

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



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

HUNTSVILLE CITY COUNCIL AGENDA

TUESDAY, MAY 2, 2023

WORKSHOP 5:00 P.M. - Staggs Community Room
REGULAR SESSION 6:00 P.M. - Staggs Community Room

Huntsville Public Library, 1219 13th Street, 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 (5:00 p.m.)

DISCUSSION

- a. Safety training for City Council

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. 2023-9 National Day of Prayer
Andy Brauning, Mayor
- b. Proclamation No. 2023-11 Municipal Clerk Week
Andy Brauning, Mayor
- c. Proclamation No. 2023-13 National Tourism Week
Andy Brauning, Mayor

PRESENTATIONS

- a. Recognition of Girl Scout Troup of San Jacinto Council, Tannybo Community
Andy Brauning, Mayor
Penny Joiner, Director of Parks and Leisure

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 April 18, 2023, Regular City Council Meeting.
Kristy Doll, City Secretary
- b. Consider authorizing the City Manager to award the contract for rehabilitation of miscellaneous sanitary sewer lines.
Brent Sherrod, Public Works Director
- c. **Second Reading**-Consider the adoption of Ordinance 2023-11 changing the name of Parkwood Drive to "Wischnewsky Drive".
Armon Irones, City Planner

2. STATUTORY AGENDA

- a. Consider Resolution 2023-7 supporting an application for additional funding for housing tax credits and/or HOME/TCAP funding, to the Texas Department of Housing and Community Affairs for FishPond Living at Walker, LP, a senior rental housing development proposed to be located at approximately 935 SH 190 East.
Kevin Byal, Director of Development Services
- b. **First Reading** - Consider Ordinance No. 2023-13 - Authorizing the settlement of the proposed rate increase of Entergy Texas, Inc.
Leonard Schneider, City Attorney

3. CITY COUNCIL/MAYOR/CITY MANAGER

- a. Consider and possible action to rescind City Council action on March 21, 2023, to keep Ward One Seat vacant for the unexpired term
Andy Brauningner, Mayor
- b. Consider and possible action to fill, by appointment, the vacancy in the City Council Ward One Position for the unexpired term.
Andy Brauningner, Mayor

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 551.074 – Personnel Matters: regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Attorney Leonard Schneider.
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: April 28, 2023

Kristy Doll

TIME OF POSTING: 9:30 a.m.

Kristy Doll, City Secretary

TAKEN DOWN:



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: a.

Agenda Item: Safety training for City Council

Initiating Department/Presenter: City Manager

Presenter:

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: a.

Agenda Item: Proclamation No. 2023-9 National Day of Prayer

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

5/2/2023

Agenda Item Number: b.

Agenda Item: Proclamation No. 2023-11 Municipal Clerk Week

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

5/2/2023

Agenda Item Number: c.

Agenda Item: Proclamation No. 2023-13 National Tourism Week

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

5/2/2023

Agenda Item Number: a.

Agenda Item: Recognition of Girl Scout Troup of San Jacinto Council, Tannybo Community

Initiating Department/Presenter: Parks and Leisure

Presenter:

Andy Brauninger, Mayor

Penny Joiner, Director of Parks and Leisure

Recommended Motion: None.

Strategic Initiative:

Discussion: The Girl Scouts of San Jacinto Council, Tannybo Community are the first organization to adopt a park since beginning the new program.

The Girls Scout Troup adopted Kate Barr Ross Park and had their first clean up day on Sunday, April 16.

Previous Council Action: None

Financial Implications: None

Approvals:

Penny Joiner

Kristy Doll

Associated Information:

1. San Jacinto Council Girl Scouts 1





CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 1.a.

Agenda Item: Consider approving the Minutes from the April 18, 2023, Regular City Council Meeting.

Initiating Department/Presenter: City Secretary

Presenter:

Kristy Doll, City Secretary

Recommended Motion: Mote to approve the Minutes from the April 18, 2023, Regular City Council Meeting.

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:

1. April 18, 2023 City Council Minutes

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 18th DAY OF APRIL 2023, AT THE HUNTSVILLE PUBLIC LIBRARY, LOCATED AT 1219 13th STREET, IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 6:00 P.M.

The Council met in a workshop and regular session with the following:

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

COUNCILMEMBERS ABSENT: Councilmember At-Large Position 4 Graham

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

WORKSHOP (4:30 p.m.)

- a. Joint Workshop with the Planning Commission to discuss proposed zoning districts.
Kevin Byal, Director of Development Services

Mayor Brauninger called the workshop meeting to order at 4:42 p.m.

Mayor Brauninger adjourned the workshop meeting at 5:37 p.m.

MAIN SESSION (6:00 p.m.)

CALL TO ORDER (6:00 p.m.)

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

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.*

Mayor Brauninger gave the invocation and led the pledges.

PROCLAMATION

- a. Proclamation No. 2023-5 Sexual Assault Awareness Month
Andy Brauninger, Mayor

PRESENTATIONS

- a. Huntsville Municipal Airport TXDOT Award Recipient.
Andy Brauninger, Mayor

PUBLIC HEARING

- a. Public Hearing to hear testimony in regard to Parkwood Drive, located between IH-

45 Feeder Road and Veteran's Memorial, to be renamed "Wischnewsky Drive".
Armon Irones, City Planner

Mayor Brauning opened the public hearing at 6:12 p.m.

Armon Irones presented information regarding the request to rename Parkwood Drive to Wischnewsky Drive. Armon presented information regarding the Wischnewsky Dodge dealership relocation of their business to the Parkwood Drive location. He discussed the 380 Economic Development Agreement that was signed and agreed upon by Wischnewsky and the City, stating that if they would complete the infrastructure and road then they would be able to rename the road Wischnewsky when the project was completed. The project is now completed. Armon called attention to an email received by the Council and staff in opposition of the renaming and stated it was not from the property owner.

The applicant provided information regarding the project.

No citizen comments were heard in support of or opposition of the street name change.

Mayor Brauning Closed the public hearing at 6:19 p.m.

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 April 4, 2023, Regular City Council Meeting.**
Kristy Doll, City Secretary
- b. Consider adoption of Ordinance 2023-12 to amend the budget for FY 22-23 and/or CIP Project budgets.**
Steve Ritter, Finance Director
- c. Consider Resolution No. 2023-5 authorizing the City Manager to apply for and accept, if awarded, funding under the 2023 Transportation Alternatives Set-Aside (TA) Program, Texas Department of Transportation, for the Martin Luther King Jr. Drive Pedestrian Improvements Project**
Kathlie Jeng-Bullock, City Engineer
- d. Consider Resolution No. 2023-6 authorizing the City Manager to apply for and accept, if awarded, funding under the 2023 Transportation Alternatives Set-Aside (TA) Program for the IH-45 Section 2B improvement project.**
Kathlie Jeng-Bullock, City Engineer

- e. **Consider authorizing the City Manager to award the construction contract to Crockett Construction, Inc. for the CIP FY22-23 Storm Sewer Line Replacement Construction Project ID # 22-10-14 along 17th Street from Ave. M to Sam Houston Ave.**
Kathlie Jeng-Bulloch, City Engineer
- f. **Consider authorizing the City Manager to award the purchase of submersible pumps and accessories, for the McGary Creek Lift Station upgrade.**
Kathlie Jeng-Bulloch, City Engineer
- g. **Consider authorizing the City Manager to enter into a contract for construction and related services for improvements to the Sam Houston Statue Visitor's Center porch and railings.**
Tammy Gann, Director of Economic Development
- h. **Consider adoption of amendments to the 2023 City Council Strategic Plan**
Aron Kulhavy, City Manager

Councilmember Vicki McKenzie made a motion to approve the Consent Agenda, Items a through h. The motion was seconded by Mayor Pro Tem Russell Humphrey. The motion passed 7-0. Yes - Andy Brauninger, Russell Humphrey, Karen Denman, Jon Strong, Vicki McKenzie, Bert Lyle, Deloris Massey; No - None

2. STATUTORY AGENDA

- a. **First Reading-Consider the adoption of Ordinance 2023-11 changing the name of Parkwood Drive to "Wischnewsky Drive".**
Armon Irones, City Planner

First Reading, No action necessary

- b. **Consider authorizing the City Manager to award the contract for Street Milling/Overlay/Crack Sealing Services to Larry Young Paving, Inc.**
Brent Sherrod, Public Works Director

Councilmember Bert Lyle made a motion to authorize the City Manager to award a contract to Larry Young Paving, Inc for Street Milling/Overlay/Crack Sealing, in the amount of \$2,142,292.60. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 7-0. Yes - Andy Brauninger, Russell Humphrey, Karen Denman, Jon Strong, Vicki McKenzie, Bert Lyle, Deloris Massey; No – None

- c. **Consider authorizing the City Manager to award the construction contract to 5-T Utilities, Inc., for the CIP FY22-23 Waterline Replacement Construction Project.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Russell Humphrey made a motion to authorize the City Manager to

award the construction contract to 5-T Utilities, Inc., in the amount of \$1,275,118.00 for the replacement of waterlines in multiple streets. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 7-0. Yes - Andy Brauninger, Russell Humphrey, Karen Denman, Jon Strong, Vicki McKenzie, Bert Lyle, Deloris Massey; No – None

3. CITY COUNCIL/MAYOR/CITY MANAGER

a. Consider the appointments to the City of Huntsville Boards and Commissions for expired terms or vacant board positions.

Mayor Brauninger

Mayor Brauninger announced that there was an oversight on the vacant seats for the Tourism Board. Seat #9 on the Tourism Board has already been filled, and that appointment does not expire until 8/31/2024. The only appointment to the Tourism Board will be for seat #3 and that term will expire on 8/31/2025.

Mayor Brauninger made a motion to appoint the Board and Commission members as presented. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 7-0. Yes - Andy Brauninger, Russell Humphrey, Karen Denman, Jon Strong, Vicki McKenzie, Bert Lyle, Deloris Massey; No – None

BOARD NAME	SEAT #	APPOINT/ REAPPOINT	BOARD MEMBER	TERM EXPIRES
CEMETERY ADVISORY BOARD				
	2	Appoint	Bridget Maloney	08/31/2024
AIRPORT ADVISORY BOARD				
	2	Reappoint	Phillip Bruns	03/31/2026
	3	Reappoint	Russell Cooper	03/31/2026
	5	Reappoint	Greg Smith	03/31/2026
TOURISM ADVISORY BOARD				
	3	Appoint	Rob Hipp	08/31/2025

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 will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice for City of Huntsville vs. Walker County SUD.

Leonard Schneider, City Attorney

- b. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on claim by Hunter's Creek Interests, LTD and Legend Classic Homes, Ltd.
Leonard Schneider, City Attorney**
- c. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.074 – Personnel Matters: regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager Aron Kulhavy.
Aron Kulhavy, City Manager**

City Council convened into closed session at 6:34 p.m.

7. RECONVENE

City Council reconvened from Executive Session into Open Session at 8:44 p.m.

ADJOURNMENT

Mayor Brauningger adjourned the meeting without objection at 8:44 p.m.

ATTEST:

CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Andy Brauningger, Mayor



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 1.b.

Agenda Item: Consider authorizing the City Manager to award the contract for rehabilitation of miscellaneous sanitary sewer lines.

Initiating Department/Presenter: Public Works

Presenter:

Brent Sherrod, Public Works Director

Recommended Motion: Move to authorize the City Manager to award a contract to CZ Construction, LLC for the rehabilitation of miscellaneous sanitary sewer lines in the amount of \$160,000.00.

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: During investigation for inflow and infiltration, staff identified sections of clay tile sewer lines that are in need of rehabilitation. These sections are as follows:

- 313 Feet of 6 inch clay tile sewer line to be rehabilitated by pipe bursting, using 6 inch HDPE, in the rear Right of Way between Pine Valley and Brittany Lane. Reconnect all private sewer connections, and repair any street cuts.
- 324 Feet of 6 inch clay tile sewer line to be rehabilitated by pipe bursting, using 6 inch HDPE, in the rear Right of Way between Plum Creek and Brittany Lane. Reconnect all private sewer connections, and repair any street cuts.
- 322 Feet of 18 inch clay tile sewer line to be rehabilitated by pipe bursting, using 18 inch HDPE, in the Hillcrest Right of Way near Veterans Memorial. Replace two fiberglass manholes with concrete manholes and restore the area to pre-construction conditions.

Public Works staff evaluated available options to determine the best method to rehabilitate/repair the sewer line segments identified, and determined pipe bursting to be the best method for each segment. Pipe bursting is a trenchless means of replacing pipe and was determined to be the most cost effective means for rehabilitation in these areas.

City staff utilized sealed bid proposals for the rehabilitation of miscellaneous sewer lines to achieve optimal results at a competitive price. Multiple vendors were invited to bid, along with the invitation to bid being advertised as required. Two (2) bids were received and opened on April 13, 2023. Due to budgetary limits, location #3: Plum Creek/Peach Tree Street rear right of way, has been removed from this project and will be added to next year's list. Staff have checked references for CZ Construction, LLC and recommend approving them to provide the necessary services, as outlined within the quote, in the amount of \$160,000.00.

Once a Notice To Proceed has been issued, CZ Construction,LLC expects to mobilize within three weeks of receiving all materials, and complete all locations within 20 days.

Previous Council Action: None

Financial Implications: This item is budgeted in account 220-363-53030 in the amount of \$214,204.45.

Approvals:

Brent Sherrod

Leonard Schneider

Aron Kulhavy

Kristy Doll

Associated Information:

1. Bid Tab - NO. 23-31 2023 Misc. Sewer Rehabilitation

Bid Tabulation

Project Name: NO. 23-31 2023 Miscellaneous Sewer Line Rehabilitation

Location: 448 State Hwy 75 N Huntsville, TX 77320

Date: April 13, 2023 Time: 2:00 P.M.



	CZ Construction	5-T Utilities			
Location 1: Pine Valley / Brittany Lane Rear Right of Way	\$ 26,500.00	\$ 159,331.00			
Number of days to complete this location _____days.	5 days	20 days			
Location 2: Brittany Lane / Plum Creek Rear Right of Way	\$ 26,500.00	\$ 161,388.00			
Number of days to complete this location _____days.	5 days	20 days			
Location 3: Plum Creek / Peach Tree Street Rear Right of Way	\$ 29,000.00	\$ 164,014.00			
Number of days to complete this location _____days.	10 days	20 days			
Location 4: Hillcrest Right of Way Near Veterans Memorial	\$ 107,000.00	\$ 249,935.00			
Number of days to complete this location _____days.	15 days	20 days			
Total Bid Amount	\$ 189,000.00	\$ 734,668.00			
Number of days from for completion of all locations from date of Purchase Order	35 days	90 days			



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 1.c.

Agenda Item: Second Reading-Consider the adoption of Ordinance 2023-11 changing the name of Parkwood Drive to "Wischnewsy Drive".

Initiating Department/Presenter: Development Services

Presenter:

Armon Irones, City Planner

Recommended Motion: Move to adopt Ordinance 2023-11 changing the name of Parkwood Drive to "Wischnewsy Drive".

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 Wischnewsy Dodge Dealership has constructed a new dealership at I-45 and Parkwood Drive. Pursuant to the City of Huntsville/Wischnewsy Chapter 380 Economic Developer Agreement (380 Agreement), Wisch Realty, LLC has completed the Public Improvements along Parkwood Drive. One of the requests of the 380 Agreement was for Parkwood Drive to be renamed "Wischnewsy Drive".

The process of renaming a street is as follows:

1. Identify all adjacent property owners affected by the name change.
2. Send notice to all abutting property owners of the proposed name change and allow a comment period.
3. Work with the City Attorney to prepare an ordinance for Council consideration.
4. Conduct a Public Hearing regarding the proposed street name change.
5. If the ordinance is approved, staff will notify the property owners and service providers (post office, 911, utility companies, etc.) of the name change and request the Streets Division to install new street signs.
6. File the appropriate documents with the County Clerk's office as needed.

Parkwood Drive is located in the 100 block of IH-45 Feeder Road. A map of the proposed street name change is attached to this item.

Previous Council Action: On April 18, 2023, Council held a Public Hearing to give the public the opportunity to comment on the Ordinance. The property owner spoke in support of the Ordinance, and no one spoke in opposition. The Council also held a first reading on this item at the April 18, 2023, meeting.

Financial Implications: There are minimal costs associated with the public hearing and the possible future installation of street signs associated with this item that can be absorbed within the respective

departmental operating budgets.

Approvals:

Aron Kulhavy

Kristy Doll

Associated Information:

1. Ordinance 2023-11 Wischnewsky Drive
2. Vicinity Map
3. Letter to property owner-Imperial Real Estate

ORDINANCE NO. 2023-11

AN ORDINANCE PROVIDING FOR THE NAME CHANGE OF PARKWOOD DRIVE TO WISCHNEWSKI DRIVE WITHIN THE CITY OF HUNTSVILLE, TEXAS; PROVIDING A REPEALING CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, it is the desire of the City Council of the City of Huntsville, Texas to change the name of Parkwood Drive to Wischnewski Drive in the City.

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

- SECTION 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.
- SECTION 2. The City Council hereby declares the street named "Parkwood Drive" located within the City limits to now be named "Wischnewsky Drive".
- SECTION 3. All other ordinances or parts of ordinances, or resolutions in conflict with the Ordinance are hereby repealed to the extent of any such conflict.
- SECTION 4. If any portion of the Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provision hereof.
- SECTION 5. The City Secretary or appropriate City staff is directed to notify property owners and other service providers of the name change including, but not limited to, the local Huntsville Fire Department, the appropriate utilities and franchises, and the Walker County 911 Emergency Network. Further the City Public Works Department or appropriate City staff is directed to put up new street signs.
- SECTION 6. If is further directed that the City Secretary or appropriate City staff record the name change in the Official Public Records of Real Property for Walker County

PASSED, APPROVED, and ADOPTED on the _____ day of _____, 2023.

Andy Brauninger, Mayor

ATTEST:

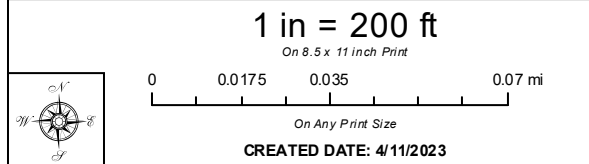
APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney



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



CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION

Vicinity Map
Huntsville GIS Division





CITY OF
Huntsville
Incorporated in 1845 under the Republic of Texas

March 30, 2023

Imperial Real Estate & Construction Huntsville LLC
P.O. Box 9985
Huntsville, TX 77340

RE: Proposed Street Name Change

Dear Property Owner:

The City of Huntsville has received a request to change the name of “Parkwood Drive” to “Wischnewsky Drive”. You are receiving notice of this request since you own property that fronts the street in question.

The City Council will hold a first reading to consider the name change on April 18, 2023, at 6:00PM in the Staggs Community Room at the Huntsville Public Library, 1219 13th Street, Huntsville, TX 77340. Should the Council approve the name change, the City will install the new sign(s) and notify you and local service providers of this change.

If you should have any questions concerning this matter, please contact me by email or by phone.

Sincerely,

Armon Irones
City Planner
airones@huntsvilletx.gov
936-294-5781



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 2.a.

Agenda Item: Consider Resolution 2023-7 supporting an application for additional funding for housing tax credits and/or HOME/TCAP funding, to the Texas Department of Housing and Community Affairs for FishPond Living at Walker, LP, a senior rental housing development proposed to be located at approximately 935 SH 190 East.

Initiating Department/Presenter: Development Services

Presenter:

Kevin Byal, Director of Development Services

Recommended Motion: Move to approve Resolution 2023-7 in support of an application, for housing tax credits and/or HOME/TCAP funding, to the Texas Department of Housing and Community Affairs for FishPond Living at Walker, LP, a senior rental housing development proposed to be located at approximately 935 SH 190 E.

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

Discussion: FishPond Living at Walker, LP is proposing to construct a second senior living, age 55+, rental facility called FishPond Living at Walker that will be located at approximately 935 State Highway 190 E., just east of State Highway 19. The project is not tax-exempt and will be subject to the same property assessment as all other multi-family projects.

The facility will be 1 story cottage style apartments with a mix of one- and two-bedroom units. The project will contain approximately 48 apartment units. The finished site will provide amenities to the residence such as a club house and support services tailored to the resident's needs.

FishPond Living at Walker, LP intends to make an application to the Texas Department of Housing and Community Affairs (TDHCA) Housing Tax Credit (HTC) Program. The program is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households. Tax credits are awarded to eligible participants to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing.

More specifically, the application to TDHCA will be for the 9% Housing Tax Credit round, which is highly competitive and awarded based on a Regional Allocation Formula (RAF) with additional set asides for developments at risk of losing affordability and subsidy, developments financed through USDA, and those with nonprofit owners.

TDHCA awards points to applications that meet a myriad of criteria. Two criteria that are relative to this resolution are the Governing Body of the municipality supporting the development and the second being the Governing Body's commitment to reduce development fees by no less than \$250.

Previous Council Action: Approval of Resolution 2022-3 on February 1, 2022.

Financial Implications: Financial Implications:

Item is not budgeted: Waiver of \$250 in permit fees

Item is estimated to generate additional revenue: The City will receive permit fees, property taxes and utility revenue from the finished project.

Approvals:

Kevin Byal

Leonard Schneider

Aron Kulhavy

Kristy Doll

Associated Information:

1. Reso. 2023-7 - FishPond at Walker FHLB
2. Vicinity Map

RESOLUTION NO. 2023-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TX, IN SUPPORT OF AN AFFORDABLE SENIOR RENTAL HOUSING DEVELOPMENT TO BE KNOWN AS FISH POND AT WALKER, AND IN SUPPORT OF AN APPLICATION TO THE FEDERAL HOME LOAN BANK OF DALLAS AFFORDABLE HOUSING PROGRAM APPLICATION FOR FISHPOND AT WALKER, A DEVELOPMENT TO BE LOCATED AT APPROXIMATELY 935 STATE HIGHWAY 190, HUNTSVILLE, TX , BETTER DESCRIBED AS PROPERTY I.D. 16961 ON THE WALKER COUNTY APPRAISAL DISTRICT, BEING A TRACT OR PARCEL OF LAND CONTAINING APPROXIMATELY 7.83 ACRES OF LAND, THE APPLICANT BEING FISHPOND LIVING AT WALKER, LP; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY’S SUPPORT OF THIS DEVELOPMENT

WHEREAS FishPond Living at Walker, LP (the “Applicant”) has proposed a development for affordable senior rental housing named FishPond at Walker in the City of Huntsville, Texas, located at approximately 935 State Highway 190 E., just east of State Highway 19, Huntsville, Texas, better described as property ID 16961 on the Walker County Appraisal District, being a tract or parcel of land containing approximately 7.83 acers of land;

WHEREAS there is a need for affordable senior housing in the City of Huntsville Texas;

WHEREAS the applicant has advised that it intends to submit an application to the Federal Home Loan Bank of Dallas for 2023 Affordable Housing Program funding for FishPond at Walker;

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

Section 1 The City of Huntsville, acting through its governing body, hereby confirms that it supports the proposed FishPond at Walker, located at approximately 935 State Highway 190 E., Huntsville, Texas, 77320 and that this formal action has been taken to put on record the opinion expressed by the City of Huntsville on May 2, 2023.

Section 2 The City of Huntsville, acting through its governing body, hereby confirms that FishPond at Walker supports the City’s community revitalization efforts.

Section 3 The City Manager is designated as the City’s Chief Executive Officer and Authorized Representative to act in all matters in connection with this Resolution.

PASSED AND APPROVED this 2nd day of May 2023.

THE CITY OF HUNTSVILLE

Andy Brauningner, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney

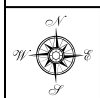


Subject Property

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 = 500 ft

On 8.5 x 11 inch Print



0 0.05 0.1 0.2 mi

On Any Print Size

CREATED DATE: 4/26/2023

CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION

Vicinity Map
Huntsville GIS Division





CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 2.b.

Agenda Item: First Reading - Consider Ordinance No. 2023-13 - Authorizing the settlement of the proposed rate increase of Entergy Texas, Inc.

Initiating Department/Presenter: City Attorney

Presenter:

Leonard Schneider, City Attorney

Recommended Motion: FIRST READING – The Council is requested to take action to approve the settlement at its next available meeting, which is this meeting. If the Council wishes to waive the two-reading requirement: Move to temporarily suspend the rules of procedure by waiving the two-reading requirement and to Adopt Ordinance No. 2023-13 authorizing the settlement of the proposed 2022 rate increase of Entergy Texas, Inc.

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

Discussion: Entergy Texas, Inc. (“ETI” or “Company”) filed a Statement of Intent and Application for Authority to Change Rates (Application”) in 2022. The City of Huntsville and other cities took action to suspend the effective date and took action to deny the ETI’ base rate increase. The Public Utility Commission, ETI and the Cities have reached a final agreement regarding the Company’s request for a base rate increase, including revenue requirement, class allocation, and rate design. The Lawton Law Firm, who represents the Cities has attached the proposed ordinance for cities to approve settlement.

If a City takes no action, it will be assumed the City remains unopposed to the settlement.

ETI previously requested a revenue increase above what customers were paying of \$131.4 Million. The proposed settlement agrees to an increase of \$54 Million which is 58.9% lower than the original requested amount. Additionally, some other terms are:

- A return on equity of 9.57% as opposed to ETI’s proposed 10.8% return. This 9.57% profit level is a slight decrease from the Company’s current return on equity of 9.65%.
- Several adjustments to the Company’s proposed depreciation rates, lowering the Company’s depreciation expense by approximately \$23.7 million per year.
- Longer amortization periods for recovery of expenses related to the Company’s pension accounts, self-insurance storm reserve accrual, bad debt recovery related to COVID-19 costs and impacts, and its transition to AMS or “Smart” meters. Lengthening the amortization periods will lower costs to customers by about \$6.5 million per year compared to the Company’s original proposal.
- The average residential customer (using 1000 kWh per month) current rate was \$140.81 and the ETI proposed rate increase would have increased the current rate per month to approximately \$154.31. The proposed settlement rate is \$147.16, an increase of approximately \$6.35 per

month, or 4.51% over current rates.

Previous Council Action:

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

Approvals:

Aron Kulhavy

Kristy Doll

Associated Information:

1. Ordinance No 202313 Authorizing ETI Base Rate Settlement

ORDINANCE NO. 202313

AN ORDINANCE BY THE CITY OF HUNTSVILLE, TEXAS (“CITY”) AUTHORIZING THE SETTLEMENT OF THE PROPOSED RATE INCREASE OF ENTERGY TEXAS, INC.; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, on or about July 1, 2022, Entergy Texas, Inc. (“ETI” or the “Company”) filed a Statement of Intent and Application for Authority to Change Rates with the City of Huntsville (“City”) and concurrently with the Public Utility Commission of Texas (Commission”) to increase electric rates in the Entergy Service Area by approximately \$131.4 million per year; and

WHEREAS, the City denied the Company’s rate request and the Company appealed the City’s rate denial ordinance to the Commission; and

WHEREAS, ETI, Commission Staff, and other intervening parties including the Steering Committee of Cities participated in settlement discussions to resolve the rate case issues without litigation; and

WHEREAS, ETI has agreed to settle the rate request at a rate increase level of \$54 million per year; and

WHEREAS, the Lawton Law Firm and Commission Staff have recommended approval of the Settlement terms as a reasonable alternative to resolve the rate case issues without litigation.

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

Section 1. That the statement and findings set out in the preamble to this Ordinance are hereby in all things approved and adopted.

Section 2. The City of Huntsville hereby authorizes the settlement of the ETI rate case proceedings at the rate increase level of \$54 million per year.

Section 3. The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 4. This ordinance shall become effective from and after its passage.

First Reading: May 2, 2023

PASSED AND APPROVED on this _____ day of May 2023.

CITY OF HUNTSVILLE, TEXAS

Andy Brauningner, Mayor

ATTEST:

Kristy Doll, City Secretary

APPROVED AS TO FORM:

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 3.a.

Agenda Item: Consider and possible action to rescind City Council action on March 21, 2023, to keep Ward One Seat vacant for the unexpired term

Initiating Department/Presenter: City Council

Presenter:

Andy Brauninger, Mayor

Recommended Motion: Move to rescind Council action to keep Ward One seat vacant for the remainder of the unexpired term.

Strategic Initiative:

Discussion: On March 7, 2023, Councilmember Beebe submitted her resignation from her position as Councilmember Ward One. The Council voted in Special Session on March 13 to accept the resignation thereby creating a vacancy on the Council for the Ward One position. On March 21, the Council considered the options for filling the vacant position under the Charter and voted to leave the Ward One position vacant for the remainder of the unexpired term, which is until the November 2023 election.

Additional information concerning resignations and the resulting vacancies has been made available since the Council considered the appointment for this unexpired term. Should the Council wish to reconsider appointing an individual to fill the unexpired term of the Council Ward One position, Council must first rescind the action taken at the March 21st meeting to leave the position vacant.

The recommended motion provided above in this item, if passed, would allow the Council to take up the next item on the agenda relating to the vacancy.

Previous Council Action: The Council voted in Special Session on March 13, 2023 to accept the resignation of Daiquiri Beebe from the Council Ward One position. During the March 21, 2023, Regular City Council meeting, Council voted to leave the Ward One position vacant for the remainder of the unexpired term.

Financial Implications: None

Approvals:

Kristy Doll

Aron Kulhavy

Associated Information:



CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 3.b.

Agenda Item: Consider and possible action to fill, by appointment, the vacancy in the City Council Ward One Position for the unexpired term.

Initiating Department/Presenter: City Council

Presenter:

Andy Brauningner, Mayor

Recommended Motion: Recommended Motion: Should the Council choose to,

Move to nominate _____ to the vacant Ward One Position for the remainder of the unexpired term.

Strategic Initiative:

Discussion: The Huntsville City Charter states that if less than 12 months, Council may appoint a person to fill the vacancy or call a special election.

Sec. 4.17. - Vacancies in the office of councilmember.

For vacancies in the office of Councilmember arising from any cause, for an expired term of twelve months or less, the remaining members of the City Council may appoint a person to serve as a Councilmember or call a special election to be held on the first uniform election date not earlier than 30 days after the vacancy occurs. The City Council shall not appoint more than one Councilmember in any twelve-month period.

Previous Council Action: During the March 21, 2023, Regular City Council meeting, Council voted to leave the Ward One position vacant for the remainder of the unexpired term.

Financial Implications: None

Approvals:

Aron Kulhavy

Kristy Doll

Associated Information:

1. Councilmember Daiquiri Beebe Resignation 3-7-2023

Dear Mayor Brauning,

Effective today, March 7, 2023, I am resigning my position on City Council.

Daiquiri Beebe, Councilmember Ward 1

cc: Kristy Doll, City Secretary



RECEIVED
MAR 07 2023
City Secretary
City of Huntsville





CITY COUNCIL AGENDA

5/2/2023

Agenda Item Number: 6.a.

Agenda Item: City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.074 – Personnel Matters: regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Attorney Leonard Schneider.

Initiating Department/Presenter: City Attorney

Presenter:

Leonard Schneider, City Attorney

Recommended Motion: None

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Leonard Schneider

Kristy Doll

Associated Information: