motion: There is no recommended motion. No Council action/vote required

Strategic Initiative: Goal #5 - Finance - Provide a sustainable, efficient and fiscally sound government through conservative fiscal practices and resource management.

Discussion: State law requires two public hearings on the Tax Rate if the Council approved a maximum property tax rate that exceeds the lower of the Effective Rate or the Rollback Rate. At Council's August 6, 2019 meeting Council approved a maximum property tax rate of \$0.3307 which exceeds the Effective Rate of \$0.3048. This public hearing will be the first of two with the second hearing to be provided at the September 3, 2019 Council meeting and the actual adoption of a tax rate at the September 17, 2019 Council meeting. A second hearing on the tax rate is required even if Council should direct staff to create a budget for FY 19 – 20 using the Effective Rate. As a reminder, the City Manager's recommended budget for FY 19-20 which was provided to Council on August 9, 2019 used a property tax rate of \$0.3148 per \$100 valuation in budgeting for Property Tax Revenue.

Previous Council Action: Council approved the maximum property tax rate of \$0.3307 per \$100 valuation at the August 6, 2019 Council meeting.

Financial Implications:

There is no financial impact associated with this item. The financial impact will come with the adoption of a Tax Rate and Budget during Council's September 17, 2019 meeting.

Approvals: City Attorney Director of Finance City Manager

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 6th DAY OF AUGUST 2019, 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: Ronald Allen (*arrived at 5:01 p.m.*), Joe P. Rodriguez, Mari Montgomery, Dee Howard Mullins, Paul Davidhizar, Joe Emmett, Clyde D. Loll (*arrived at 4:39 p.m.*)

COUNCILMEMBERS ABSENT: Andy Brauning, Tish Humphrey

OFFICERS PRESENT: Aron Kulhavy, City Manager; Brenda Poe, City Secretary; Leonard Schneider, City Attorney

WORKSHOP [4:30 P.M.] – The City Council heard presentations on the on nonprofit applications and CIP budget for FY19-20 from City Secretary Brenda Poe and City Engineer Y. S. “Ram” Ramachandra.

MAIN SESSION [6:00 P.M.]

CALL TO ORDER – Mayor Pro Tem Emmett called the meeting to order at 6:01 p.m.

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.

Mayor Pro Tem Emmett asked for a moment of silence in honor of the recent mass shootings.

Houston Masons 95 of Conroe Past Commanders Roy Rose, Curtis Rose, and Jeffrey Wright presented flags to the City Council and Boys and Girls Club members Penny and Kitty Barker led the pledges.

1. 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 16, 2019. [Brenda Poe, City Secretary].**
- b. **Consider adoption of Ordinance 2019-40 to amend the budget for FY 18-19 and/or CIP Project budgets. [Steve Ritter, Finance Director]**

Councilmember Davidhizar made a motion to approve the consent agenda; the motion was seconded by Councilmember Montgomery. The motion was adopted, 7-0.

2. STATUTORY AGENDA

- a. **SECOND Consider adopting Ordinance 2019-39 authorizing the issuance of City of Huntsville, Texas general obligation bonds, Series 2019; authorizing the levy of an ad valorem tax in support of the bonds; approving an official statement, a paying agent/registrar agreement and other related documents; awarding the sale of the bonds; and authorizing other matters relating to the bonds. [Steve Ritter, Finance Director]**

Councilmember Rodriguez moved to adopt Ordinance 2019-39 authorizing the issuance of City of Huntsville, Texas general obligation bonds, Series 2019; authorizing the levy of an ad valorem tax in support of the bonds; approving an official statement, a paying agent/registrar agreement and other related documents; awarding the sale of the bonds; and authorizing other matters relating to the bonds; the motion was seconded by Councilmember Davidhizar. Hilltop Securities Managing Director W. Boyd London presented bids for General Obligation Bonds. The motion was adopted, 7-0.

- b. **Consider approval of announcing the City Council’s intention to adopt a maximum property tax rate of \$0.3307 per \$100 valuation for the City’s 2019 – 2020 Fiscal Year (Tax Year 2019).** [Steve Ritter, Finance Director]

Councilmember Loll moved to approve announcing the City Council’s intention to adopt a maximum property tax rate of \$0.3307 per \$100 valuation for the City’s 2019 – 2020 Fiscal Year (Tax Year 2019); the motion was seconded by Councilmember Rodriquez and Montgomery. Councilmember Allen made a motion to postpone the agenda item. The motion failed to receive a second. The original motion was adopted, 6-1. This was a roll call vote with Councilmembers Howard Mullins, Loll, Montgomery, Emmett, Rodriquez, and Davidhizar voting for; and Councilmember Allen against.

- c. **Consider authorizing the City Manager to apply and accept a TxDOT Safe Routes to Schools grant, designating the City Manager as the City’s Authorized Representative, and adopting Resolution 2019-35 in support of same.** [Y. S. “Ram” Ramachandra, City Engineer / Kristie Hadnot, Grants Manager]

Councilmember Montgomery moved to authorize the City Manager to apply for a FY 2019-2020 Texas Department of Transportation Safe Routes to Schools grant for \$200,000, designate the City Manager as the City’s Authorized Representative, and adopt Resolution 2019-35 in support of same; the motion was seconded by Councilmember Davidhizar. The motion was adopted, 7-0.

- d. **FIRST READING - Consider Ordinance 2019-41 for the proposed annexation of approximately 1,155 acres located northwest of the current City limits, near IH 45 and SH 75 N, and known as “Area A,” first reading.** [Leigha Larkins, Planner]

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: “*This is the institution of annexation proceedings to execute the annexation of seven separate areas totaling approximately 7,571 acres into the City Limits of Huntsville. A separate ordinance is required for each Annexation Area. ... This is the first reading for the annexation of approximately 1,155 acres located northwest of the current City limits, near Interstate 45 and State Highway 75 North, and known as Area A.*”

- e. **FIRST READING - Consider Ordinance 2019-42 for the proposed annexation of approximately 776 acres located northeast of the current City limits, near SH 19 and FM 2821, and known as “Area B,” first reading.** [Leigha Larkins, Planner]

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: *This is the institution of annexation proceedings to execute the annexation of 776 acres in the area known as "Area B." This is the first reading of the ordinance.* Citizen Skip Warren spoke in opposition of the annexation.

- f. **FIRST READING - Consider Ordinance 2019-43 for the proposed annexation of approximately 137 acres located east of the current City limits, near US 190 and Old Phelps Rd., and known as “Area C,” first reading.** [Leigha Larkins, Planner]

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: *This is the institution of annexation proceedings to execute the annexation of 137 acres in the area known as "Area C." This is the first reading of the ordinance.*

- g. **FIRST READING - Consider Ordinance 2019-44 for the proposed annexation of approximately 254 acres located east of the current City limits, near SH 75 S and Rush Rd, and known as “Area D,” first reading.** [Leigha Larkins, Planner]

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: This is the institution of annexation proceedings to execute the annexation of 254 acres in the area known as "Area D." This is the first reading of the ordinance.

- h. FIRST READING - Consider Ordinance 2019-45 for the proposed annexation of approximately 3,548 acres located south of the current City limits, near SH 75 S, IH 45 and Park Rd 40, and known as "Area E," first reading. [Leigha Larkins, Planner]**

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: This is the institution of annexation proceedings to execute the annexation of 3,548 acres in the area known as "Area E." This is the first reading of the ordinance.

- i. FIRST READING - Consider Ordinance 2019-46 for the proposed annexation of approximately 164 acres located west of the current City limits, south of Westridge Subdivision, and known as "Area F," first reading. [Leigha Larkins, Planner]**

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: This is the institution of annexation proceedings to execute the annexation of 164 acres in the area known as "Area F." This is the first reading of the ordinance.

- j. FIRST READING - Consider Ordinance 2019-47 for the proposed annexation of approximately 1106 acres located west of the current City limits, near SH 30 and FM 1791, and known as "Area G," first reading. [Leigha Larkins, Planner]**

First reading. No action taken. Planner Leigha Larkins read the following annexation statement: This is the institution of annexation proceedings to execute the annexation of 1,106 acres in the area known as "Area G." This is the first reading of the ordinance.

3. 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.

Jason January did not attend the meeting.

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None.

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.)

Mayor Pro Tem Emmett spoke about the Sam Houston Statue and Visitors Center teaming up with the Huntsville Public Library to host this year's Back to School Bash. Residents were invited to bring the kids out to the Walker County Storm Shelter from 9 am-11:30 am August 7th and let us help you mark some of those supplies off your list.

Councilmember Montgomery announced the Parks and Leisure Department will be hosting a Back to School Flick & Float on Friday, August 16th! Join us at Frank D. "Poncho" Roberts Aquatic Center for a fun filled dive-in movie night! Bring your friends and single-person floats so we can cruise through the end of summer. Admission is free! Concession will be open, and no outside coolers are allowed.

Councilmember Loll said the Huntsville Public Library is hosting free Spanish classes beginning September 4th. There are beginner and intermediate courses. For more information, call 291-5471 or register online at MyHuntsvilleLibrary.com

Councilmember Mullins invited the community to join her as the City commemorates the 99th anniversary of the 19th Amendment allowing women the right to vote during a celebration from 5-7 pm Friday, August 16th at the Huntsville Public Library Community Room. There will be a short presentation on Suffrage and a proclamation, as well as free cake and punch.

6. EXECUTIVE SESSION

- a. **City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, 551.071 to receive legal advice on the proposed annexation of area “A” thru “G” and threats of legal actions regarding proposed annexation.**

The Council adjourned to Executive Session at 7:21 p.m.

7. RECONVENE

- a. **Take action on items discussed in executive session, if needed.**

The Council reconvened at 8:59 p.m. City Attorney Schneider informed Council that the second reading for annexation has to be done in 60 days.

ADJOURNMENT

Mayor Pro Tem Emmett adjourned the meeting without objection at 9:00 p.m.

Brenda Poe, City Secretary

ATTEST:

CITY OF HUNTSVILLE

Brenda Poe, City Secretary

Joe Emmett, Mayor Pro Tem



CITY COUNCIL AGENDA

8/20/19
Agenda Item: 2b

Item/Subject: Consider approving the 2019 Joint Election Agreement Amendment B naming Election Judges for a one-year term.

Initiating Department/Presenter: City Secretary

Presenter: Brenda Poe, City Secretary

Recommended Motion: Move to approve the 2019 Joint Election Agreement Amendment B naming Election Judges for a one-year term.

Strategic Initiative: Goal #5 - Resource Development - Enhance the quality of life for citizens, businesses and visitors by leveraging the human and fiscal resources available to the community.

Discussion: The Walker County Commissioners Court appointed Election Judges for a one-year term beginning September 1, 2019 thru August 31, 2020 through the Walker County Tax Assessor County Election Officer Diana L. McRae. Election Judges listed in Attachment B of the Joint Election Agreement (JEA) for the November 5, 2019 General Election are appointed annually and requires the approval and acceptance of City Council.

Previous Council Action: Council approved the 2019 Joint Elections Agreement on July 2, 2019 with Ordinance 2019-36.

Financial Implications:

There is no financial impact associated with this item.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Amendment B

ELECTION JUDGES

(Submitted/Nominated by Party Chairs; Appointed by Commissioners Court August 12, 2019)

Republican Judge/Alt		Democratic Judge/Alt	
Precinct		Precinct	
101	Glenn Frey	101	Thelma Giddens
102	Stephanie Fors	102	Marsie Grant
103	Rhonda Hanks	103	Gwen Grigsby
104	Sylvia Rosenberger	104	Dorothy Willett
201	Martha Grisham	201	Peter Grivich
203	Pam Baldwin	203	Tamara Chasteen
204	Kara Vance	204	Myra Walker
205	Andrea Scott	205	Connie Heiland
206	Deborah Penney	206	Andy Dewees
301	Charles Lawson	301	Fred Guillory
302	Alice Ellisor	302	David Landmann
303	Mitch Walter	303	Mark Brown
304	Charlotte Miller	304	Cindy Blaylock
401	Rosemary Heinsohn	401	Helen Belcher
403	Cindy Rohe	403	Jurrell Gilliam
404	Tammy Gann	404	Ray Martin

Early Voting Ballot Board

Presiding Judge - Republican	Presiding Judge - Democratic
David Standlee	Lex Presley

One-year appointment – September 1, 2019 thru August 31, 2020



CITY COUNCIL AGENDA

8/20/2019

Agenda Item: 2c

Item/Subject: Consider authorizing the City Manager to apply for the U.S. Department of Justice - 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, enter into an Interlocal Agreement with Walker County, and adopt Resolution 2019-36 in support of same.

Initiating Department/Presenter: Finance - Grants Management

Presenter: Kristie Hadnot, Grants Manager

Recommended Motion: Move to authorize the City Manager to apply for the U.S. Department of Justice - 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, enter into an Interlocal agreement with Walker County and adopt Resolution 2019-36 in support of same.

Strategic Initiative: Goal #7 - Public Safety - Provide safety and security for all citizens.

Discussion: The JAG has been available for a number of years for law enforcement agencies. The City of Huntsville and Walker County have received awards for several years, although the award amounts have changed. The City has received funds since 2009. The allocation for 2019 is \$12,451 and will be used jointly by Walker County and the City of Huntsville, with the amount to be divided equally between the entities. There are no matching funds required for this grant.

The Huntsville Police Department plans to use their portion of the funds to purchase two (2) handheld radios.

Previous Council Action: No previous Council action has been taken on this particular item.

Financial Implications:

This item is not budgeted. If the grant is awarded a budget amendment will be brought to Council.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Interlocal Agreement
- Resolution 2019-36

THE STATE OF TEXAS

KNOW ALL BY THESE PRESENTS

COUNTY OF WALKER

INTERLOCAL AGREEMENT

BETWEEN THE COUNTY OF WALKER AND THE CITY OF HUNTSVILLE

2019 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 20th day of August 2019, by and between The COUNTY of WALKER, TEXAS, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY of HUNTSVILLE, TEXAS, acting by and through its governing body, the City Council, hereinafter referred to as CITY:

WHEREAS, this Agreement is made under the authority of Chapter 791, Texas Interlocal Cooperation Act (Texas Government Code): and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program has, in a disparate allocation, awarded \$12,451.00 to the County and the City: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to act as applicant / fiscal agent of the grant and pay COUNTY a total of \$6,225.50 of JAG funds.

Section 2.

COUNTY agrees to use \$6,225.50 for the 2019 JAG Program until September 30, 2021.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the TEXAS Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the TEXAS Tort Claims Act.

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF HUNTSVILLE

COUNTY OF WALKER

Aron Kulhavy, City Manager

Danny Pierce, County Judge

ATTEST:

APPROVED AS TO FORM:

Brenda Poe, City Secretary

Assistant District Attorney

APPROVED AS TO FORM:

Leonard Schneider, City Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contracts or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

RESOLUTION NO. 2019-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF THE APPLICATION FOR THE 2019 EDWARD BYRNE JUSTICE ASSISTANCE FORMULA GRANT (JAG) TO THE DEPARTMENT OF JUSTICE FOR EQUIPMENT; 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 2019 JAG.

WHEREAS the City desires to ensure the safety of all its citizens and; the City of Huntsville requires the police be charged with this task; and

WHEREAS it is necessary and in the best interest of the City to apply for funding under the 2019 Justice Assistance Grant (JAG).

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

SECTION 1: A Justice Assistance Grant (JAG) application is hereby authorized to be filed on behalf of the City and be placed in competition for funding to the Department of Justice.

SECTION 2: The application will be for \$12,451.00 to furnish equipment for the Huntsville Police Department.

SECTION 3: The funds will be redistributed with the City receiving \$6,225.50 and Walker County receiving \$6,225.50.

SECTION 4: The Mayor and City Council strongly support this application to address the safety needs of the community.

SECTION 5: 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 2019 Justice Assistance Grant (JAG).

PASSED AND APPROVED this 20th day of August 2019.

THE CITY OF HUNTSVILLE

Joe Emmett, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

Brenda Poe, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

8/20/2019

Agenda Item: 2d

Item / Subject: Consider authorizing the City Manager to apply for and accept if awarded the proposed and final Hurricane Harvey Infrastructure Application to the Texas General Land Office (GLO), regarding funds associated with the Community Development Block Grant DR-4332, as provided by the U.S. Department of Housing and Urban Development (HUD), requesting the programmatic allocated grant amount of \$1,848,751.

Initiating Department/Presenter: Finance - Grants Management

Presenter: Kristie Hadnot, Grants Manager

Recommended Motion: Move to authorize the City Manager to apply for and accept if awarded the proposed and final Hurricane Harvey Infrastructure Application to the Texas General Land Office (GLO), regarding funds associated with the Community Development Block Grant DR-4332, as provided by the U.S. Department of Housing and Urban Development (HUD), requesting the programmatic allocated grant amount of \$1,848,751.

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 was allocated \$1,848,751 in infrastructure funding from the Houston-Galveston Area Council (HGAC) in their Method of Distribution (MOD) regarding declared Disaster Recovery 4332. The HGAC MOD was approved by the Texas General Land Office on October 3, 2018. This action made the City eligible to formally submit an application to request Community Development Block Grant disaster recovery (CDBG-DR) funds, provided by the U.S. Department of Housing and Urban Development (HUD) for recovery from Hurricane Harvey.

On Friday, July 19, 2019, the draft application was made public for review and a 30-day comment period. On Thursday, July 25, 2019, a public hearing was held to receive questions and comments. At the end of the 30-day comment period, no comments or responses were received.

The Hurricane Harvey Infrastructure Application is complete with all supplemental data. GLO requires the completed application to be executed and electronically submitted to GLO by the City's deadline extension date of August 30, 2019.

Previous Council Action: Resolution 2018-01 was executed on October 17, 2017 authorizing submission of the Hurricane Harvey Infrastructure Application to Texas General Land Office.

Financial Implications:

Funds are allocated for use on CIP Project(s) in the proposed FY19-20 budget.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Resolution 2018-01

RESOLUTION NO. 2018-01

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 GENERAL LAND OFFICE 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, principal 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 General Land Office.

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

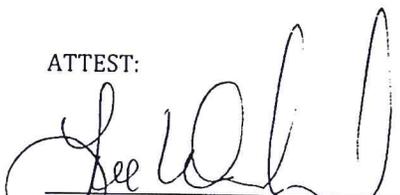
SECTION 3: The application will be for \$745,000 of grant funds and \$50,000 in City funds to mitigate flooding at River Oaks Drive.

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 17th day of October, 2017.

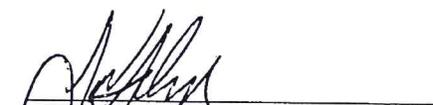
ATTEST:


Lee Woodward, City Secretary

THE CITY OF HUNTSVILLE


Andy Brauninger, Mayor

APPROVED AS TO FORM:


Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

8/20/2019
Agenda Item: 2e

Item/Subject: Consider adoption of Ordinance 2019-48 to amend the budget for FY 18-19 and/or CIP Project budgets.

Initiating Department/Presenter: Finance

Presenter: Steve Ritter – Finance Director

Recommended Motion: Move to adopt Ordinance 2019-48 to amend the budget for FY 18-19 and/or CIP Project budgets.

Strategic Initiative: Goal #6 - Finance - Provide a sustainable, efficient and fiscally sound government through conservative fiscal practices and resource management.

Discussion: Detailed explanation is provided in the attachment, Exhibit A, to the Ordinance. These Budget Amendments were presented to the Finance Committee at their August 6, 2019 meeting.

Previous Council Action: None.

Financial Implications:

See the attached Ordinance and related Budget Amendments (Exhibit A)

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Ordinance 2019-48, page 2
- Exhibit A (list of budget amendments), page 3

ORDINANCE NO. 2019-48

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE 2018-2019 ANNUAL BUDGET AND CAPITAL IMPROVEMENTS PROJECTS (CIP) BUDGETS, ORDINANCE NO. 2018-36 TO AMEND ADOPTED EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2018-2019 Annual Budget and CIP Budgets were adopted by Ordinance 2018-36 on September 18, 2018;

WHEREAS, various unforeseen circumstances affecting the City have presented themselves during the course of the fiscal year;

WHEREAS, the City Council considered the circumstances independently, deliberating appropriately on the associated revenues and expenditures and the overall impact on the general financial status of the City;

WHEREAS, pursuant to the laws of the State of Texas and the City Charter of the City of Huntsville, Texas, the City Council has determined that it will be beneficial and advantageous to the citizens of the City of Huntsville to amend the annual budget for fiscal year 2018 – 2019 and the Capital Improvements Projects (CIP) budget as set forth herein; and

WHEREAS, this ordinance combines the independent Council actions into one budget amendment document;

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

Section 1. The findings set forth above are incorporated into the body of this ordinance.

Section 2. The annual budget for fiscal year 2018 – 2019 is hereby amended to include the expenditures and revenues in Exhibit “A” and the Capital Improvements Projects budget is hereby amended to include the expenditures described in Exhibit “A” attached hereto and made a part of this ordinance as if set out verbatim herein.

Section 3. All ordinances of the City in conflict with the provisions of this ordinance 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 section, portion, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the force or effect of any other section or portion of this ordinance.

Section 5. The necessity for amending the budget for the fiscal year 2018 – 2019 and Capital Improvements Projects, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

Section 6. This ordinance shall take effect immediately after its passage.

PASSED AND APPROVED on this the 20th day of August 2019.

THE CITY OF HUNTSVILLE, TEXAS

Andy Brauning, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Poe, City Secretary

Leonard Schneider, City Attorney

Exhibit A

<h2 style="margin: 0;">Budget Amendments FY 18-19</h2> <h3 style="margin: 0;">August 6 (Fin Comm) and date TBD for Council action</h3>
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#1	Increase: SW CIP - Misc Revenue (settlement pmt. From Anchor)	\$	1,000,000
	Increase: SW CIP - Pavement Reconstruction Project	\$	1,000,000
Explanation:	This budget amendment will allow the settlement monies from Anchor Construction for breach of contract in not providing up to standards construction work on pavement at the Transfer Station to be used to reconstruct various areas of pavement at the Transfer Station.		

#2	Decrease H/M Visitors Center - Building Maintenance	\$	129,425
	Increase: H/M Visitors Center - Transfer to Gen. CIP (for Visitor Center Major Repairs)	\$	129,425
Explanation:	Move unused monies designated for Visitor Center major repairs in FY 18 - 19 to a project created so those monies may be used in the future for appropriate work to be done.		

#3	Decrease Gen CIP - Visitor Center Expansion/Renovation	\$	65,019
	Increase: Gen CIP - Visitor Center Major Repairs	\$	194,444
Explanation:	Provide CIP budget for Major Repairs needed at the Visitors Center from unused operational monies in FY 18 - 19 and from unused Visitor Center Expansion/Renovation project monies.		



CITY COUNCIL AGENDA

8/20/19
Agenda Item: 3a

Item/Subject: Consider setting the date for second reading of Annexation Ordinances.

Initiating Department/Presenter: Development Services

Presenter: Planning Division Staff

Recommended Motion: Approve setting the date of the 2nd reading of the Annexation Ordinances for October 1, 2019.

Strategic Initiative: Goal #5 - Resource Development - Enhance the quality of life for citizens, businesses and visitors by leveraging the human and fiscal resources available to the community.

The first reading of the ordinances to institute annexation proceedings for seven separate areas totaling approximately 7,571.321 acres into the City Limits of Huntsville occurred on August 6, 2019. Per the Rules of Procedure for the City Council, two readings of an ordinance are required before a final vote, with the second reading occurring within 60 days of the first reading.

The City is currently negotiating Development Agreements with a number of property owners whose property has been designated for annexation. These negotiations are anticipated to conclude before the end of September 2019.

It is the recommendation of City staff that the City Council publicly set a date to hold the second reading of the Annexation Ordinances on Tuesday, October 1, 2019, at the regularly-scheduled City Council meeting. Providing a set date for the second reading will provide clarity to property owners and interested members of the public and will ensure that the second reading occurs within the permitted timeline of the City Council Rules of Procedure.

Previous Council Action:

- Workshops for City Council were held on 3/5/2019 and 4/16/2019.
- Resolution 2019-27 was adopted on May 7, 2019, setting a date, time, and place, for a public hearing on the proposed annexation.
- Resolution 2019-28 was adopted on May 21, 2019, authorizing staff to prepare a service plan for each area of the proposed annexation.
- Public Hearings held on July 2 and July 16, 2019.
- First reading of the Ordinances to institute annexation proceedings occurred on August 6, 2019.

Financial Implications: There is no financial impact associated with this item.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- None



CITY COUNCIL AGENDA

2/1/19

Agenda Item: 3b

Item/Subject: **FIRST READING** - Consider amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 40 “Streets, Sidewalks and Other Public Property”; Section 40-8 “Riding bicycles on sidewalks prohibited”; providing an exemption for Police, Fire, and EMS personnel while in the performance of their authorized duties, first reading.

Initiating Department/Presenter: Public Safety

Presenter: Kevin Lunsford, Director of Public Safety

Recommended Motion: **THIS IS A FIRST READING. NO ACTION NECESSARY.** Approve Ordinance 2019-49 amending the City of Huntsville, Texas Code of Ordinances, specifically Chapter 40 “Streets, Sidewalks and Other Public Property”; Section 40-8 “Riding bicycles on sidewalks prohibited”; by adding the following phrase: Police, Fire, and EMS personnel are exempt from this provision while in the performance of their authorized duties.

Strategic Initiative: Goal #7 - Public Safety - Provide safety and security for all citizens.

Discussion: The Huntsville Police Department has successfully been utilizing police bicycles and specially trained officers for use throughout the community. This is a voluntary program whereby interested officers are trained and equipped for bicycle patrols. These units have / will be used in large capacity crowd situations (July 4th Celebration at Kate Barr Ross, downtown gatherings and festivals, etc.) as well as patrolling parking lots for burglary/theft prevention. Thus far, seven officers have volunteered and been trained. Any number of them can be deployed at the discretion of a police supervisor, depending on the situation. The program has been met with great success so far. Please see attached photos in Exhibit B.

Chapter 40 “Streets, Sidewalks and Other Public Property”; Section 40-8 “Riding bicycles on sidewalks prohibited” currently states, “*It shall be unlawful for any person to ride on any bicycle, tricycle or any vehicle of like character on any sidewalk in the city.*” Based on current trends and training recommendations, staff endorses adding the following phrase to the ordinance: Police, Fire, and EMS personnel are exempt from this provision while in the performance of their authorized duties. This simply clears up any potential discrepancy should a first responder need to ride on the sidewalk during the course of their duties.

Previous Council Action: No previous council action taken.

Financial Implications: There is no financial impact associated with this item.

Approvals: City Attorney Director of Finance City Manager

Associated Information:

- Ordinance 2019-49
- Exhibit “A” – Proposed Code Language
- Exhibit “B” – Photos of bicycle officers

ORDINANCE NO. 2019-49

AN ORDINANCE AMENDING THE CITY OF HUNTSVILLE, TEXAS CODE OF ORDINANCES, SPECIFICALLY CHAPTER 40 “STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY”; PROVIDING FOR A PENALTY; MAKING OTHER PROVISIONS AND FINDINGS THERETO; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Huntsville Code of Ordinances, Chapter 40 “STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY” provides for the regulation of certain activities such as preventing the riding of bicycles on the sidewalks 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 40 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 40 “STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY” is hereby amended by replacing Section 40-8 “Riding bicycles on sidewalks prohibited” of Article I, with the Section 40-8 “Riding bicycles on sidewalks prohibited.” that is attached hereto as Exhibit “A” which is incorporated herein for all purposes.

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.

First Reading Date: _____

PASSED AND APPROVED on the Second Reading on this the ____ day of
_____ 2019.

THE CITY OF HUNTSVILLE

Andy Brauningner, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Poe, City Secretary

Leonard Schneider, City Attorney

EXHIBIT "A"

Chapter 40 – STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY

Article I. – IN GENERAL

Sec. 40-8. - Riding bicycles on sidewalks prohibited.

It shall be unlawful for any person to ride on any bicycle, tricycle or any vehicle of like character on any sidewalk in the city. Police, Fire, and EMS personnel are exempt from this provision while in the performance of their authorized duties.

EXHIBIT "B"







CITY COUNCIL AGENDA

8/6/19
Agenda Item: 4a

Item/Subject: Consider approving nominees for City boards, committees, and commissions.

Initiating Department/Presenter: City Council

Presenter: Mayor Andy Brauninger

Recommended Motion: Mayor moves his nominations as presented.

Strategic Initiative: Goal #5 - Resource Development - Enhance the quality of life for citizens, businesses and visitors by leveraging the human and fiscal resources available to the community.

Discussion:

Cemetery Board – Dennis Reed, Daiquiri Beebe, Douglas Wright, Taylor Morrison, Timothy Charles Owl Davis	Veterans Affairs Advisory Board – Leigh-Anne Steward, Leisa Hackett, Leta Reiner, Wayne Keen, Shane Loosier, Charlotte Oleinik
Arts Commission – Michael Henderson, Lynn Kelly, Margaret Smith, Betsy Maloney	Walker County Public Safety Communications Center Exec. Board – Fire Chief Greg Mathis
Main Street Advisory Board – Dr. Caroline Crimm, Helen Belcher, Laura Bruns, Heiki Ness, Bert Lyle	Planning – Joe Whitehead, Alvin Hooten
TIRZ – Ronnie White, Danny Pierce, Ken Holland	Board of Adjustment – Ken Holland
Historic Preservation – Todd Armstrong, Cheryl Spencer	HOT – David Standlee
Parks – Nate Grigsby, Derrick Birdsall, Julia Woods	Board of Adjustment and Appeals – Debra Durda, Nate Grigsby

Previous Council Action: None.

Financial Implications:

There is no financial impact associated with this item.

Approvals: City Attorney Director of Finance City Manager



Online Form Submittal: Citizen Participation Request

noreply@civicplus.com <noreply@civicplus.com>
To: CitySecretary@huntsvilletx.gov

Wed, Jul 31, 2019 at 5:23 AM

Citizen Participation Request

Citizen Participation Request Form

Thank you for contacting the City of Huntsville to request an item be placed on an upcoming regular City Council meeting agenda, under the Citizen Participation section.

Please complete the fields below and contact the [City Secretary's Office](#) at 936-291-5403, or [via email](#) if you have any questions or concerns.

If you prefer, requests may also be submitted in person in writing, in a couple ways:

- *By mail:*
City Secretary
[1212 Avenue M](#)
Huntsville, Texas, 77340
- *By email:* citysecretary@huntsvilletx.gov, or
- *By fax:* 936-291-5409 (Attention: City Secretary's Office)

A citizen may provide an item for the agenda of a regular meeting (1st and 3rd Tuesdays of each month) by submitting a Citizen Participation Request by noon on the Tuesday prior to a regularly-scheduled City Council meeting.

First Name	Fred
Last Name	Valone
Address1	1603 Avenue N
Address2	<i>Field not completed.</i>
City	Huntsville
State	TX
Zip	77340
Phone	9365779108
Email	fvalone@saintthomashuntsville.org

Please describe (in detail) the item you are requesting be on a City Council agenda:	The many animals at the state park that use the adjacent properties to the park as part of their roaming territory. In the process they leave their "messes" which the homeowners have to clean up. In addition the animals are a problem with the traffic on the roads adjacent to the park. I have written to the mayor about this problem and several years ago to each of the council members. To date no one has bothered to respond to my complaints. Maybe if this complaint is on the agenda of the city council, then my complaint won't be dismissed with laughter.
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CITIZEN PARTICIPATION REQUEST

(per Council Rules of Procedure)

NAME (required):

Ethel J. Hawkins

ADDRESS (required):

915 C University Avenue
Huntsville, TX 77320

PHONE#: 832-883-5980

EMAIL: ethelhawkins77@gmail.com

I wish to place the following item on the agenda:

The Mayor's Kingdom Vision
TEAM & Budgeting UNIT 9
to the COMMUNITY of
Huntsville, Texas
Together Everyone Achieve More

A citizen may provide an item for the agenda of a regular meeting (first and third Tuesdays of each month) by submitting a Citizen Participation Request in writing (in person, by mail, by email CitySecretary@HuntsvilleTX.gov) or online at HuntsvilleTX.gov to the City Secretary by noon on the Tuesday prior to a regular City Council meeting.

Any items handled through this process will be placed in the Citizen Participation portion of the agenda. The individual who submitted the item will be permitted five minutes to speak when called upon by the presiding officer.

CITY COUNCIL

Andy Brauninger, Mayor

Joseph Emmett, Ward 1

Tish Humphrey, Ward 2

Ronald Allen, Ward 3

Joe P. Rodriguez, Ward 4

Paul Davidhizar, At-Large 1

Dee Howard Mullins, At-Large 2

Clyde D. Loll, At-Large 3

Mari Montgomery, At-Large 4

CHARTER OFFICERS

Aron Kulhavy, City Manager

Leonard Schneider, City Attorney

Brenda Poe, City Secretary

John Gaines, City Judge