

CITY OF HUNTSVILLE, TEXAS

Andy Brauning, Mayor

Bert Lyle, Position 1 At-Large
Karen Denman, Position 2 At-Large
Vicki McKenzie, Position 3 At-Large
Pat Graham, Position 4 At-Large



Daiquiri Beebe, Ward 1
Mayor Pro Tem Russell Humphrey, Ward 2
Deloris Massey, Ward 3
Jon Strong, Ward 4

HUNTSVILLE CITY COUNCIL AGENDA

TUESDAY, DECEMBER 6, 2022

WORKSHOP 4:30 P.M. - Large Conference Room

REGULAR SESSION 6:00 P.M. - City Council Chambers

Huntsville City Hall, 1212 Avenue M, Huntsville, Texas, 77340

Persons with disabilities who plan to attend this meeting and 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.

WORKSHOP (4:30 p.m.)

DISCUSSION

- a. Texas General Land Office (GLO) Regional Mitigation Grant Fund Application
Kathlie Jeng-Bullock, City Engineer
- b. TxDOT I-45 Section 2B Landscaping Plan
Aron Kulhavy, City Manager

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.*

PROCLAMATION

- a. Proclamation No. 2022-26 - Huntsville Independent School District for achieving the highest gains in the Nation in reading levels for 3rd-8th graders from 2019-2022.
Andy Brauning, Mayor

PRESENTATIONS

PUBLIC HEARING

1. CONSENT AGENDA

The presiding officer will call for public comments 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. Consider approving the Minutes from the November 15, 2022 Regular City Council meeting.
Kristy Doll, City Secretary

- b. Consider adoption of Ordinance 2022-40 to amend the budget for FY 21-22 and/or CIP Project budgets.
Steve Ritter, Finance Director
- c. Consider adoption of Ordinance 2022-41 to amend the budget for FY 22-23 and/or CIP Project budgets.
Steve Ritter, Finance Director
- d. Consider authorizing the City Manager to award the purchase of three (3) Penn Valley Reciprocating Positive Displacement Pumps, and associated accessories, to be installed at the Robinson Creek Wastewater Treatment Plant.
Brent Sherrod, Public Works Director
- e. **Second Reading**-Consider adoption of Ordinance 2022-37 to change the Development District Classification for 32.0675 acres, located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive from Neighborhood Conservation to Management.
Armon Irones, City Planner

2. STATUTORY AGENDA

- a. **First Reading:** Consider Ordinance 2022-42 amending the Code of Ordinances of the City of Huntsville, Chapter 44 Article VI to modify parking regulations on University Avenue and 12th Street.
Aron Kulhavy, City Manager

3. CITY COUNCIL/MAYOR/CITY MANAGER

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

5. ITEMS OF COMMUNITY INTEREST

6. EXECUTIVE SESSION

- a. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on Walker County Special Utility District
Leonard Schneider, City Attorney

7. RECONVENE

Take action on item 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, Kristy Doll, City Secretary, do hereby certify that the above notice 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: December 2, 2022

Kristy Doll

TIME OF POSTING: 9:30 a.m.

Kristy Doll, City Secretary

TAKEN DOWN:



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: a.

Agenda Item: Texas General Land Office (GLO) Regional Mitigation Grant Fund Application

Initiating Department/Presenter: Engineering

Presenter:

Kathlie Jeng-Bulloch, City Engineer

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: b.

Agenda Item: TxDOT I-45 Section 2B Landscaping Plan

Initiating Department/Presenter: City Manager

Presenter:

Aron Kulhavy, City Manager

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: a.

Agenda Item: Proclamation No. 2022-26 - Huntsville Independent School District for achieving the highest gains in the Nation in reading levels for 3rd-8th graders from 2019-2022.

Initiating Department/Presenter: City Council

Presenter:

Andy Brauninger, Mayor

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 1.a.

Agenda Item: Consider approving the Minutes from the November 15, 2022 Regular City Council meeting.

Initiating Department/Presenter: City Secretary

Presenter:
Kristy Doll, City Secretary

Recommended Motion: Motion to approve the Minutes from the November 1, 2022 Regular City Council meeting.

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:
Kristy Doll

Associated Information:

1. 11-15-2022 Minutes

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 15th DAY OF NOVEMBER 2022, 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 reception and regular session with the following:

COUNCILMEMBERS PRESENT: Mayor Brauning, Mayor Pro Tem Humphrey, Councilmember Ward 1 Beebe, Councilmember At-Large Position 1 Lyle, Councilmember At-Large Position 2 Mullins, Councilmember Ward 3 Massey, Councilmember At-Large Position 3 McKenzie, Councilmember Ward 4 Strong, Councilmember At-Large Position 4 Graham, Councilmember At-Large Position 2 Denman

COUNCILMEMBERS ABSENT: None

OFFICERS PRESENT: Aron Kulhavy, City Manager; Kristy Doll, City Secretary, Leonard Schneider, City Attorney

RECEPTION (5:15 P.M.)

- a. Reception to recognize newly elected Councilmembers and outgoing Councilmembers

MAIN SESSION (6:00 p.m.)

CALL TO ORDER

Mayor Brauning called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGES

Councilmember Humphrey gave the invocation and pledges were led by Mayor Brauning.

PRESENTATIONS

- a. Presentation to Councilmember Dee Howard Mullins to recognize her four years of service to the City of Huntsville
Andy Brauning, Mayor
- b. Administer the Oaths of Office and Statements of Officer to the duly elected four At-Large Position City Councilmembers by Walker County Judge Danny Pierce.

Walker County Judge Danny Pierce administered the Statement of Elected/Appointed and Official Oath of Office to Karen Denman, Bert Lyle, Vicki McKenzie, Pat Graham

PROCLATMATION

- a. Proclamation No. 2022-27 for Small Business Saturday
Andy Brauning, Mayor

PUBLIC HEARING

1. CONSENT AGENDA

The presiding officer will call for public comments 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. Consider approving the Minutes from the October 18, 2022 Regular City Council meeting.
Kristy Doll, City Secretary**
- b. Consider approving the Minutes from the October 25, 2022 Special City Council meeting.
Kristy Doll, City Secretary**
- c. Consider approving the Minutes from the November 1, 2022 Regular City Council meeting.
Kristy Doll, City Secretary**
- d. Consider authorizing the City Manager to execute an agreement for stop loss insurance coverage.
Darren Drastata, HR Director**
- e. Consider authorizing the City Manager to enter into an agreement for health and dental insurance administrative services.
Darren Drastata, HR Director**
- f. Consider Resolution 2022-30 - Ratifying an application for and authorizing the City Manager to accept, if awarded, funding under the Office of the Governor, Public Safety Office Criminal Justice Divisions Bullet-Resistant Shield Grant Program.
Ashley Brown, Grants Manager**
- g. Consider adopting Resolution No. 2022-31 - amending Resolution No. 2022-06, passed and approved 02.01.2022, to add - Section 5.
Ashley Brown, Grants Manager**
- h. Consider adoption of Ordinance 2022-38 to amend the Budget for FY 22-23 amending the Schedule of Fees and Charges.
Steve Ritter, Finance Director**

Councilmember Daiquiri Beebe made a motion to approve the Consent Agenda, Items a

through h. The motion was seconded by Councilmember Pat Graham. The motion passed 9-0. Yes – Andy Brauning, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Karen Denman, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

2. STATUTORY AGENDA

- a. Receive a presentation from Kendig Keast Collaborative on the Zoning Map update.**

Kevin Byal, Director of Development Services

Kendig Keast Collaborative representative Brian Mabry gave a presentation regarding the zoning map update.

- b. First Reading - Consider adoption of Ordinance 2022-37 to change the Development District Classification for 32.0675 acres, located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive from Neighborhood Conservation to Management.**

Armon Irones, City Planner

First reading - No action necessary

- c. Consider authorizing the City Manager to award the construction contract for Miscellaneous Waterline Replacement, Project ID 21-10-01.**

Kathlie Jeng-Bulloch, City Engineer

Councilmember Daiquiri Beebe made a motion to authorize the City Manager to enter a construction contract with 5-T Utilities, Inc. dba TMT Utilities in the amount of \$1,143,460.87 for the construction of the Miscellaneous Waterline Replacement project (21-10-01). The motion was seconded by Councilmember Vicki McKenzie. The motion passed 9-0. Yes – Andy Brauning, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Karen Denman, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

- d. First Reading - Consider authorizing the City Manager to award the construction contract for West Green Briar and River Oaks Drainage and Street Improvements Project GLO Contract #20-065-128-C439, City Project #21-10-08 & #21-10-09 and approving Ordinance 2022-39 amending the CIP budgets.**

Kathlie Jeng-Bulloch, City Engineer

Councilmember Daiquiri Beebe made a motion to temporarily suspend the two reading requirements and authorize the City Manager to enter a construction contract with Doughtie Construction Co., Inc in the amount of \$2,054,557.25 for the construction of West Green Briar and River Oaks Drainage and Street Improvements (Project #21-10-08 & #21-10-09) and approve Ordinance 2022-39 amending the CIP budgets. The motion was seconded by

Councilmember Russell Humphrey. The motion passed 9-0. Yes – Andy Brauning, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Karen Denman, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

3. CITY COUNCIL/MAYOR/CITY MANAGER

**a. Consider the Main Street Advisory Board's downtown parking recommendation.
Tammy Gann, Director of Economic Development**

Councilmember Bert Lyle left the council chambers due to conflict of interest.

Public comments regarding downtown parking were heard from Justin Killingsworth, Brandi Flowers, Cheryl Spencer, Bonnie Smith.

Councilmember Vicki McKenzie made a motion to direct the City Manager to implement using our current paid parking technology for parking only on the south and east parking spaces on the perimeter of the Walker County Courthouse. The motion was seconded by Councilmember Daiquiri Beebe. The motion passed 5-3.

Roll call vote

Yes: Russell Humphrey, Deloris Massey, Vicki McKenzie, Karen Denman, Daiquiri Beebe

No: Andy Brauning, Jon Strong, Pat Graham

Abstain: Bert Lyle

Councilmember Bert Lyle returned to the council chambers.

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

5. ITEMS OF COMMUNITY INTEREST

Mayor and Council announced items of community interest.

6. EXECUTIVE SESSION

**a. City Council convened in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on Cybersecurity Incident.
Leonard Schneider, City Attorney**

Council convened into Executive Session at 7:20 p.m.

7. RECONVENE

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

Council reconvened from Executive Session into Open Session at 7:39 p.m.

ADJOURNMENT

Mayor Brauninger adjourned the meeting without objection at 7:39 p.m.

ATTEST:

CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Andy Brauninger, Mayor



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 1.b.

Agenda Item: Consider adoption of Ordinance 2022-40 to amend the budget for FY 21-22 and/or CIP Project budgets.

Initiating Department/Presenter: Finance

Presenter:

Steve Ritter, Finance Director

Recommended Motion: Move to adopt Ordinance 2022-40 to amend the budget for FY 21-22 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 explanations for the Budget Amendments are provided in the attachment, Exhibit A, to the Ordinance. The Budget Amendments were discussed with the Finance Committee at their November 15, 2022 meeting.

Previous Council Action: No previous Council action for these budget amendments.

Financial Implications: See the attached Ordinance 2022-40 and related Budget Amendment (Exhibit A)

Approvals:

Steve Ritter

Aron Kulhavy

Kristy Doll

Associated Information:

1. ORDINANCE 2022-40 - BAs FY 21-22 - 12.6.22 council meeting
2. BA - PEB Trust FY 21-22 - CC 12.6.22

ORDINANCE NO. 2022-40

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE 2021-2022 ANNUAL BUDGET AND CAPITAL IMPROVEMENTS PROJECTS (CIP) BUDGETS, ORDINANCE NO. 2021-27 TO AMEND ADOPTED EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2021-2022 Annual Budget and CIP Budgets were adopted by Ordinance 2021-27 on September 21, 2021;

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 2021 – 2022 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 2021 – 2022 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 2021 – 2022 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 6th day of December 2022.

THE CITY OF HUNTSVILLE, TEXAS

Andy Brauning, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney

Budget Amendments FY 21-22

Council - December 6, 2022

Exhibit A

Increase: General Fund -Police Administration -Salaries & Benefits	\$	34,286
Increase: General Fund - Human Resources - Salaries & Benefits	\$	26,788
Increase: General Fund - Transfer from PEB Trust	\$	61,074
Increase: PEB Trust Fund - Transfer to General Fund	\$	61,074
Funds are coming from PEB Trust Fund Balance	\$	61,074

Explanation:	City Policy includes provision for paying 2/3 of unused Sick Leave into a Retiree Health Savings account for an employee who is retiring and will be receiving TMRS retirement payments and who is less than 65 years of age at their retirement date. The policy was implemented in the 17-18 fiscal year effective January 1, 2018. There were 2 employees in the fiscal year 21 - 22 that were qualified to receive this benefit. Intent of the Policy is to use PEB Trust funds to pay for this retirement benefit of paying 2/3 of unused Sick Leave into an RHS for qualifying employees retiring. The PEB Trust was created to offset OPEB Liability and eventually pay for various retiree benefits such as this 2/3 Sick Leave.
--------------	---



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 1.c.

Agenda Item: Consider adoption of Ordinance 2022-41 to amend the budget for FY 22-23 and/or CIP Project budgets.

Initiating Department/Presenter: Finance

Presenter:

Steve Ritter, Finance Director

Recommended Motion: Move to adopt Ordinance 2022-41 to amend the budget for FY 22-23 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 explanations for the Budget Amendments are provided in the attachment, Exhibit A, to the Ordinance. The Budget Amendments were discussed with the Finance Committee at their November 15, 2022 meeting.

Previous Council Action: No previous Council action for these budget amendments. Council did approve the FY 22-23 budget at their September 20, 2022 meeting.

Financial Implications: See the attached Ordinance 2022-41 and related Budget Amendment (Exhibit A)

Approvals:

Steve Ritter

Aron Kulhavy

Kristy Doll

Associated Information:

1. ORDINANCE 2022-41 - BAs FY 22-23 - 12.6.22 council meeting
2. BAs - FY 22-23 PD various grants

ORDINANCE NO. 2022-41

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE 2022-2023 ANNUAL BUDGET AND CAPITAL IMPROVEMENTS PROJECTS (CIP) BUDGETS, ORDINANCE NO. 2022-24 TO AMEND ADOPTED EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2022-2023 Annual Budget and CIP Budgets were adopted by Ordinance 2022-24 on September 20, 2022;

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 2022 – 2023 and/or 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 2022 – 2023 is hereby amended to include the expenditures and revenues in Exhibit “A” and/or 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 2022 – 2023 and/or 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 6th day of December 2022.

THE CITY OF HUNTSVILLE, TEXAS

Andy Brauning, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney

Budget Amendments FY 22-23

Council 12/6/2022

Exhibit A

Increase:	Grant Revenue - Police Grants SRF	\$	25,200
Increase:	Police Grants SRF - Grant Expenditures	\$	25,200

Explanation: The City was awarded a FY 22-23 State Homeland Security Program (SHSP) Grant (Council approved a resolution on February 01, 22 authorizing the application). This Budget Amendment puts in place the budget for FY 22 - 23 to expend the grant funds. The police department indicates that they wanting to purchase mobile finger printing devices.

Increase:	Grant Revenue - Police Grants SRF	\$	38,070
Increase:	Police Grants SRF - Grant Expenditures	\$	38,070

Explanation: The City was awarded a FY 22-23 JAG grant (Council approved a resolution on February 01, 22 authorizing the application). This Budget Amendment puts in place the budget for FY 22 - 23 to expend the grant funds. The police department indicates that they wanting to purchase digital evidence management software.

Increase:	Grant Revenue - General Fund	\$	13,784
Increase:	Office Supplies	\$	4,473
Increase:	Travel & Training	\$	8,123
Increase:	Community Relations	\$	5,500
Increase:	Other Supplies	\$	6,250
Derease:	Non Capital Equipment	\$	(4,498)

Explanation: The City was awarded a FY 22-23 Victim Services Coordinator Grant(OOG) (Council approved a resolution on February 01, 22 authorizing the application). This Budget Amendment puts in place the budget for FY 22 - 23 to expend the grant funds and to match the grant award. The total award of the grant is \$104,730.28. \$83,784.22 of OOG funds and a cash match of \$20,946.06 from the City. The City originally budgeted \$89,131 in the 22 - 23 Budget for Victim Services.



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 1.d.

Agenda Item: Consider authorizing the City Manager to award the purchase of three (3) Penn Valley Reciprocating Positive Displacement Pumps, and associated accessories, to be installed at the Robinson Creek Wastewater Treatment Plant.

Initiating Department/Presenter: Public Works

Presenter:

Brent Sherrod, Public Works Director

Recommended Motion: Move to authorize the City Manager to award the purchase of three (3) Penn Valley Reciprocating Positive Displacement Pumps, and associated accessories, to be installed at the Robinson Creek Wastewater Treatment Plant to South Western Environmental Equipment Technicians for the amount of \$262,000.00.

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 current pumps are the original equipment from the initial construction of the Robinson Creek WWTP in October of 2002. These pumps are progressive cavity, one of which requires nearly constant maintenance due to clogs from rags, and two other progressive cavity pumps which have completely failed forcing staff to utilize a gas-powered trash pump as a substitute when pumping sludge to be dewatered. These pumps are critical in ensuring that solids are removed from the plant in order to meet our water quality permit limits as required by the Texas Commission on Environmental Quality (TCEQ). The purchase and installation of these pumps will ensure that sludge is removed from the plant to continue being able to meet the TCEQ compliance permit levels.

The Robinson Creek WWTP currently has one (1) Penn Valley Reciprocating Positive Displacement Pump that was installed in 2017. This pump has not had any clogs or failures since installation. Due to the design, the Penn Valley Reciprocating Positive Displacement Pumps do not require any oil, oil changes, or a need to be greased, which saves the City of Huntsville quite a bit of money throughout the lifetime of the pump. Penn Valley Reciprocating Positive Displacement Pumps have an average life expectancy of approximately twenty (20) years, and the moving parts have an average life expectancy of twenty thousand (20,000) hours before needing to be replaced.

A solicitation was issued, with a scope of work, and pump specifications, requesting bids for a turnkey installation. The solicitation was advertised on the City's Website, Public Purchase, and Electronic State Business Daily (ESBD). There was one responder, South Western Environmental Equipment Technical.

Based on past experience with this company, and prior reference checks, staff recommends that we proceed with the purchase and installation of three (3) Penn Valley Reciprocating Positive Displacement Pumps in the amount of \$262,000.00 with South Western Environmental Equipment Technical.

Previous Council Action: The replacement of the Reciprocating Positive Displacement Pumps was last approved as a Budget Decision Package in the FY 22-23 budget.

Financial Implications: Item is budgeted in account 220-366-53070 in the amount of \$270,000.00.

Approvals:

Brent Sherrod

Leonard Schneider

Aron Kulhavy

Kristy Doll

Associated Information:

1. Bid Tab - Bid NO. 23-04 Purchase and Installation of Reciprocating Positive Displacement Pumps

Bid Tabulation
Project Name: Bid NO. 23-04 Purchase and Installation of Reciprocating Positive Displacement Pumps
Location: 1212 Avenue M Huntsville, TX 77340
Date: Tuesday, November 8, 2022 Time: 2:00 P.M. Central Time



	South Western Environmental Equipment Technical (SWEET)				
Description					
Purchase and Turnkey Installation of Reciprocating Positive Displacement Pumps	\$262,000.00				
Number of calendar days to complete:	120 Days				



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 1.e.

Agenda Item: Second Reading-Consider adoption of Ordinance 2022-37 to change the Development District Classification for 32.0675 acres, located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive from Neighborhood Conservation to Management.

Initiating Department/Presenter: Development Services

Presenter:

Armon Irones, City Planner

Recommended Motion: Move to approve Ordinance 2022-37 to change the Development District Classification for 32.0675 acres, located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive from Neighborhood Conservation to Management.

Strategic Initiative: Goal #3, Economic Development – Promote and enhance a strong and diverse economy.

Discussion: Staff received an application requesting reclassification of the Development District on the property. The request is to change the property from Neighborhood Conservation (NC) to Management (M). The subject property is comprised of 32.0675 acres, located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive. The subject property is currently undeveloped and is being proposed for the development of a mixed single-family detached homes and townhome subdivision. The Neighborhood Conservation district designation only provides for single family detached and does not allow for townhomes in accordance with the Development Code. Since the property owner desires to build townhomes, the only option is to request a Development District reclassification. The proposed development will have 34 single family detached home lots and 30 townhouse lots.

At the October 6, 2022 Planning Commission Meeting, a public hearing was conducted for this item. Following the public hearing, the Planning Commission voted unanimously in favor of recommending approval to the City Council.

Previous Council Action: November 1, 2022 - City Council held a Public Hearing.
November 15, 2022 - First reading of the Ordinance before City Council.

Financial Implications: Once the property is developed, the city will receive ad valorem taxes

Approvals:

Aron Kulhavy

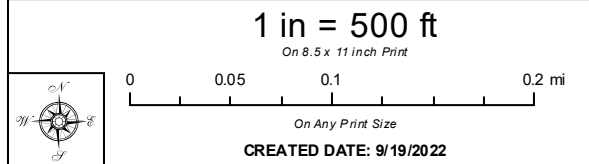
Kristy Doll

Associated Information:

1. Vicinity Map
2. Preliminary Plan The Woods at Elkins
3. Ordinance 2022-37 Development District Update (1)
4. Planning Commission Form



The City of Huntsville, Texas or its employees gives NO warranty, expressed or implied, as to the accuracy, reliability, or completeness of these data. See full GIS Data Disclaimer at: www.huntsvilletx.gov/gis



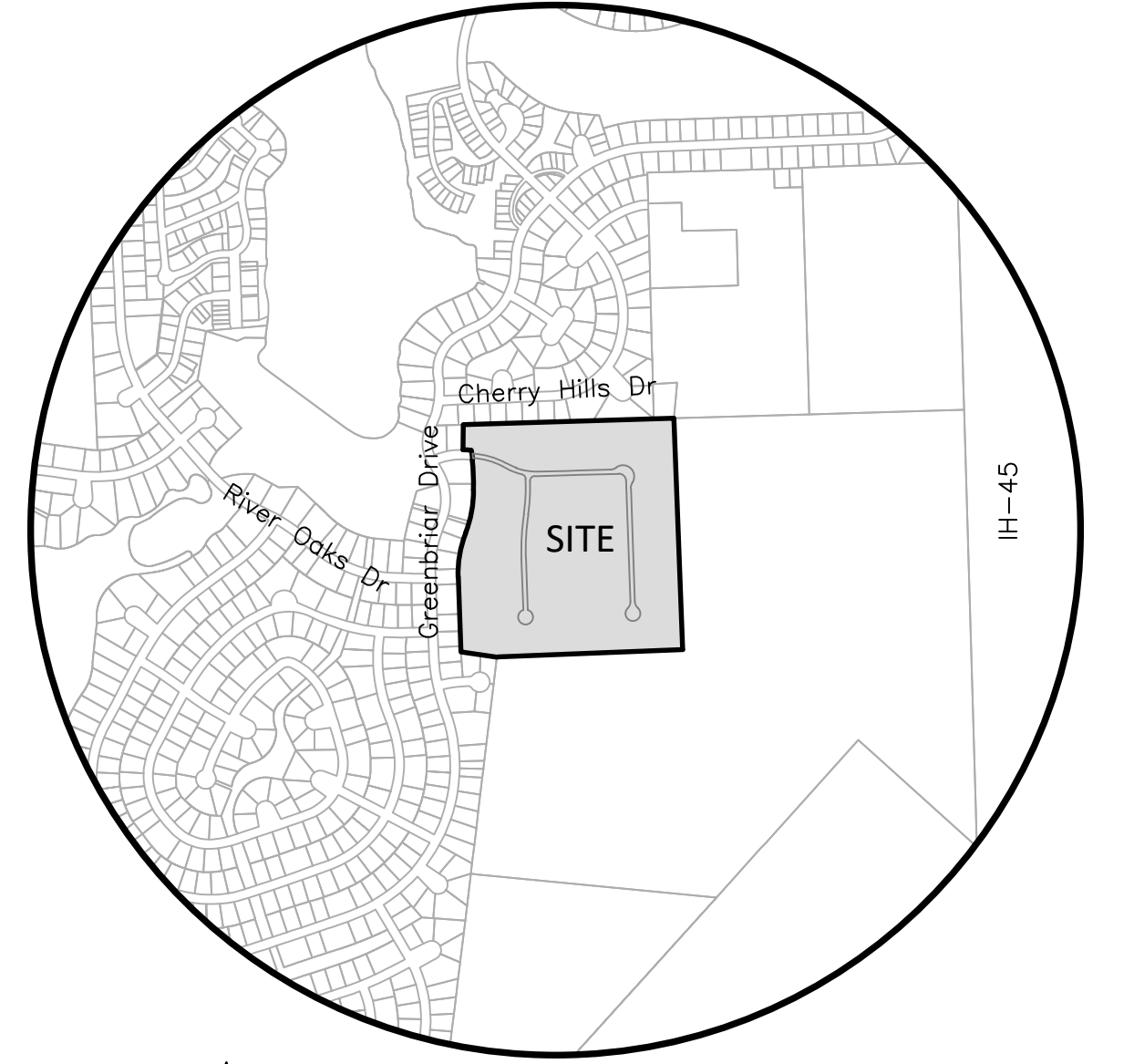
CREATED DATE: 9/19/2022

Service Layer Credits: City of Huntsville GIS Division

CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION

Vicinity Map
Huntsville GIS Division





GENERAL NOTES:

1. This property is located in the City Limits of Huntsville.
2. This property is adjacent to the Neighborhood Conservation District
3. Coordinates and Bearings, shown hereon, are referenced to the City of Huntsville Mapping Center, and based on the position of Control Points "CPOM 6428" and "CPRR 6431" having published coordinates of N = 10,258,679.163 R. = E = 3,790,376.023 F. = 0.256 ± meters. The bearing of the Right-of-Way boundary line is S 41° 28' 41.2" E.
4. Distances, shown hereon, are geodetic horizontal and may be converted to the City of Huntsville Mapping Central Point by multiplying by a Combined Scale Factor of 0.99988
5. From 2010 to 2011, the City of Huntsville was merged with County Government Incorporated Areas, Map Number 48471C037D0, effective 8/16/2011, this property is not located in a 100-year flood hazard area.
6. Unless noted otherwise, corners will be marked by Access Resources, LLC.
7. The development shall consist of the creation of 1 - 64 Residential Lots
8. Estate Lot Sizes: 26,138 sq (min)
9. Townhome Lot Size: 32x118 ft = 3,776 sq (min)
10. **BUILDING SETBACKS:**

Front Lot Line:	25 feet
Rear Lot Line:	10 feet
Side Street Lot Line:	15 feet
11. **PUBLIC EASEMENTS:** All public easements denoted on this plot are dedicated to the use of the public forever. Any Public Utility, including the City of Huntsville, shall have the right always of ingress and egress to and from any portion of the easements for construction, maintenance, inspection, installation, monitoring and repairing of all utility lines or parts of its respective systems without the necessity at any time of getting the permission of the property owner. Any public utility including the City of Huntsville shall have the right to enter upon and keep open cut or other work on any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system or any of the easements shown on this plot. Neither the City of Huntsville nor any public utility has the authority for relocating or removing the property owner due to removal or relocation of any obstructions in the public easements. The developer reserves the right of use to all public easement for further development and improvement of the project during the entire life of the project.
12. A Traffic Impact Analysis of the development is not needed. This tract is a part of Elkins Lake Subdivision a master planned community. The density of this proposed development is less than what the originally planned density was.
13. This tract was previously platted as Section V of Elkins Lake Subdivision.

This document shall not be
recorded for any reason.

Drawn By: AN
Checked By: JF
Date: 06/21/2022

<u>Developer:</u> Ben Bius 130 Col. Etheredge Blvd Huntsville, TX 77340 (936) 291-7552	<u>Surveyor:</u> Access Surveyors, LLC 11025 Old Voth Road Beaumont, Texas 77713 (409) 838-6322	<u>Engineer:</u> McClure & Browne Engineering/Surveying, Inc. 1008 Woodcreek Dr., Suite 103 College Station, Texas 77845 (979) 693-3838	
--	---	---	---

ORDINANCE NO. 2022-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE DEVELOPMENT DISTRICT MAP OF THE CITY OF HUNTSVILLE, TEXAS TO CHANGE THE DEVELOPMENT DISTRICT CLASSIFICATION LOCATED ADJACENT TO SECTIONS 1 AND 3 ON THE EAST SIDE OF ELKINS LAKE SUBDIVISION NEAR THE INTERSECTION OF WELLINGTON DRIVE AND GREEN BRIAR DRIVE, WCAD PROPERTY #15793, IN THE BROWN (A-95) SURVEY, TRACT 3, 32.0675 ACRES, FROM NEIGHBORHOOD CONSERVATION TO MANAGEMENT.

WHEREAS the City Council of the City of Huntsville, Texas, has adopted an Official Development District Map and attendant regulations for the City which, in accordance with the Comprehensive Plan, was designed to control the density of population to the end that congestion may be lessened in public streets and that the public health, safety, convenience, and general welfare is promoted in accordance with Chapter 211, Municipal Zoning Authority of the Texas Local Government Code; and

WHEREAS the Development Code of the City of Huntsville provides for the amendment of the Official Development Map; and

WHEREAS after public notice, the Planning Commission held a public hearing on October 6, 2022, to consider comments of the public regarding the adoption of the amendment to the Development District Map; and

WHEREAS the Planning Commission has studied and evaluated the request and the report prepared by City Staff; and

WHEREAS the Planning Commission has considered the comments of the public presented at the public hearing and has prepared a report for this Council of its conclusions and recommendations;

WHEREAS after public notice, City Council held a public hearing on November 1, 2022, and first reading on November 15, 2022, to consider comments from the public regarding the adoption of amendments to the Official Development District Map; and

WHEREAS the City Council has studied and evaluated the request, the report prepared by City staff, and the recommendations by the Planning Commission; and

WHEREAS the City has updated the map to reflect the amended area.

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

Section 1 The Official Development District Map of the City of Huntsville, as provided in Section 2.200 of the City's Development Code, is amended to change the

development district classification located adjacent to Sections 1 and 3 on the east side of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive, WCAD Property #15793, in the Brown (A-95) Survey, Tract 3, 32.0675 acres of undeveloped land from Neighborhood Conservation to Management and City Staff is directed to make such change.

Section 2 The newly amended Official Development District Map is adopted and shall supersede the prior Official Development District Map.

Section 3 The City Secretary is hereby directed to cause the caption of this Ordinance to be published at least twice within ten days of final passage. This ordinance shall take effect ten (10) days after the date of final passage.

PASSED AND APPROVED THIS _____ DAY OF _____ 2022.

THE CITY OF HUNTSVILLE

Andy Brauning, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney



PLANNING COMMISSION AGENDA ITEM DISCUSSION FORM

Prepared by: Charles Young, Planner

Armon Irones, City Planner

SUBJECT: Development District Map Amendment

MEETING DATE: October 6, 2022

TYPE OF REVIEW: Development District Reclassification

APPLICANT: Prairie Flower, Ltd

SURVEYOR: Jeff Robertson on behalf of McClure and Browne

FACTS, CODE REQUIREMENTS AND CONDITIONS

Staff has received an application from Ben Bius requesting reclassification of the Development District for the property from Neighborhood Conservation (NC) to Management (M). The subject property is comprised of 32.0675 acres, located adjacent to Sections 1 and 3 of Elkins Lake Subdivision near the intersection of Wellington Drive and Green Briar Drive.

The Subject property is currently undeveloped and is proposed for a single-family subdivision with several townhomes mixed in. The subject property is currently Neighborhood Conservation District and townhomes are not allowed in that development district per the Development Code. If the property owner desire to build townhomes, the only option is to request a Development District Reclassification. The proposed development will have one ingress/egress access area along Wellington Drive. The development will be 1 block and 36 lots.

The Development District classification for adjacent property is as follows:

- Neighborhood Conservation (NC) to the North.
- Management (M) to the South.
- Management (M) to the East.
- Neighborhood Conservation (NC) to the West.

There are three (3) main Development Districts in the City of Huntsville. The two districts applicable to this case are defined in **Section 2.300** of the Development Code as follows:

2.301 Neighborhood Conservation District – The Neighborhood Conservation (NC) district is intended to help protect property values by conserving the overall character and function of single-family (detached house) residential areas of the City. It is intended for application in stable single-family (detached house) neighborhoods.

2.303 Management District – The Management (M) district is the most widely applied development district classification. All land not specifically classified in another development district is included in the M district. The M district allows all land uses, subject to compliance with all other applicable regulations of this Development Code.

If the subject area becomes reclassified as Management, a large diversity of residential and commercial land uses will be allowed for the property provided that all applicable regulations pertaining to the Management District are met.

According to Section 12.308 Review and Approval Criteria the following three factors are to be considered when making recommendations and decisions about Development District map amendments.

12.308.A Consistency with the Comprehensive Plan and the Future Land Use Maps.

In the Huntsville Comprehensive Plan 2040 that was recently adopted by City Council there are three (3) goals listed under Land Use and Development Goals.

Goal LUD 1: A land use allocation and pattern that supports Huntsville's key focuses of increasing quality housing supply, economic development opportunities, and quality of life, while maintaining its "small town" and semi-rural feel.

Goal LUD 2: Revitalized high-profile corridors and continued focus on downtown, providing increased retail and entertainment options within the city.

Goal LUD 3: Focused growth within the city, promoting fiscal sustainability

The proposed development is adjacent to an existing single-family development with townhomes mixed in as well. Even though the existing development adjacent to the subject property is Neighborhood Conservation, the existing townhomes were built before the current Development Code was adopted.

The Huntsville Comprehensive Plan 2040 Huntsville which included a future land use map, identifies the subject property as a residential use in the future.

12.308.B Compatibility with existing development district classifications, uses of nearby property and the character of the surrounding neighborhood.

The neighborhood and surrounding area have developed in accordance with the original established development districts. The majority of the existing residences are single-family in the adjacent subdivision and are mostly occupied. The proposed development would complement the existing land uses since it would be similar in design.

12.308.C Availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for use allowed under the proposed development district.

Although the adjacent development has adequate water and sewer service, the applicant will have to contact the Engineering Department so they can determine if the city will have adequate water, wastewater and storm water infrastructure to accommodate the proposed development.

Since Development District Map Amendments are infrequently considered by the Commission, a couple of pertinent factors must be addressed. First, development district reclassification cannot be granted with conditions. Since there are limited

development districts within Huntsville, the property can either be classified as Neighborhood Conservation or Management with all requirements of the Development Code for the given district governing how the property is developed. Second, the section below outlines a procedural aspect that may be applicable to this case:

Section 12.307.A of the Development Code states:

If a valid protest petition is filed against any proposed development district map amendment, passage of the amendment requires a favorable vote of at least 75% of the City Council members who are qualified to vote on the matter. Adequate notice was sent to the media and surrounding property owners as required by the Development Code and State law. After a public hearing, it is the duty of the Commission to review this proposal and submit a recommendation to the City Council on this matter.

STAFF RECOMMENDATION:

The proposed development is slated to be a single-family residential and townhome subdivision, which is similar to the adjacent existing subdivision. The change in the Development District classification from Neighborhood Conservation to Management would allow for a variety of development to take place on the subject property, however, the Development Code requires additional buffering between different intensity land uses and conditional use permits for certain commercial uses when within 200' of Neighborhood Conservation. For this reason and because single-family residential is the highest and best use of the property, staff recommends approval of this request.

ATTACHMENTS:

Submitted Development District Map Application
Preliminary Plan
Vicinity Map of Area



CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 2.a.

Agenda Item: First Reading: Consider Ordinance 2022-42 amending the Code of Ordinances of the City of Huntsville, Chapter 44 Article VI to modify parking regulations on University Avenue and 12th Street.

Initiating Department/Presenter: City Manager

Presenter:

Aron Kulhavy, City Manager

Recommended Motion: No action necessary, first reading.

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 Ordinance amends the parking regulations per City Council action taken at the 11/15/22 meeting. The rate implemented will be the same as other areas in the city that are currently designated as paid parking zones (\$1 per hour or \$5 per day). A map showing the areas included in the amendment is attached.

Upon adoption of the ordinance, staff will install the necessary signage and begin enforcement of the updated parking zones.

Previous Council Action: February 6, 2018- Council directed the MSAB to review parking restrictions in the downtown area

April 3, 2018-Council received a report from the MSAB on the issue

March 5, 2019, the Council acted upon the MSAB recommendation and adopted an ordinance removing the juror exemption from downtown parking compliance

October 4, 2022 - Council asked the Main Street Advisory Board to discuss the extension of parking hours in the downtown area from 2 hours to 3 hours and directed the board to consider paid parking.

November 15, 2022. Council voted to direct the staff to implement paid parking on the south and east perimeter of the Courthouse Square.

Financial Implications: This will result in a possible revenue generation of approximately \$10,000 based on 50% usage throughout the 260 working days in a calendar year.

Approvals:

Aron Kulhavy

Kristy Doll

Associated Information:

-
1. Ord. 2022- 42 changing areas of paid parking
 2. Downtown Parking

ORDINANCE NO. 2022-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING CHAPTER 44, TRAFFIC AND MOTOR VEHICLES, OF THE CITY OF HUNTSVILLE CODE OF ORDINANCES BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; SETTING A PENALTY; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE HEREOF.

WHEREAS, the Huntsville Code of Ordinances ("Code"), Chapter **44** governs traffic and motor vehicles; and

WHEREAS, the City of Huntsville, a home rule municipality, is authorized by Charter to adopt and implement necessary and reasonable ordinances in the best interests of its citizenry; and

WHEREAS, the City council of the City of Huntsville finds the provisions of this ordinance set forth below are necessary to protect the health, safety, and welfare of its citizens and the public, and said rules and regulations are reasonable;

NOW THEREFORE 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: That Chapter 44, "Traffic and Motor Vehicles", Article VIII, Section 44-192, Schedule XVI, is amended as set out in Exhibit "A" attached hereto and incorporated by for all purposes by removing two-hour parking spaces and zones for the streets identified below:

Street

University Ave between 11th Street and 12th Street, along the west side of the street

And

12th Street between Sam Houston Avenue and University Ave, along the North side of the street.

Section 3. All appropriate amendments to traffic **signs** and striping, meeting Texas **Manual** on Uniform **Traffic** Control Devices (TxMUTCD) requirements, will **be placed** to remove two-hour parking for the street mentioned in **section 2**.

Section 4: The City Manager is **authorized** and directed to cause the placement of proper **signs** along **the above described streets**.

Section 5: After completion, installation and amendments of all necessary **signage** and pavement striping, **it shall** be unlawful and **an** offense for a driver of a vehicle to disobey the instruction of **the** signs for two-hour parking **placed in** accordance **with the provisions of this** ordinance, **and said** offense shall be **punishable as** set out in Chapter 44, Article I, Section 44-4, **unless at the** time otherwise directed by a Police **Officer**.

Section 6: 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 7:

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 8:

The City Secretary shall publish the caption of **this** ordinance in **the** official City newspaper **at least twice** before **the** ordinance becomes effective.

PASSED AND APPROVED THIS

6th DAY OF December THE CITY OF HUNTSVILLE

Andy Brauning, Mayor

ATTEST:

Kristy Doll, City Secretary

APPROVED AS TO FORM:

Leonard Schneider, City Attorney

2022.

EXHIBIT A

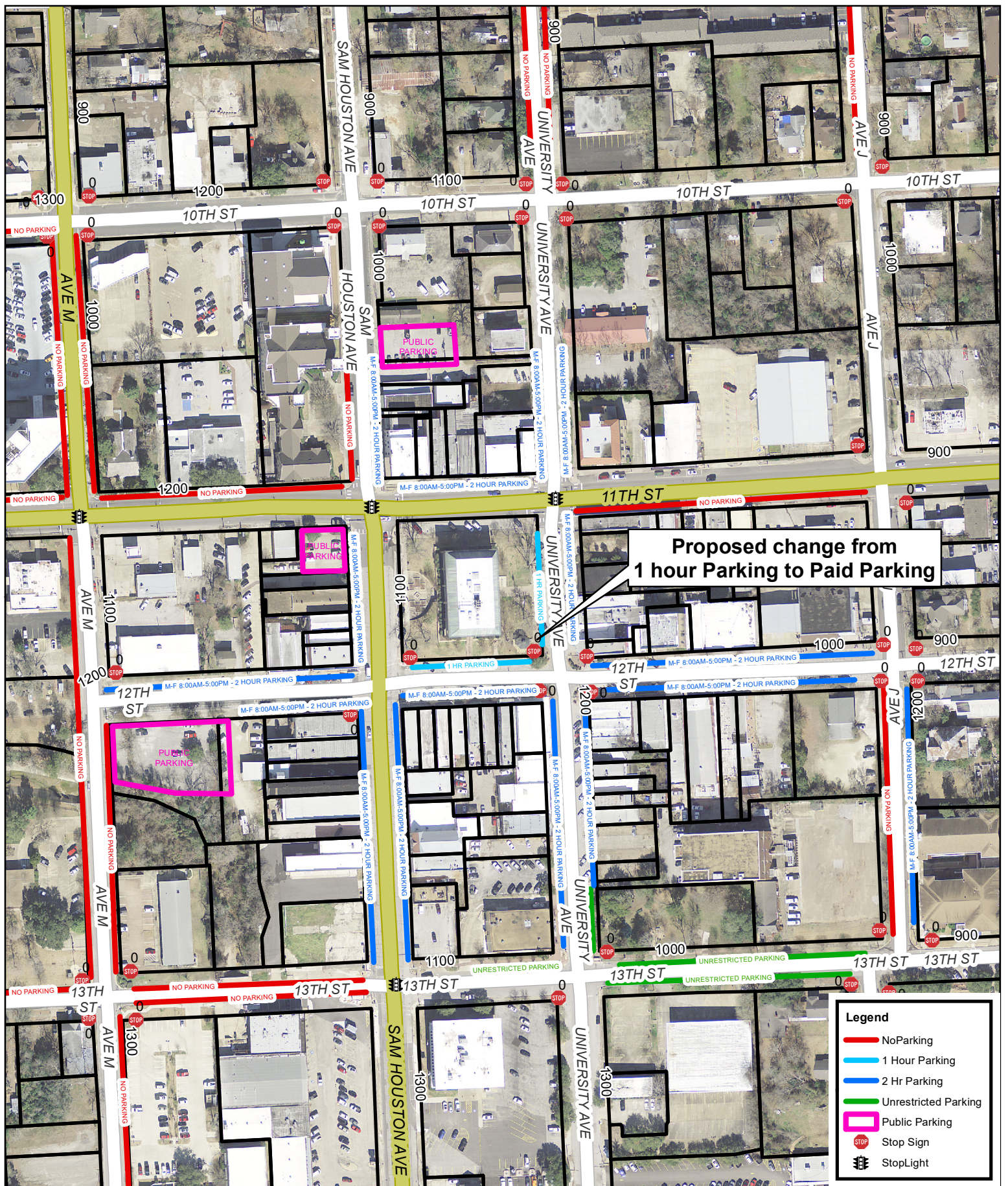
That Chapter 44, "**Traffic Code**", Article VIII, Section 44-192 of the Code of Ordinances of the City of **Huntsville, Texas**, is hereby amended by amending Schedule XVI "**Paid Parking Space and Zones**" by adding the **following streets** with designated paid parking.

Street

University Ave between 11th Street and 12th Street, along the west side of the street

And

12th Street between Sam Houston Avenue and University Ave, along the North side of the street.



The City of Huntsville, Texas or its employees gives NO warranty, expressed or implied, as to the accuracy, reliability, or completeness of these data. See full GIS Data Disclaimer at: www.huntsvilletx.gov/gis

1 in = 200 ft

On 8.5 x 11 inch Print



0 100 200 400 Feet

On Any Print Size

CREATED DATE: 12/1/2022

Service Layer Credits: Huntsville GIS Division

CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION

Downtown Huntsville Existing Parking Restrictions





CITY COUNCIL AGENDA

12/6/2022

Agenda Item Number: 6.a.

Agenda Item: City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on Walker County Special Utility District

Initiating Department/Presenter: City Attorney

Presenter:

Leonard Schneider, City Attorney

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Leonard Schneider

Aron Kulhavy

Kristy Doll

Associated Information: