

CITY OF HUNTSVILLE, TEXAS

Russell Humphrey, Mayor

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



Tore Fossum, Ward 1
Casey Cox, Ward 2
Anissa Antwine, Ward 3
Jon Strong, Ward 4

**HUNTSVILLE CITY COUNCIL AGENDA
TUESDAY, APRIL 16, 2024**

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.

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. 2024-08: Public Safety Telecommunications Week
Russell Humphrey, 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 April 2, 2024, Regular City Council Meeting.
Kristy Doll, City Secretary
- b.** Consider authorizing the City Manager to approve Additional Services with Aurora Technical Services, LLC for professional engineering for the water line replacement along Old Madisonville Road, Project # 24-10-10.
Kathlie Jeng-Bullock, City Engineer
- c.** Consider authorizing the City Manager to approve a supply agreement with Badger Meter for water meters, software and associated supply items.
Brent Sherrod, Public Works Director

- d. Consider authorizing the City Manager to execute a change order in excess of \$50,000 for the Palm Street 30" line stop and valve installation project.
Brent Sherrod, Public Works Director

2. STATUTORY AGENDA

- a. Consider authorizing the City Manager to award the purchase of Street Milling/Overlay Services.
Brent Sherrod, Public Works Director

3. CITY COUNCIL/MAYOR/CITY MANAGER

- a. Consider the appointment to the Planning Commission vacant board position.
Russell Humphrey, 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 551.071 to receive legal advice on the request to authorize the release of 103.33 acres, parcel number 17230, as requested by Paul Hammock, from the City of Huntsville Extra Territorial Jurisdiction (ETJ)
Leonard Schneider, City Attorney
- b. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.087 for deliberation regarding economic development negotiations - Project Goose
Tammy Gann, Director of Economic Development

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 12, 2024

Kristy Doll

TIME OF POSTING: 10:40 a.m.

Kristy Doll, City Secretary

TAKEN DOWN:



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: a.

Agenda Item: Proclamation No. 2024-08: Public Safety Telecommunications Week

Initiating Department/Presenter: City Secretary

Presenter:
Russell Humphrey, Mayor

Recommended Motion: N/A

Strategic Initiative: N/A

Discussion: N/A

Previous Council Action: N/A

Financial Implications: N/A

Approvals:
Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 1.a.

Agenda Item: Consider approving the Minutes from the April 2, 2024, Regular City Council Meeting.

Initiating Department/Presenter: City Secretary

Presenter:

Kristy Doll, City Secretary

Recommended Motion: Motion to approve the Minutes from the April 2, 2024 Regular City Council Meeting.

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:

1. April 2, 2024 City Council Meeting Minutes

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 2nd DAY OF APRIL 2024, 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 Humphrey, Mayor Pro Tem McKenzie, Councilmember At-Large Position 1 Lyle, Councilmember Ward 1 Fossum, Councilmember At-Large Position 2 Denman, Councilmember Ward 2 Cox, Councilmember Ward 3 Antwine, Councilmember At-Large Position 4 Graham, Councilmember Ward 4 Strong

COUNCILMEMBERS ABSENT: None

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

MAIN SESSION CALL TO ORDER

Mayor Humphrey 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 Humphrey gave the invocation and led the pledges.

PROCLAMATIONS

- a. **Proclamation No. 2024-04 Sexual Assault Awareness Month**
Russell Humphrey, Mayor
- b. **Proclamation No. 2024-06 Fair Housing Month**
Russell Humphrey, Mayor

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 March 19, 2024, Regular City Council Meeting.**
Kristy Doll, City Secretary
- b. **Consider adoption of Ordinance 2024-5 to amend the budget for FY 23-24 and/or CIP Project Budgets.**
Steve Ritter, Finance Director
- c. **Consider authorizing the City Manager to approve the purchase of a new slide for the Frank D. "Poncho" Roberts Aquatic Center.**
Penny Joiner, Director of Parks and Leisure
- d. **Consider authorizing the City Manager to increase the amount of PO 2023-185 in order to continue and finish FY 23-24 Contract Litter Control Services with Wayne Pool, LLC.**
Brent Sherrod, Public Works Director

- e. **Consider authorizing the City Manager to enter into a contract for the replacement of the Robinson Creek Aeration Basin Gearbox, Motor, and Variable Frequency Drive (VFD).**
Brent Sherrod, Public Works Director
- f. **Consider the adoption of the policy and procedures for internal library displays.**
Sam Masiel, Assistant City Manager
- g. **Consider updating and reaffirming the City's Fair Housing Policy as required for continued program eligibility and compliance to administer various state and federal grants, and to adopt Resolution 2024-12 in support of same.**
Ashley Brown, Grants Manager

Councilmember Vicki McKenzie made a motion to approve Consent Agenda items a through g. The motion was seconded by Councilmember Tore Fossum. The motion passed 9-0. Yes: Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

2. STATUTORY AGENDA

- a. **First Reading - Consider authorizing the City Manager to award a contract to rehabilitate the failed clarifier at the NB Davidson Wastewater Treatment Plant (WWTP).**
Brent Sherrod, Public Works Director

Councilmember Vicki McKenzie made a motion to waive the two-reading requirement and move to authorize the City Manager to award a contract to Environmental Improvements, Inc. to rehabilitate the failed clarifier at the NB Davidson Wastewater Treatment Plant (WWTP) in the amount of \$332,637.00. The motion was seconded by Councilmember Tore Fossum. The motion passed 9-0. Yes: Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- b. **First Reading - Consider authorizing the City Manager to purchase real property, 10 acres more or less.**
Aron Kulhavy, City Manager

Councilmember Karen Denman made a motion to waive the two-reading requirement, and move to authorize the City Manager to purchase 10 Acres, more or less, in the Northgate Meadows subdivision, Volume 1187, Page 870, Walker County Deed Records, known as 70 Hadley Creek Bend, Huntsville, Texas 77320. The motion was seconded by Councilmember Bert Lyle. The motion passed 9-0. Yes: Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

3. CITY COUNCIL/MAYOR/CITY MANAGER

- a. **Consider the appointment to the Planning Commission vacant board position.**
Russell Humphrey, Mayor

Mayor Humphrey nominates Russell Barnett to seat four of the Planning Commission. Yes: Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

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 551.087 for deliberation regarding economic development negotiations - Project Goose.**

Tammy Gann, Director of Economic Development

City Council Convened in Executive Session at 6:16 p.m.

7. RECONVENE

City Council reconvened from Executive Session at 6:50 p.m.

ADJOURNMENT

Mayor Humphrey adjourned the meeting without objection at 6:50 p.m.

ATTEST:

CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Russell Humphrey, Mayor



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 1.b.

Agenda Item: Consider authorizing the City Manager to approve Additional Services with Aurora Technical Services, LLC for professional engineering for the water line replacement along Old Madisonville Road, Project # 24-10-10.

Initiating Department/Presenter: Engineering

Presenter:

Kathlie Jeng-Bullock, City Engineer

Recommended Motion: Consider authorizing the City Manager to approve Additional Services with Aurora Technical Services, LLC for professional engineering for the water line replacement (possible upsize) along Old Madisonville Road in the amount of \$48,540.00.

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 City has been replacing existing undersized and deteriorated waterlines each year to the extent that funding is made available for this purpose. Replacing and/or upsizing will help reduce waterline breaks and associated maintenance costs, improve water circulation and pressure to serve domestic needs and install needed fire hydrants in the water distribution system to provide for fire protection.

The City Council authorized the City Manager to enter into an agreement with Aurora Technical Services for professional engineering service for the FY23-24 Waterline Replacement Projects on the February 20, 2024 Agenda.

In the First week of March, we received a waterline break report on Old Madisonville Road which is near the Aurora scoped area. Based on the conversation with Public Works, we realized that the existing Ductile Iron waterline along Old Madisonville has experienced many breaks during the past 6 months. We believe it is in the City's best interest to include this waterline along Old Madisonville Road in the Aurora Contract.

This agenda item is pertaining to the amendment to the approved contract with Aurora Technical Services. The fee proposal is listed as follows:

Basis Services

- | | |
|--|-------------|
| • Phase I – Preliminary Design | N/A |
| • Phase II – Basic Services (Design and Bidding Phase) | \$29,000.00 |
| • Phase III – Construction Phase Services | \$ 6,000.00 |

Total Basic Services Fee is	\$35,000.00
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Additional Services

- | | |
|--|------------|
| • Surveying Services (Lump Sum) | \$5,000.00 |
| • Geotechnical Investigation (Not to Exceed) | \$2,400.00 |
| • Permit and Plan Review Fees (Reimbursable) | \$1,000.00 |
| • Traffic Control Plan (Lump Sum) | \$2,425.00 |
| • Storm Water Pollution Prevention Plan (Lump Sum) | \$2,215.00 |
| • Reimbursement (mileage, photographic,...) (Reimbursable) | \$500.00 |

Total Additional Service Fee	\$13,540.00
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The Total Additional Engineering Fee is \$48,540.00, and with the original contract amount of \$317,682.00, the revised total contract becomes \$366,222.00.

The Finance Committee approved an increased budget amount of \$46,202.00 on March 19, 2024, to the existing CIP Program amount of \$330,000. The total available funding is \$376,202.00.

The estimated construction cost will be provided after the preliminary engineering report is completed. The completion of the design phase is estimated to be October 2024.

Previous Council Action:

1. The City Council approved the Engineering Agreement with Aurora Technical Services at the February 20, 2024 meeting (\$317,682.00).

Financial Implications: ☒ Item is budgeted:	In the amount of: \$48,540.00
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Approvals:

Kathlie Jeng-Bulloch
Leonard Schneider
Sam Masiel
Aron Kulhavy
Kristy Doll

Associated Information:

1. Old Madisonville Rd - Amendment to Proposal - Signed
2. 11th St Hickory Dr Old Madisonville Rd

March 12, 2024

Dr. Kathlie S. Jeng-Bullock, P.E., D.WRE, CFM
Director of Engineering Department
City of Huntsville Huntsville, Texas
448 State Highway 75
Huntsville, TX 77320



Reference: **City of Huntsville – Engineering Department**
ID#: 24-10-10 – 11th Street/Hickory Drive Rehabilitation
Amendment to Waterline Replacement along Old Madisonville Rd

Dear Dr. Jeng-Bullock,

Aurora Technical Services, LLC (Aurora) is pleased to submit this supplemental proposal to amend our professional engineering services for the above-referenced project for the City of Huntsville (the City). The additional project limit consists of approximately 1,200 LF waterline replacements along Old Madisonville Rd, from Old Madisonville Rd to 10th Street.

Scope of Services

Basic Services

Aurora will provide Final Design (Phase II) Services and Construction Phase (Phase III) Services in accordance with Section A of Attachment 2 – Scope of Engineering Design Services for City of Huntsville 11th Street/Hickory Drive Rehabilitation, dated January 29th, 2024 for the additional project limit.

Additional Services

Aurora will provide the following Additional Services in accordance with Attachment 2 for Level of Effort for Basic Services and Additional Services – City of Huntsville Old Madisonville Rd Rehabilitation, dated March 12th, 2024.

1. Surveying Services (to be performed by Landtech, Inc)
2. Geotechnical Services (to be performed by Aviles Engineering Corporation)
3. Traffic Control Plan (TCP)
4. Stormwater Pollution Prevention Plan (SWPPP)

Schedule

The Preliminary Schedule for the project is included in Attachment 5. The schedule shows the design, bidding, and construction phases with the estimated start time for design being March 15th, 2024, and the estimated construction completion being September 2025. The Overall Schedule is subject to change as the project progresses as approved by the City.

2121 Sage Rd, Suite 150
Houston, Texas 77056
281-453-7700
rortega7@auroratechservices.com

**City of Huntsville 11th Street/Hickory Drive Rehabilitation – Professional Engineering Services
Amendment to Proposal for Waterline Replacement along Old Madisonville Rd**

March 12, 2024

Compensation

Detailed Levels of Effort for Basic Services and Additional Services are included in Attachment 2 – Levels of Effort for Basic and Additional Services, dated March 12th, 2024.

Basic Services

As noted in Attachment 1, Aurora is requesting an amendment for a lump sum amount of **\$29,000.00** for the design and bidding phase services, and a lump sum amount of **\$6,000.00** for the construction phase services, for a total authorized amount of **\$35,000.00**.

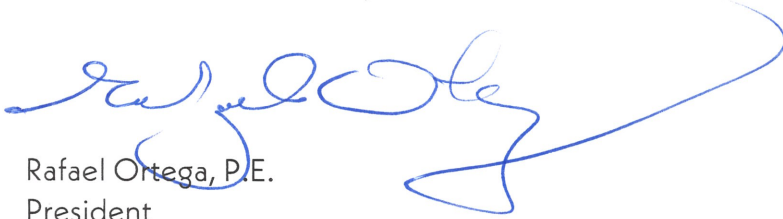
Additional Services

A breakdown of Additional Services can be found in Attachment 1. A summary is as follows:

1. Surveying Services – Landtech, Inc – Lump Sum/Each	\$5,000.00
2. Geotechnical Services – Aviles Engineering Corporation – Not to Exceed	\$2,400.00
3. Permit and Plan Review Fees – Reimbursable	\$1,000.00
4. Traffic Control Plan (TCP) - Lump Sum	\$2,425.00
5. Stormwater Pollution Prevention Plan (SWPPP) – Lump Sum	\$2,215.00
6. Reimbursement – Reimbursable	\$500.00
Total Additional Services	<u>\$13,540.00</u>

We appreciate the opportunity to submit this proposal and work with you on this project.

Sincerely,
Aurora Technical Services, LLC



Rafael Ortega, P.E.
President

Attachments:

1. City of Huntsville – Old Madisonville Rd Rehabilitation – Summary Sheet
2. Level of Effort for Basic Services and Additional Services – City of Huntsville Old Madisonville Rd Rehabilitation, dated March 12th, 2024
3. Project Limits – Old Madisonville Rd
4. Project Preliminary Schedule

2121 Sage Rd, Suite 150
Houston, Texas 77056
281-453-7700
rortega7@auroratechservices.com

Attachment 1
City of Huntsville
Professional Engineering Services for Design of:
Old Madisonville Road Water Main Replacement - City of Huntsville

Aurora Technical Services, LLC

Estimated Construction Cost		\$	
Fee Basis		Lump Sum	
Basic Services			
Task No. Task Name			
1	Preliminary Design (Phase I)	N/A	N/A
2	PHASE II - BASIC SERVICES	Lump Sum	\$ 29,000.00
3	PHASE III - CONSTRUCTION PHASE SERVICES	Lump Sum	\$ 6,000.00
	Total Basic Services Fee	\$	35,000.00
Additional Services			
Task No. Task Name		Fee Basis	
1	Surveying Services - LandTech, Inc	Lump Sum	\$ 5,000.00
2	Geotechnical Investigation - Aviles Engineering Corporation	Not to Exceed	\$ 2,400.00
3	Permit and Plan Review Fees	Reimbursable	\$ 1,000.00
4	Traffic Control Plan	Lump Sum	\$ 2,425.00
5	Storm Water Pollution Prevention Plan	Lump Sum	\$ 2,215.00
6	Reimbursement (mileage, photographic, and courier/delivery services)	Reimbursable	\$ 500.00
	Total Additional Services Fee	\$	13,540.00
Total Engineering Fee			\$ 48,540.00



Project Old Madisonville Road Water Main Replacement - City of Huntsville									
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
A	<u>PHASE II - BASIC SERVICES</u>								
1	<u>TASK 1: Coordination, Permits, & No-Objection Letters</u>								
	1.1 City of Huntsville (Meetings, Correspondence)								
	1.1.a Monthly Meetings and Reports							0	\$ -
	1.2 Private Utilities (* Provide List)								
	1.2.a AT&T, Centerpoint and Entergy/Midsouth Underground Utilities Coordination/Review/Signature Process		1		2			3	\$ 450.00
	1.2.b Obtain LONOs from other private utility companies		1		2			3	\$ 450.00
	1.3 Local and Adjacent Businesses / Entities								
	1.3.a Coordination with City of Huntsville Engineering Department							0	\$ -
	Subtotal Task 1	0	2	0	4	0	0		
		\$ -	\$ 400.00	\$ -	\$ 500.00	\$ -	\$ -	6	\$ 900.00
2	<u>TASK 2: Data Collection and Design Support</u>								
	2.1 Project Management & Controls	2					2	4	\$ 690.00
	2.2 Obtain, Organize and Incorporate Survey Data, Record Drawings			1	1	2		4	\$ 530.00
	2.3 Develop Base Map			6	8	18		32	\$ 4,120.00
	2.4 Sheet by Sheet Quantity Take-offs & Cost Estimate								
	2.4.a Quantity Take-offs & Cost Estimate at 30% submittal		1		2	2		5	\$ 680.00
	2.4.b Quantity Take-offs & Cost Estimate at 60% submittal		1		2	2		5	\$ 680.00
	2.4.c Quantity Take-offs & Cost Estimate at 90%-95% submittal		1		2	2		5	\$ 680.00
	2.4.d Quantity Take-offs & Cost Estimate at 100% submittal		1		2	2		5	\$ 680.00
	2.5 Site Visits (including with City of Huntsville)			1	1	1		3	\$ 415.00
	2.6 Coordination with Vendors for product and pricing support							0	\$ -
	2.7 Quality Assurance / Quality Control								
	2.7.a Quality Assurance / Quality Control at 30%		1	1	2			4	\$ 625.00
	2.7.b Quality Assurance / Quality Control at 60%		1	1	1			3	\$ 500.00
	2.7.c Quality Assurance / Quality Control at 95%		1	2	1			4	\$ 675.00
	2.7.d Quality Assurance / Quality Control at 100%		1	2	1			4	\$ 675.00
	2.8 Tech Memo Preparation for Waterline Replacement Recommendation at 30% Submittal	1		1	2	1		5	\$ 795.00
	Subtotal Task 2	3	8	15	25	30	2		
		\$ 765.00	\$ 1,600.00	\$ 2,625.00	\$ 3,125.00	\$ 3,450.00	\$ 180.00	83	\$ 11,745.00





Project Old Madisonville Road Water Main Replacement - City of Huntsville									
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
3	<u>TASK 3: General Drawings</u>								
	3.1 Title Sheet, Index, General Notes, Legend & Abbreviations								
	3.1.a Title Sheet; Project Title Sheet; Vicinity Map							0	\$ -
	3.1.b Index of Drawings							0	\$ -
	3.1.c Legend							0	\$ -
	3.1.d Utility and General Construction Notes							0	\$ -
	3.2 Project Layout Sheets - 1 Sheet (1" = 100')			1	2	2		5	\$ 655.00
	3.3 Incorporate Survey Control, Baseline and Benchmarks Sheets								
	3.3.a Survey Control Map (1"=100')			1	2	1		4	\$ 540.00
	3.3.b Baseline Ties & Benchmarks			1	1	1		3	\$ 415.00
	3.4 Standard Details								
	3.4.a Standard Water Line Details - 3 Sheets							0	\$ -
	3.4.b Standard Street and Sidewalk Details - 2 Sheets							0	\$ -
	Subtotal Task 3	0	0	3	5	4	0		
		\$ -	\$ -	\$ 525.00	\$ 625.00	\$ 460.00	\$ -	12	\$ 1,610.00
4	<u>TASK 4A: Plan and Profile - Water Main Replacement (Old Madisonville Rd)</u>								
	4.1A Cross Streets								
	4.1A.a P&P Cross Street - Old Madisonville Rd	1		1	2	8		12	\$ 1,600.00
	4.1A.b P&P Cross Street - Pleasant St	1		1	2	8		12	\$ 1,600.00
	4.1A.c P&P Cross Street - 10th St	1		1	2	8		12	\$ 1,600.00
	4.2A Plan and Profile Sheets								
	4.2A.a P&P - Old Madisonville Road (3 Sheets)	3		4	14	26		47	\$ 6,205.00
	Subtotal Task 4	6	0	7	20	50	0		
		\$ 1,530.00	\$ -	\$ 1,225.00	\$ 2,500.00	\$ 5,750.00	\$ -	83	\$ 11,005.00
5	<u>TASK 5: Project Manual</u>								
	6.1 Prepare Division 00 Documents								
	6.1.a Construction Schedule	1		1	1			3	\$ 555.00
	6.1.b Contract Days Determination	1		1	1			3	\$ 555.00
	6.2 Prepare Division 01 Documents								
	6.2.a Section 01110 - Summary of Work	1		1	2			4	\$ 680.00
	6.3 Standard Specifications and Supplements							0	\$ -
	Subtotal Task 5	3	0	3	4	0	0		
		\$ 765.00	\$ -	\$ 525.00	\$ 500.00	\$ -	\$ -	10	\$ 1,790.00
6	<u>TASK 6: Bidding Process</u>								
	1.1 Addenda and Clarifications			1	1	1	1	4	\$ 505.00
	1.2 Evaluate Bids and Prepare Bid tabs and Recommendation Letter								
	1.2.a Evaluate Bids Received, and Prepare a Tabulation of Bids.			1	1		1	3	\$ 390.00
	1.3 Pre-Bid Meeting and Meeting Minutes Preparation			1	1		1	3	\$ 390.00



Project	Old Madisonville Road Water Main Replacement - City of Huntsville								
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
	1.4 Provide Conformed Documents			1	1	1	1	4	\$ 505.00
	Subtotal Task 6	0	0	4	4	2	4		
		\$ -	\$ -	\$ 700.00	\$ 500.00	\$ 230.00	\$ 360.00	14	\$ 1,790.00
	SUB-TOTAL BASIC SERVICES HOURS	12	10	32	62	86	6	208	
	SUB-TOTAL BASIC SERVICES COST	\$ 3,060.00	\$ 2,000.00	\$ 5,600.00	\$ 7,750.00	\$ 9,890.00	\$ 540.00		\$ 28,840.00
Expenses (Mileage, Reproductions, Deliveries)									\$ 160.00
SUBTOTAL PHASE II BASIC WATER LINE DESIGN SERVICE FEES									\$ 29,000.00



Project Old Madisonville Road Water Main Replacement - City of Huntsville									
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
B	PHASE III - CONSTRUCTION PHASE SERVICES								
1	TASK 1: Construction Phase Services								
	1.1 Support Program Manager in Meeting & Site Visits								
	1.1.a Pre-constructing Meeting and Meeting Minutes Preparation							0	\$ -
	1.1.b Site Visits Including Site Observation Reports	1		1	4	2		8	\$ 1,160.00
	1.1.c Substantial/Final Completion Walkthrough, Punch List, and Follow-Up	1		2	2		2	7	\$ 1,035.00
	1.2 Submittals & RFIs								
	1.2.a Respond to Request for Information	1		1	2	2		6	\$ 910.00
	1.2.b EOR-Responsibility Water Line Design Standard Submittals Review		1	1	2	2		6	\$ 855.00
	1.2.c Initial Review of Contractor Water Line Design Change Proposal		1	1	2		1	5	\$ 715.00
	1.2.d Preparation of Water Line As-Built Drawings Based on Contractor's red-lined drawings			1	2	4		7	\$ 885.00
	1.2.e Contractor's Pay Applications Review and Recommendations			1	1			2	\$ 300.00
	Subtotal Task 1	3	2	8	15	10	3		
		\$ 765.00	\$ 400.00	\$ 1,400.00	\$ 1,875.00	\$ 1,150.00	\$ 270.00	41	\$ 5,860.00
Expenses (Mileage, Reproductions, Deliveries)									\$ 140.00
TOTAL PHASE III - CONSTRUCTION PHASE SERVICE FEES									\$ 6,000.00
	SUB-TOTAL BASIC SERVICES HOURS	15	12	40	77	96	9	249	
	SUB-TOTAL BASIC SERVICES COST	\$ 3,825.00	\$ 2,400.00	\$ 7,000.00	\$ 9,625.00	\$ 11,040.00	\$ 810.00		\$ 34,700.00
Expenses (Mileage, Reproductions, Deliveries)									\$ 300.00
TOTAL BASIC SERVICES COST									\$ 35,000.00





Project Old Madisonville Road Water Main Replacement - City of Huntsville									
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
C	<u>Additional Services</u>								
1	<u>TASK 1: Topographic Survey - LandTech, Inc.</u>								
	1.1 See attached Proposal from LandTech for Topographic Surveying Services							0	\$ 5,000.00
	Subtotal Additional Services	0	0	0	0	0	0		
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0	\$ 5,000.00
2	<u>TASK 2: Geotechnical Investigation - Aviles Engineering Corporation</u>								
	2.1 See attached Proposal from Aviles Engineering Corporation for Geotechnical Services							0	\$ 2,400.00
	Subtotal Additional Services	0	0	0	0	0	0		
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0	\$ 2,400.00
3	<u>TASK 3: Permit and Plan Review Fees - Aurora</u>								
	3.1 City of Huntsville Plan Review and Permit Fees (Reimbursable)							0	\$ 1,000.00
	Subtotal Additional Services	0	0	0	0	0	0		
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0	\$ 1,000.00
4	<u>TASK 4: Traffic Control Plan - Aurora</u>								
	4.1 Traffic Control General Notes			1	1	1		3	\$ 415.00
	4.2 Traffic Control Drawings			1	2	4		7	\$ 885.00
	4.3 Traffic Control Standard Details			1	1	1		3	\$ 415.00
	4.4 QA/QC Reviews	2	1					3	\$ 710.00
	Subtotal Additional Services	2	1	3	4	6	0		
		\$ 510.00	\$ 200.00	\$ 525.00	\$ 500.00	\$ 690.00	\$ -	16	\$ 2,425.00



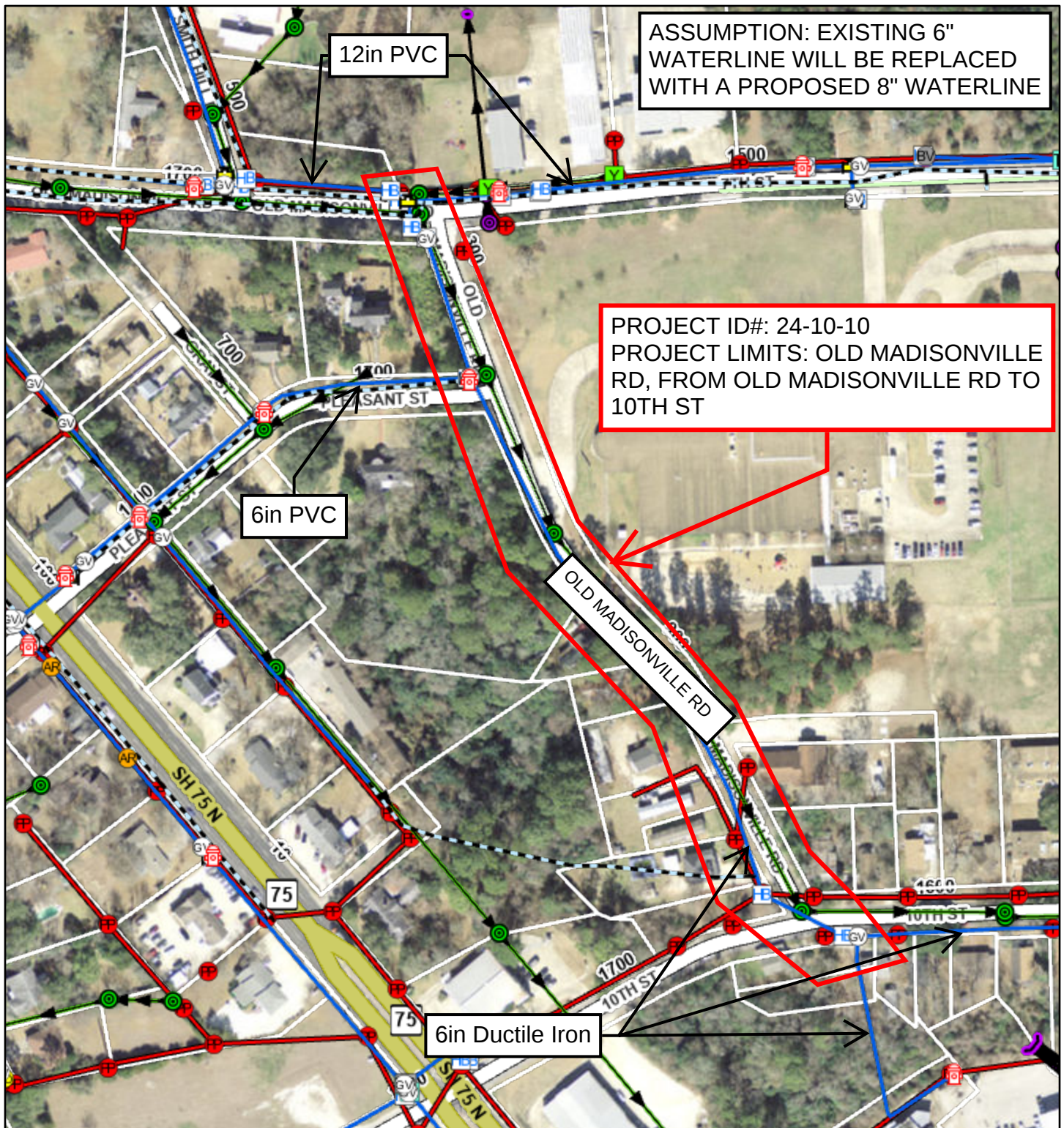


Project Old Madisonville Road Water Main Replacement - City of Huntsville									
Task	Description / Task	Estimated Manhours						Subtotal (hrs)	Total Fee
		Senior Project Manager	Project Manager	Professional Engineer	Graduate Engineer	Senior Designer	Admin. Assistant		
	Hourly Rates Based on Rate Schedule in Contract	\$ 255.00	\$ 200.00	\$ 175.00	\$ 125.00	\$ 115.00	\$ 90.00		
5	<u>TASK 5: SWPPP - Aurora</u>								
	5.1 SWPPP General Notes				1	1		2	\$ 240.00
	5.2 SWPPP Drawings			1	1	2		4	\$ 530.00
	5.3 SWPPP Details				1	1		2	\$ 240.00
	5.4 SWPPP Report			1	1	1		3	\$ 415.00
	5.5 SWPPP Standard Specs and Supplemental			1	1	1		3	\$ 415.00
	5.6 QA/QC Reviews		1	1				2	\$ 375.00
	Subtotal Additional Services	0	1	4	5	6	0		
		\$ -	\$ 200.00	\$ 700.00	\$ 625.00	\$ 690.00	\$ -	16	\$ 2,215.00
6	<u>TASK 6: Reimbursables Expenses</u>								
	7.1 Reimbursable Expenses - Mileage, Photographic, and Courier/Delivery Services							0	\$ 500.00
	Subtotal Additional Services	0	0	0	0	0	0		
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0	\$ 500.00
Total Expenses (Mileage, Reproductions, Deliveries)									
TOTAL ADDITIONAL SERVICES COST									\$ 13,540.00



Attachment 3

Project ID# 24-10-10
Old Madisonville Rd



3/6/2024, 9:09:30 AM

Water Casing

— Surveyed/Theoretical Water Casing

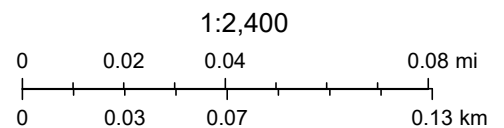
Water Main

— Surveyed 580 HGL Water Main

— Abandoned Water Main

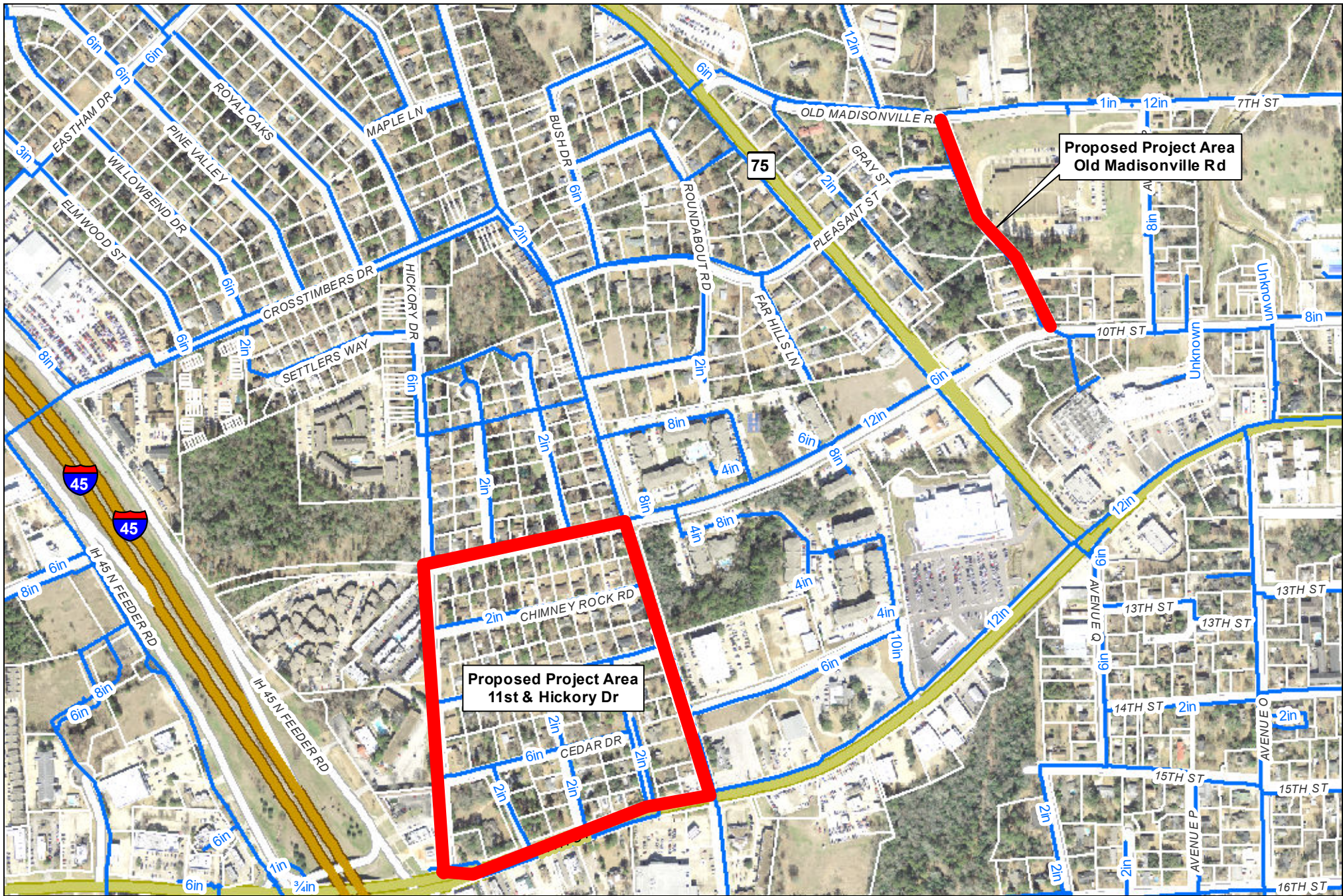
Water Fitting

+ Surveyed Cross

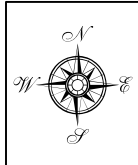


Project Schedule
City of Huntsville
FY 23-24 CIP Water Line Rehabilitation

	Activity Row ID	Activity Name	Start Date	Finish Date	Duration	2024											2025	
						Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	
1	1	FY 23-24 CIP Water Line Rehabilitation	3/6/24	9/28/25	572													
2	2	Phase II Basic Design	3/6/24	10/30/24	239													
3	3	Notice to Proceed	3/6/24	3/6/24	0													
4	4	Topographic Survey	3/6/24	6/10/24	97													
5	5	Geotech Investigation and Lab Testings	3/6/24	5/15/24	71													
6	6	30% Submittal Development	3/6/24	6/17/24	104													
7	7	30% Submittal	6/18/24	6/18/24	0													
8	8	30% Submittal Review Comments by the City	6/18/24	7/2/24	15													
9	9	60% Submittal Development	6/18/24	7/29/24	42													
10	10	60% Submittal	7/30/24	7/30/24	0													
11	11	60% Submittal Review Comments by the City	7/30/24	8/13/24	15													
12	12	95% Submittal Development	7/30/24	9/9/24	42													
13	13	95% Submittal	9/10/24	9/10/24	0													
14	14	95% Submittal Review Comments by the City	9/10/24	9/24/24	15													
15	15	Address Final 95% Submittal Comments	9/25/24	10/15/24	21													
16	16	Utility Signatures	10/16/24	10/29/24	14													
17	17	100%Submittal	10/30/24	10/30/24	0													
18	18	City Review and Approval of 100% Drawings	10/30/24	10/30/24	0													
19	19	Bid Phase	10/30/24	12/5/24	37													
20	20	Final Revisions of Bid Book and Scheduling Bid Phase Dates	10/30/24	11/15/24	17													
21	21	Advertisement	11/16/24	11/27/24	12													
22	22	Bid Opening	11/27/24	11/27/24	0													
23	23	Bid Analysis & Council Approval	11/28/24	12/4/24	7													
24	24	Award Construction Project	12/5/24	12/5/24	0													
25	25	Construction Phase	12/5/24	9/30/25	300													
						M	A	M	J	J	A	S	O	N	D	J	F	



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 the full GIS Data Disclaimer at: www.huntsvilletx.gov/438/City-Maps



1 in = 600 ft

On 8.5 x 11 inch Print

0 155 310 620 FEET

On Any Print Size

Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION
CIP FY 23-24 Waterline Replacement
11th St & Hickory Dr
& Old Madisonville Rd

CREATED DATE: 3/18/2024

CITY SERVICE CENTER
448 STATE HIGHWAY 75
HUNTSVILLE, TX, 77320
Map Created At:
www.huntsvilletx.gov/gis



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 1.c.

Agenda Item: Consider authorizing the City Manager to approve a supply agreement with Badger Meter for water meters, software and associated supply items.

Initiating Department/Presenter: Public Works

Presenter:

Brent Sherrod, Public Works Director

Recommended Motion: Move to authorize the City Manager to approve a supply agreement with Badger Meter for water meters, software and associated supply items.

Strategic Initiative: Strategic Priority #4, Infrastructure - Develop and maintain a comprehensive and well-planned infrastructure network that prepares for the challenges of the future and provides quality, modern and efficient, water, wastewater, drainage and transportation services.

Discussion: It is necessary for the City to purchase water meters and related supply items as needed to measure water usage for residential, commercial and industrial utility customers for the purposes of accurate billing and tracking for water consumption, and to minimize water loss throughout the City. A reliable supplier of water meters, software and related supplies is imperative to maintain the ongoing meter replacement program, as well as daily operations, throughout the fiscal year.

To address the requirements cited above, the City has utilized Badger Meters exclusively for over 30 years due to Badger's quality, accuracy, durability, pricing and customer service. The American Water Works Association (AWWA) recommends replacement of water meters approximately every ten (10) years, while the City's experience has been that Badger Meters consistently exceed this replacement threshold. Currently, the City has approximately 12,500 meters in service.

The City has historically purchased from Badger under a sole source exemption from competitive bidding, with periodic outreach to the open market via competitive bidding – the latest competitive solicitation was issued in 2017 and resulted in five (5) responses; one from Badger, and the remaining responses from bidders offering other meter manufacturers, including Neptune, Sensus, ABB and Zenner Meters. Due to the significant financial expenditure required to change meter manufacturers and to retrofit the City's existing meter infrastructure to be readable by another manufacturer's software, among other equipment purchases which would have been necessary, City Public Works management recommended an award to Badger Meter. City Council unanimously approved an award to Badger Meter in its meeting of June 20, 2017.

The agreement related to the above-referenced award has expired, and staff is recommending a new award to Badger Meter under the sole-source competitive bidding exemption afforded by Texas Local Government Code, Chapter 252.022, (7)(A) for items available from only one source because of patents, copyrights, secret processes or natural monopolies. Please note the associated information

substantiating the sole source nature of this procurement, including a Sole Source Affidavit and Sole Source Letter as provided by Badger Meter. Public Works management staff recommends approval of a supply agreement with Badger Meter for meters and related items and supplies at firm pricing through January 3, 2025, as reflected in the attached price quotation dated January 3, 2025, from Badger Meter. Badger Meter has affirmed that beyond the stated January 3, 2025, expiration, any request for price increase would be only in the amount of, and substantiated with written verification of, a commensurate increase in the pertinent Producer Price Index (PPI) over the subject supply agreement period.

Previous Council Action: City Council awarded a supply contract in February 2020.

Financial Implications: Item is budgeted in accounts;
220-362-54050 for \$62,000
220-361-53060 for \$15,000
220-2202 for \$45,000

Approvals:

Brent Sherrod
Leonard Schneider
Sam Masiel
Aron Kulhavy
Kristy Doll

Associated Information:

1. Badger Sole Source
2. Badger Meter Quote



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

March 28, 2024

Mr. Frank Golden
City of Huntsville
1212 Avenue M
Huntsville, TX 77340

RE: Sole Source Letter

Dear Mr. Golden:

This letter will confirm that Badger Meter is the sole source of E-Series Ultrasonic® Meters, Recordall® Disc Meters, Recordall Compound Series/Combo Meters, Recordall Turbo Series Meters, HR-E® Encoders, BEACON® SaaS, BEACON Mobile Reading Solutions, ORION® Endpoints and Badger Meter Analytical Product Lines for the City of Huntsville.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 or by email at proposals@badgermeter.com.

Sincerely,

BADGER METER, INC.

A handwritten signature in black ink, appearing to read 'Matthew B. Gieseke', written over a horizontal line.

Matthew B. Gieseke
Assistant Secretary and Proposal Lead

Page 1 of 1

E-Series Ultrasonic® Meters, Recordall® Disc Meters, Recordall Compound Series/Combo Meters, Recordall Turbo Series Meters, HR-E® Encoders, BEACON® SaaS, BEACON Mobile Reading Solutions, ORION® Endpoints and Badger Meter Analytical Product Lines.

Badger Meter Inc.
4545 W Brown Deer Road Milwaukee WI 53223
PO Box 245036 Milwaukee WI 53224-9536

Created Date 01-03-2024

To
CITY OF HUNTSVILLE
1212 AVENUE M
HUNTSVILLE
Texas 773404608

Customer ID 00422108

Pricing Effective Dates 01-03-2024 -
07-03-2024

Salesperson	Proposal Subject	Shipping Terms / INCO Terms	Payment Terms
005773 Toby Sledge	Proposal_3578229_01-03-2024	PREPAY/ADD TO INVOICE FCA FACTORY	NET 30 DAYS

Line #	Description	Qty	Unit Net Price USD	Line Totals USD
1	BMI Part No.: 101-4106 Cat String: DS-BAB-PB1P-XXD3-Y2-M1CA-2B1X1-8BE-NN-XX-TF-XX-B0A Description: Disc, M25 5/8"(3/4x7-1/2), Brz Btm 430SS-1, PL, (TS-135, SN Yr 9D & PBB, HR-E, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 8D-0.1 Gal, SN YR 9D in & out, TT-5', BMI STD, 6 PACK,	1	148.00	148.00
2	BMI Part No.: 101-2113 Cat String: DS-KCC-PB2P-XXD3-Y2-M1CA-2B1X1-8BE-NN-XX-TF-XX-B0A Description: Disc, 70 1"(10-3/4), Brz Btm 430SS-all, PL, (TS-135, SN Yr 9D & PBB, HR-E, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 8D-0.1 Gal, SN YR 9D in & out, TT-5', BMI STD, 4 PACK,	1	301.00	301.00
3	BMI Part No.: 101-5347 Cat String: DS-NDB-PFAS-XXD3-Y2-M1CA-2B1X1-8CE-NN-XX-TF-XX-B0A Description: Disc, M120 1-1/2"-ELL Dr w/TP, 430SS, SS, (TS-135, SN Yr 9D & PBB, HR-E, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 8D-1 Gal, SN YR 9D in & out, TT-5', BMI STD, 1 PACK,	1	502.00	502.00
4	BMI Part No.: 101-5382 Cat String: DS-REB-PFAS-XXD3-Y2-M1CA-2B1X1-8CE-NN-XX-TF-XX-B0A Description: Disc, M170 2"-ELL Dr w/TP, 430SS, SS, (TS-135, SN Yr 9D & PBB, HR-E, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 8D-1 Gal, SN YR 9D in & out, TT-5', BMI STD, 1 PACK,	1	715.00	715.00
5	BMI Part No.: 103-8442 Cat String: EU-EEA-PXXX-E5-AM-19BE-A6Y2-AGTF-AA-B0A	1	910.00	910.00

Thank you for your business!

Estimated ship dates subject to change based upon component availability, as a result of global supply chain constraints, or credit review.
This acknowledgment is made subject to the terms & conditions found on our web-site: <https://www.badgermeter.com/terms-and-conditions>.
Terms and conditions related to service units, training, and professional services can be found here: <https://badgermeter.com/service-units-terms-and-conditions>

Line #	Description	Qty	Unit Net Price USD	Line Totals USD
6	Description: E-Series SS, 2" EL(17), Enc, ORION CELL C, 9D-0.1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD, BMI Part No.: 103-9481 Cat String: EB-EFC-PXXP-E5-AM-19BE-E3Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 3" RND(12), TP Prsr, Enc, ORION CELL C, 9D-0.1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	2,237.00	2,237.00
7	BMI Part No.: 105-9134 Cat String: EB-EFD-PXXP-E5-AM-19BE-E3Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 3" RND(17), TP Prsr, Enc, ORION CELL C, 9D-0.1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	2,272.00	2,272.00
8	BMI Part No.: 104-1820 Cat String: EB-EGC-PXXP-E5-AM-19BE-E4Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 4" RND(14), TP Prsr, Enc, ORION CELL C, 9D-0.1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	2,699.00	2,699.00
9	BMI Part No.: 104-0142 Cat String: EB-EGD-PXXP-E5-AM-19BE-E4Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 4" RND(20), TP Prsr, Enc, ORION CELL C, 9D-0.1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	2,734.00	2,734.00
10	BMI Part No.: 104-4630 Cat String: EB-EHB-PXXP-E5-AM-19CE-E6Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 6"x18" RND Prsr, Enc, ORION CELL C, 9D-1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	4,021.00	4,021.00
11	BMI Part No.: 107-8056 Cat String: EB-EHD-PXXP-E5-AM-19CE-E6Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 6"x24" RND Prsr, Enc, ORION CELL C, 9D-1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	4,237.00	4,237.00
12	BMI Part No.: 107-8057 Cat String: EB-EJB-PXXP-E5-AM-19CE-E8Y2-AGTF-AA-B0A Description: E-Series B-Alloy, 8"x20" RND, TP Prsr, Enc, ORION CELL C, 9D-1 Gal, SN Yr 9D & PBB, Thru Ld Instl Kit, TT-5', BMI STD,	1	4,913.00	4,913.00
13	BMI Part No.: 103-8154 Cat String: R4-BA1-M1AM-2B1-8BE-NX-AG-TF-AA-B0A Description: REG 4, M25, HR-E, ORION CELL C, PL Lid/Shrd-GRY, Trx Scrw, 8D-0.1 Gal, SN YR 9D in, Thru Ld Instl Kit, TT-5', Grnd/Ocean-Pause, BMI STD, 24 PACK,	1	208.00	208.00
14		1	193.00	193.00

Thank you for your business!

Estimated ship dates subject to change based upon component availability, as a result of global supply chain constraints, or credit review.
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Line #	Description	Qty	Unit Net Price USD	Line Totals USD
15	BMI Part No.: 100-6798 Cat String: R4-BA1-M1DA-2B1-8BE-NX-AF-TF-AA-B0A Description: REG 4, M25, HR-E, ORION ME, PL Lid/Shrd-GRY, Trx Scrw, 8D-0.1 Gal, SN YR 9D in, Pipe Instl Kit, TT-5', Grnd/Ocean-Pause, BMI STD, 24 PACK,	1	134.00	134.00
16	BMI Part No.: 103-6671 Cat String: E4-4E-AM-AG-TAAA-B0A Description: EP Only, For Enc, ORION CELL C, Thru Ld Instl Kit, TT-8in, Grnd/Ocean-Pause, BMI STD,	1	120.00	120.00
	BMI Part No.: 100-2105 Cat String: E4-4E-DA-AF-TAAA-B0A Description: EP Only, For Enc, ORION ME, Pipe Instl Kit, TT-8in, Grnd/Ocean-Pause, BMI STD,			

Subtotal - USD	26,344.00
Total Price - USD	26,344.00

Notes and Assumptions

If applicable, sales tax and freight, if included on the proposal, is an estimate and will be recalculated based on rates and tax status in effect at the time of invoicing.

Actual lead time to be provided at time of order.

To aid in processing your order, please include the Quote number on the PO that is submitted for this proposal.

Badger Meter provides certification files to help manage meter and endpoint inventory and to maintain meter accuracy data. The standard method of delivery for this format is via electronic mail. Any deviations from our standard format, or any custom file formats, will be considered on a time and material basis.

Due to continuous improvements and redesign of Badger Meter products and technology solutions, Badger Meter reserves the right to provide our newest product solutions as an alternative to the proposed products provided they are in conformance with the requirements of the specifications and do not exceed the prices quoted.

If you would like to place an order, please contact us at Utilitymke@badgermeter.com or by calling 1-800-876-3837 Option 1.

Thank you for your business!

Estimated ship dates subject to change based upon component availability, as a result of global supply chain constraints, or credit review.
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CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 1.d.

Agenda Item: Consider authorizing the City Manager to execute a change order in excess of \$50,000 for the Palm Street 30" line stop and valve installation project.

Initiating Department/Presenter: Public Works

Presenter:

Brent Sherrod, Public Works Director

Recommended Motion: Motion to authorize the City Manager to execute a change order in the amount of \$70,000 to Branch Construction Group for the Palm Street 30" line stop and valve installation project for the installation of inflatable line stops.

Strategic Initiative: Strategic Priority #4, Infrastructure - Develop and maintain a comprehensive and well-planned infrastructure network that prepares for the challenges of the future and provides quality, modern and efficient, water, wastewater, drainage and transportation services.

Discussion: During the excavation of the 30" pipe at the Palm Street water plan the contractors discovered the pipe was not concrete pipe as expected. The pipe is steel with a concrete liner on the inside. Branch construction installed a tap to cut a hole in the pipe to get a thickness. It was discovered the pipe inside diameter was 28.5" which is the exact size of the line stops; therefore, the line stops could not be installed resulting in needing bag stops to complete the job. Branch construction submitted an additional quote of \$70,000 to get the job completed.

Because the change order exceeds \$50,000 and Council approval is required for the change order to be executed.

Previous Council Action: The Council approved the original project in the amount of \$265,000 at their February 06, 2024 meeting.

Financial Implications: Item is budgeted in the amount of \$335,000

Approvals:

Aron Kulhavy
Kristy Doll

Associated Information:

1. Palm Street Line Stops



City of Huntsville
Contract Approval Form

Contract Name:

Palm St Line Stops and Valve Install

Date

04/04/2024

Description of Contract and Council Action Taken (if any):

Purchase number- 2024-285

Revised agreement amount \$335,000

Amendment #1 is for bag stops installed in 30" water main to complete valve install

Director and/or Division Heads:

Name:

Brent S. Sherrad (Brent S. Sherrad)

Date:

4/8/24

Name:

Date:

Name:

Date:

Name:

Date:

Required Approvals:

Steve Ritter
Finance Director

Date:

Leonard Schneider
City Attorney

Date:

Aron Kulhavy
City Manager

Date:

Kristy Doll
City Secretary

Date:

Return Approved Contract to:

All contracts must have an Approval/Signature cover sheet attached with appropriate signatures prior to being submitted to the City Manager for his approval/signature.

Rev. June 14, 2021



Project Proposal

Company: City of Huntsville
Name: Paul Widner
Phone: 936-291-5981
Email: pwidner@huntsvilletx.gov
Date: April 3, 2024
Reference: Line Stops with 30" Valve Installation
SO# 2634

TIPS Contract Number-23010401

Additional Scope Change Order-

Original specifications on existing piping at location named to be 30" C303 barwrap concrete steel cylinder pipe and later discovered to be 30" steel pipe with ID to be the same as the naked line stop head which means we cannot install the sealing element and backing plates. Solution to this is to install double 30" inflatable line stops on the mortar coated steel pipe. The city must be able to suspend the flow during the installation of the 30" inflatable line stops. Manufacturer lead time on the 30" inflatable line stops is 6-8 weeks therefore additional cost incurred for shoring, labor and cost of the inflatable line stops and hardware needed to perform the scope of work.

Additional Price: \$70,000

- **Proposal is valid for 15 days from date of issuance.**
- Delays not caused by Branch Construction Group will be billed at the applicable rate.
- If non-standard working hours are requested additional charges will be applied unless previously agreed on. Definition - Night Work 5:30PM – 7AM or Weekend Work Saturday/Sunday at applicable rate. Pricing does not include boring through rock, compensation for utility conflicts, locating services or delays not caused by Branch Construction Group. See unit pricing below for individual rates and charges.
 - Additional \$3.00/Lf will be charged for boring through rock, shale, slate, and similar materials
 - Mobilization will be billed at \$2.50/mile for boring rig setup if applicable.
 - Mobilization will be billed at \$1.50/mile for workforce mobilization if applicable



Project Proposal

Assumptions

- Assumes that private utilities (e.g., sprinklers etc.) are marked by the customer; Branch Construction Group will use reasonable precautions but will not be responsible for damage to unmarked/incorrectly marked utilities.
- Customer responsible for all temporary/permanent fence removal/replacement.
- The job schedule must be mutually agreed upon.
- The work site will be cleaned by backhoe – will NOT include pressure wash/reclaimed water, street brush, etc.
- Well Point/Pump Systems not included; if necessary, incremental expense to be charged to customer.
- Branch Construction Group is not responsible for engineering drawings, city drawings, or any plans used for construction purposes. If there are errors or omissions and the job cannot be completed – Branch Construction Group will receive payment for work completed.
- All work to be done during normal construction hours (M-F, 7AM-5:30PM)

Terms

- Net 30 Days

Termination

- If the Client terminates this Contract after Branch Construction Group has commenced its work, the Client shall be responsible for the following:
 - The Client shall pay Branch Construction Group the Contract price of the fittings, or specialized materials once production has commenced or the items have been purchased.
 - The Client shall pay Branch Construction Group a 25% restocking fee in the event the job is cancelled because standard fittings have been ordered.
 - The Client shall reimburse Branch Construction Group for all reasonable out-of-pocket mobilization expenses incurred by Branch Construction Group (including travel and transportation costs for Branch Construction Group personnel to the job site and an hourly rate of \$95.00 for each person mobilized by Branch Construction Group if Branch Construction Group has mobilized its personnel or agents in connection with the project.



Project Proposal

- On certain occasions Branch Construction Group can return special or not normal size fittings. However, this will require 70% restocking fee if the job cancels or pipe size changes after fittings are ordered.

Indemnification

- BRANCH CONSTRUCTION GROUP (HEREAFTER "BCG") SHALL INDEMNIFY CLIENT FOR DAMAGES ARISING OUT OF THE PERFORMANCE OF WORK, BUT ONLY TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS, ERRORS OR OMISSIONS OF BCG AND THE TOTAL LIABILITY TO CLIENT AND ANYONE CLAIMING BY, THROUGH, OR UNDER CLIENT FOR ANY COST, LOSS, LEGAL FEES, OR DAMAGES SHALL NOT EXCEED THE PERCENTAGE SHARE THAT BCG'S NEGLIGENCE BEARS TO THE TOTAL NEGLIGENCE OF CLIENT, BCG, AND ALL OTHER NEGLIGENT ENTITIES AND INDIVIDUALS.
- BY WAY OF FURTHER LIMITATION, BCG SHALL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, WHETHER GROUNDED IN TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR CONTRACT, AND UNDER NO CIRCUMSTANCES WILL BCG'S LIABILITY EXCEED THE PROJECT PROPOSAL PRICE CLIENT PAID BCG FOR THE GOODS OR SERVICES UPON WHICH LIABILITY IS CLAIMED. ANY ACTION FOR BREACH OF CONTRACT MUST BE COMMENCED WITHIN ONE (1) YEAR AFTER THE CAUSE OF ACTION HAS ACCRUED.

Accepted by:

Company Name:

City of Huntsville

Signature:

Paul Widner

Name Printed:

Paul Widner

Date:

4-3-24



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 2.a.

Agenda Item: Consider authorizing the City Manager to award the purchase of Street Milling/Overlay Services.

Initiating Department/Presenter: Public Works

Presenter:

Brent Sherrod, Public Works Director

Recommended Motion: Move to authorize the City Manager to award the purchase of Street Milling and Overlay Services, to Vulcan Materials Asphalt and Construction LLC in the amount of \$1,901,090.00.

Strategic Initiative: Strategic Priority #4, Infrastructure - Develop and maintain a comprehensive and well-planned infrastructure network that prepares for the challenges of the future and provides quality, modern and efficient, water, wastewater, drainage and transportation services.

Discussion: As part of the City Council's 2014 Strategic Plan, the City awarded a comprehensive street assessment study to Infrastructure Management Services (IMS), with the primary goal being to determine the condition and rank City streets based on data gathered by IMS. IMS provided the City with a street condition assessment and a five (5) year maintenance plan for improving the overall street condition within the City. The street assessment and 5-year maintenance plan were approved and performed again in 2020 by IMS.

Based on the findings, the City has solicited annual competitive sealed proposals for street milling with overlay, with the current fiscal year requirements reflected in the attached bid tabulation. The bid notice was published as required in the Huntsville Item and posted on the City of Huntsville website and on the Public Purchase bid platform.

Four (4) bids were received and opened on March 27, 2024, in response to an invitation for bids for current year's street paving requirements, with specifications stating an award based on best value, with selection criteria including, but not limited to: purchase price, similar work experience history, technical expertise and experience, and overall proposal suitability. The bids received are reflected in the attached bid tabulation.

Public Works staff has evaluated the bids received to determine the best value to the City with respect to the considerations referenced above. The lowest bidder for Mill & Overlay services, Vulcan Materials Asphalt and Construction LLC, offers high-quality milling and overlay services as seen in past projects with the City of Huntsville and recommended by the Cities of Liberty and TxDOT. Vulcan is thereby recommended for award for the current year mill & overlay and reconstruction requirements. Given the positive experience from Huntsville, Liberty, and TxDOT with this contractor for these paving services and being the low bidder (\$2,181,580), Vulcan's response is considered by Public Works management staff to offer the best value to the City for Mill & Overlay. Please note, the low bidder amount is

\$280,490 over the amount budgeted for the project. Therefore, the street list will be reduced by approximately 14,866 square yards of mill and overlay to reflect a price reduction of \$282,454 and fall within the budgeted amount of \$1,901,090. The streets to be postponed from this year to a future year are Ave I (12th to Bearkat) due to a future waterline upgrade on a portion of this street, 14th Street (Ave I to Ave G) for a future sewer line upgrade on a portion of this street, and Ave E (14th to 14th) as the street is in a condition in which it can be delayed for an additional year. Should the need arise for any additional streets to be postponed, 16th Street from Avenue O to the west termination will be delayed for an additional year.

Previous Council Action: N/A

Financial Implications: The item is budgeted in account 101-323-53051 in the amount of \$1,901,090.00.

Approvals:

Brent Sherrod
Leonard Schneider
Sam Masiel
Aron Kulhavy
Kristy Doll

Associated Information:

1. Bid NO. 24-20 Street Mill and Overlay



					Vulcan Materials		Larry Young Paving		Hayden		Texas Materials		
On Street	From	To	Square Yards	Maintenance Type	Unit Price	SQYD	Total price for street segment	Unit Price	SQYD	Total price for street segment	Unit Price	SQYD	Total price for street segment
14TH ST	AVE G	AVE I	4974	FWM&FILL @ 2"	\$	19.00	\$ 94,506.00	\$	19.48	\$ 96,893.52	\$	21.57	\$ 107,289.18
AVE E	14TH ST	14TH ST	1091	FWM&FILL @ 2"	\$	19.00	\$ 20,729.00	\$	19.48	\$ 21,252.68	\$	21.57	\$ 23,532.87
BOBBY K MARKS DR	17TH ST	BOWERS BLVD	5825	FWM&FILL @ 2"	\$	19.00	\$ 110,675.00	\$	19.48	\$ 113,471.00	\$	21.57	\$ 125,645.25
SUMMER LN	WINTER WAY	SPRING DR	4396	FWM&FILL @ 2"	\$	19.00	\$ 83,524.00	\$	19.48	\$ 85,634.08	\$	21.57	\$ 94,821.72
DAISY LN	VETERANS MEMORIAL PKWY	AUTUMN RD	4305	FWM&FILL @ 2"	\$	19.00	\$ 81,795.00	\$	19.48	\$ 83,861.40	\$	21.57	\$ 92,858.85
GOLDEN ROD LN	SAGE LN	WINTER WAY	1086	FWM&FILL @ 2"	\$	19.00	\$ 20,634.00	\$	19.48	\$ 21,155.28	\$	21.57	\$ 23,425.02
JANUARY LN	AUTUMN RD	SOUTH END	2047	FWM&FILL @ 2"	\$	19.00	\$ 38,893.00	\$	19.48	\$ 39,875.56	\$	21.57	\$ 44,153.79
WINTER WAY	GOLDEN ROD LN	SUMMER LN	2424	FWM&FILL @ 2"	\$	19.00	\$ 46,056.00	\$	19.48	\$ 47,219.52	\$	21.57	\$ 52,285.68
GREENWAY DR	WHEATSTONE DR	GREENTREE DR	962	FWM&FILL @ 2"	\$	19.00	\$ 18,278.00	\$	19.48	\$ 18,739.76	\$	21.57	\$ 20,750.34
GREENTREE DR	SW END	GREENWAY DR	4011	FWM&FILL @ 2"	\$	19.00	\$ 76,209.00	\$	19.48	\$ 78,134.28	\$	21.57	\$ 86,517.27
BROOK HOLLOW DR	AT THE 18TH	BROOK HOLLOW DR (LP)	1474	FWM&FILL @ 2"	\$	19.00	\$ 28,006.00	\$	19.48	\$ 28,713.52	\$	21.57	\$ 31,794.18
BROOK HOLLOW DR (LP)	BROOK HOLLOW DR	BROOK HOLLOW DR	928	FWM&FILL @ 2"	\$	19.00	\$ 17,632.00	\$	19.48	\$ 18,077.44	\$	21.57	\$ 20,016.96
LAKESIDE DR	BROOK HOLLOW DR	SW END	2048	FWM&FILL @ 2"	\$	19.00	\$ 38,912.00	\$	19.48	\$ 39,895.04	\$	21.57	\$ 44,175.36
CHERRY HILLS DR	BROADMOOR DR	AUGUSTA DR	4700	FWM&FILL @ 2"	\$	19.00	\$ 89,300.00	\$	19.48	\$ 91,556.00	\$	21.57	\$ 101,379.00
CHERRY HILLS DR	AUGUSTA DR	LAKEVIEW MANOR	2776	FWM&FILL @ 2"	\$	19.00	\$ 52,744.00	\$	19.48	\$ 54,076.48	\$	21.57	\$ 59,878.32
UNIVERSITY AVE	FM 247	8 th Street	9230	FWM&FILL @ 2"	\$	19.00	\$ 175,370.00	\$	19.48	\$ 179,800.40	\$	21.57	\$ 199,091.10
UNIVERSITY AVE	14TH ST	17TH ST	8198	FWM&FILL @ 2"	\$	19.00	\$ 155,762.00	\$	19.48	\$ 159,697.04	\$	21.57	\$ 176,830.86
ELM AVE	LOUIS DAVIS DR	US 190	2700	FWM&FILL @ 2"	\$	19.00	\$ 51,300.00	\$	19.48	\$ 52,596.00	\$	21.57	\$ 58,239.00
HAZEL AVE	BLALOCK ST	LOUIS DAVIS DR	1349	FWM&FILL @ 2"	\$	19.00	\$ 25,631.00	\$	19.48	\$ 26,278.52	\$	21.57	\$ 29,097.93
LOUIS DAVIS DR	GOODRICH DR	ELM AVE	3567	FWM&FILL @ 2"	\$	19.00	\$ 67,773.00	\$	19.48	\$ 69,485.16	\$	21.57	\$ 76,940.19
LOUIS DAVIS DR	ELM AVE	HAZEL AVE	791	FWM&FILL @ 2"	\$	19.00	\$ 15,029.00	\$	19.48	\$ 15,408.68	\$	21.57	\$ 17,061.87
WIRE RD	SH 75 N	CITY LIMIT	650	FWM&FILL @ 2"	\$	19.00	\$ 12,350.00	\$	19.48	\$ 12,662.00	\$	21.57	\$ 14,020.50
FRASER RD	SH 75 N	DS@3825 SH 75 N	891	FWM&FILL @ 2"	\$	19.00	\$ 16,929.00	\$	19.48	\$ 17,356.68	\$	21.57	\$ 19,218.87
RICE LN	SH 75 N	NORTH END	2185	FWM&FILL @ 2"	\$	19.00	\$ 41,515.00	\$	19.48	\$ 42,563.80	\$	21.57	\$ 47,130.45
MEDICAL CENTER PKWY	MEMORIAL HOSPITAL DR	IH 45 S FEEDER RD	726	FWM&FILL @ 2"	\$	19.00	\$ 13,794.00	\$	19.48	\$ 14,142.48	\$	21.57	\$ 15,659.82
MEMORIAL HOSPITAL DR	DS@5345 MEDICAL CENTER PKWY	RESEARCH DR	749	FWM&FILL @ 2"	\$	19.00	\$ 14,231.00	\$	19.48	\$ 14,590.52	\$	21.57	\$ 16,155.93
RESEARCH DR	DS@441E MEDICAL CENTER PKWY	MEMORIAL HOSPITAL DR	1705	FWM&FILL @ 2"	\$	19.00	\$ 32,395.00	\$	19.48	\$ 33,213.40	\$	21.57	\$ 36,776.85
SIMMONS ST	FISH HATCHERY RD	NW END	1791	FWM&FILL @ 2"	\$	19.00	\$ 34,029.00	\$	19.48	\$ 34,888.68	\$	21.57	\$ 38,631.87
MIMOSA LN	SE END	FISH HATCHERY RD	2801	FWM&FILL @ 2"	\$	19.00	\$ 53,219.00	\$	19.48	\$ 54,563.48	\$	21.57	\$ 60,417.57
THOMASON ST	MARTIN LUTHER KING JR DR	UNIVERSITY AVE	7863	FWM&FILL @ 2"	\$	19.00	\$ 149,397.00	\$	19.48	\$ 153,171.24	\$	21.57	\$ 169,604.91
SAM HOUSTON AVE	NORTH END	11TH ST	13676	FWM&FILL @ 2"	\$	19.00	\$ 259,844.00	\$	19.48	\$ 266,408.48	\$	21.57	\$ 294,991.32
AVE I	11TH ST	12TH ST	1009	FWM&FILL @ 2"	\$	19.00	\$ 19,171.00	\$	19.48	\$ 19,655.32	\$	21.57	\$ 21,764.13
AVE I	12TH ST	BEARKAT BLVD	8801	FWM&FILL @ 2"	\$	19.00	\$ 167,219.00	\$	19.48	\$ 171,443.48	\$	21.57	\$ 189,837.57
16TH ST	AVE O	WEST END	3091	FWM&FILL @ 2"	\$	19.00	\$ 58,729.00	\$	19.48	\$ 60,212.68	\$	21.57	\$ 66,672.87
VETERANS MEMORIAL PKWY	IH 45 N FEEDER RD	Wischnewsky Dr	9266	MICROSURFACE	\$	19.00	-				No Bid	No Bid	No Bid
VETERANS MEMORIAL PKWY	MONTGOMERY RD	HIDDEN VALLEY CIR	10286	MICROSURFACE	\$	19.00	-				No Bid	No Bid	No Bid
VETERANS MEMORIAL PKWY	HIDDEN VALLEY CIR	BROOK HOLLOW DR	14336	MICROSURFACE	\$	19.00	-				No Bid	No Bid	No Bid
VETERANS MEMORIAL PKWY	BROOK HOLLOW DR	DS@3991E BROOK HOLLOW DR	11175	MICROSURFACE	\$	19.00	-				No Bid	No Bid	No Bid
TOTAL PRICE FOR ALL LISTED STREET SEGMENTS							\$ 2,181,580.00			\$ 2,236,693.60			\$ 2,476,667.40
PLEASE STATE REQUESTED UNIT PRICING BELOW FOR ADDITIONAL WORK, AS NEEDED:													
Additional Unnamed Streets – Unit price per square yard for Edge Mill & 1.5" HMAC					\$18.50 sq. yd.		\$18.45 sq. yd.		\$17.50 sq. yd.		\$23.00 sq. yd.		
Additional Unnamed Streets – Unit price per square yard for FWM Mill & Lay 2" HMAC					\$19.00 sq. yd.		\$19.48 sq. yd.		\$21.57 sq. yd.		\$29.00 sq. yd.		
Additional Unnamed Streets – Unit price per square yard for Overlay 1.5" HMAC					\$18.00 sq. yd.		\$17.25 sq. yd.		\$17.50 sq. yd.		\$22.00 sq. yd.		
Additional Unnamed Streets – Unit price per square yard of Microsurface					\$ sq. yd.		\$ sq. yd.		\$ sq. yd.		\$ sq. yd.		



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 3.a.

Agenda Item: Consider the appointment to the Planning Commission vacant board position.

Initiating Department/Presenter: City Council

Presenter:

Russell Humphrey, Mayor

Recommended Motion: Mayor Humphrey nominates Tommy Harris to seat five of the Planning Commission.

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: Consider the Mayor's nomination to the Planning Commission for a vacant position that needs to be filled.

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:

1. Board Appointments 04-16-2024



CITY OF HUNTSVILLE
BOARD AND COMMISSION APPOINTMENTS/REAPPOINTMENTS

BOARD NAME	SEAT #	APPOINT/ REAPPOINT	BOARD MEMBER	TERM EXPIRES
Planning Commission				
	5	Appoint	Tommy Harris	8-31-2025



CITY COUNCIL AGENDA

4/16/2024

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 the request to authorize the release of 103.33 acres, parcel number 17230, as requested by Paul Hammock, from the City of Huntsville Extra Territorial Jurisdiction (ETJ)

Initiating Department/Presenter: City Attorney

Presenter:

Leonard Schneider, City Attorney

Recommended Motion: None

Strategic Initiative:

Discussion: During the 88th Texas Legislative session, Senate Bill 2038 (S.B. 2038) became law on September 1, 2023. This bill allows for the release of an area from a municipality's extraterritorial jurisdiction. It enables a resident within that jurisdiction or the majority owner(s) of an area in it to petition the municipality for the release of that specific area. Furthermore, residents in the extraterritorial jurisdiction can request an election to decide on releasing the area.

The bill outlines the procedures for both the petition and election processes. If the petition gathers the required number of signatures or if the election approves the release, the area will be released from the extraterritorial jurisdiction.

On March 21, 2024, staff received a complete application from Paul Hammock asking the City of Huntsville to release 103.33 acres. If a municipality doesn't act on the release within the later of 45 days after receiving the petition or at the following meeting after 30 days from the petition receipt, the area will be automatically released.

Although there is an executed annexation agreement that has been recorded in the office of the Walker County Clerk, the current owner is pursuing this dis-annexation. Importantly, once an area is released from a municipality's extraterritorial jurisdiction, it cannot be included in that jurisdiction or the municipality's boundaries again unless the owner(s) subsequently request its inclusion.

Previous Council Action: None

Financial Implications: Loss of future ad valorem taxes when the property develops.

Approvals:

Kristy Doll
Leonard Schneider
Aron Kulhavy

Associated Information:

1. Metes and bounds
2. Aerial Map
3. SIGNED_ Hammock_ Development Agreement
4. Petition_Signed_Redacted

CLEVELAND SURVEYING COMPANY, p.c.P.O. BOX 1274 - 709 S. WASHINGTON
CLEVELAND, TEXAS 77327LOUIS W. BERGMAN, III
ACCREDITED PROFESSIONAL LAND SURVEYOR

PHONE 713-592-6395

**LEGAL DESCRIPTION
103.3390 ACRE TRACT**

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 103.3390 ACRES OF LAND SITUATED IN THE JOHN HETSER SURVEY, ABSTRACT No. 240, WALKER COUNTY, TEXAS, AND BEING ALL OF A CALLED 80-ACRE TRACT AS DESCRIBED IN A DEED FROM DELTA LUMBER COMPANY TO THOMAS S. FOSTER DATED MARCH 13, 1911, RECORDED IN VOLUME 33, PAGE 437, OF THE WALKER COUNTY DEED RECORDS (W.C.D.R.), AND FURTHER BEING DESCRIBED AS "TRACT 31" PART 1, IN EXHIBIT B TO A PARTITION DEED BETWEEN NEIL FOSTER CAMPBELL, TRUSTEE OF THE LETTIE FOSTER CAMPBELL TRUST AND CHARLES EUGENE CAMPBELL AS EXECUTED ON MAY 31, 1994, AND SAID 103.3390 ACRE TRACT BEING ALSO A PART OF A CALLED 30 ACRE TRACT REFERRED TO AS J-12J IN AN EXCHANGE DEED BETWEEN THE UNITED STATES OF AMERICA, GRANTOR, TO CHARLES EUGENE CAMPBELL AND NEIL FOSTER CAMPBELL, TRUSTEE AND DULY DESCRIBED IN VOLUME 122, PAGE 40 ET SEQ., W.C.D.R.; SAID 103.3390 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

TO FIND the place of beginning, COMMENCE at a concrete monument found for the most southerly corner of a called USA 50-acre tract as described in Volume 82, Page 131, W.C.D.R. and an interior corner of a called State Park Board called 441.6-acre tract as described in Volume 89, Page 363, W.C.D.R.

THENCE North 45-degrees 00 minutes 00 seconds West, a distance of 793.69 feet with the common line of the USA 50-acre tract and the State Park Board tract to a 5/8 inch iron rod set for the most westerly south corner of the above described 80-acre tract and for the PLACE OF BEGINNING;

THENCE North 45-degrees 00 minutes 00 seconds West, a distance of 1128.10 feet with the easterly line of the State Park Board tract and the westerly line of the 80-acre tract to a concrete monument found for the most westerly corner of the 80-acre tract and the most westerly corner of this tract;

THENCE North 45-degrees 17 minutes 30 seconds East, at a distance of 3121.37 feet pass an iron pipe with cap 32.78 feet left of line and crossing the upper west line of the J12J tract, at a distance of 3564.81 feet pass an iron pipe with cap 3.27 feet left of line and crossing the easterly line of the J12J tract, in all a distance of 4161.93 feet to a concrete monument found in the west right-of-way of Interstate Highway No. 45 for the most northerly corner of this tract;

THENCE ALONG AND WITH THE WEST RIGHT-OF-WAY OF INTERSTATE HIGHWAY No. 45 IN A SOUTHERLY DIRECTION AS FOLLOWS:

THENCE South 4-degrees 09 minutes 04 seconds East, a distance of 431.48 feet to a concrete right-of-way monument found for an angle point;

THENCE South 3-degrees 48 minutes 29 seconds East, at a distance of 485.67 feet pass an iron cap found 0.27 feet right of line and crossing the easterly line of J12J tract, in all a distance of 1051.43 feet to a concrete right-of-way monument found for an angle point;

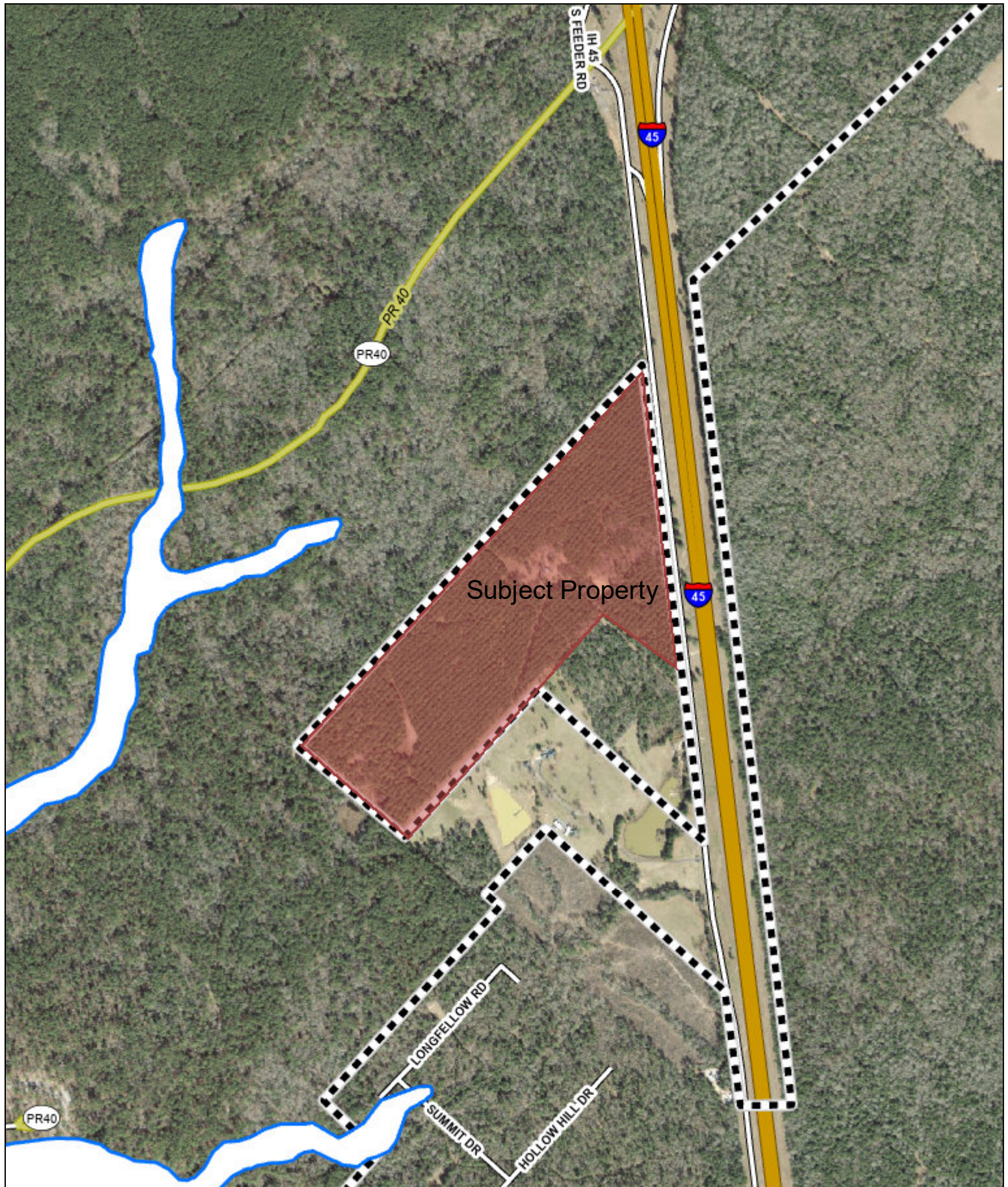
THENCE South 3-degrees 51 minutes 53 seconds East, a distance of 1079.36 feet to a concrete right-of-way monument found for an angle point;

THENCE South 3-degrees 53 minutes 29 seconds East, a distance of 149.95 feet to an iron pipe with cap found for the most southerly corner of this tract and being in the Northwesterly line of a called Johnnie Crawford called 73.36-acre tract as described in Volume 157, Page 593, W.C.D.R. and the southwestedly line of the J12J tract;

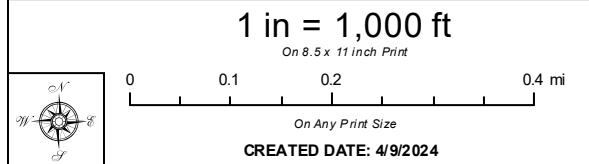
THENCE North 44-degrees 17 minutes 39 seconds West, a distance of 331.80 feet with the southwestedly line of the J12J tract to an iron pipe with cap found in the southeastedly line of the 80-acre tract for most westerly corner of J12J tract and being the most northerly corner of the USA 50-acre tract for an interior corner of this tract;

THENCE South 45-degrees 07 minutes 01 seconds West, a distance of 2390.11 feet with the common line of the 30-acre tract and the USA 50-acre tract to the PLACE OF BEGINNING containing 4501446 square feet or 103.3390 acres.

EXHIBIT "A"
Page 1 of 1



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
Aerial Map
Huntsville GIS Division



STATE OF TEXAS }

COUNTY OF WALKER }

CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Sections 43.016 and 212.172 of the Texas Local Government Code by and between the City of Huntsville, Texas (the "City") and the undersigned property owner(s) (the "Owner"). The term "Owner" includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the "Property") in Walker County, Texas, which is more particularly and separately described in the attached Exhibit "A"; and

WHEREAS, the City has begun the process to institute annexation proceedings on all or portions of Owner's Property and has held public hearings on July 2 and July 16, 2019; and

WHEREAS, the Property is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Texas Tax Code, or as timber land under Subchapter E of that chapter, and

WHEREAS, the Owner desires to have the Property remain in the City's extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.016 and 212.172 of the Texas Local Government Code, in order to address the desires of the Owner and the procedures of the City; and

WHEREAS, the Owner and the City acknowledge that this Agreement is binding upon the City and the Owner and their respective successors and assigns for the term (defined below) of this Agreement; and

WHEREAS, this Development Agreement is to be recorded in the Official Public Records of Walker County.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Section 1. The City guarantees the continuation of the extraterritorial status of the Owner's Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the provisions of this Agreement. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory

annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code.

Section 2. The Owner covenants and agrees not to use the Property for any use other than for agriculture, wildlife management, and/or timber land consistent with Chapter 23 of the Texas Tax Code, except for existing single-family residential use of the property, without the prior written consent of the City.

The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Walker County or the City until the Property has been annexed into, and zoned by, the City.

The Owner covenants and agrees not to construct, or allow to be constructed, any buildings on the Property that would require a building permit if the Property were in the city limits, until the Property has been annexed into, and zoned by, the City. However, the Owner may construct a single family dwelling in addition to the accessory structure in compliance with all applicable City ordinances and codes, as long as it does not interfere with the use of the Property for agriculture, wildlife management or timber.

The Owner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severably, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

Section 3. The Owner acknowledges that if any plat or related development document is filed in violation of this Agreement, or if the Owner commences development of the Property in violation of this Agreement, then in addition to the City's other remedies, such act will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents pursuant to Section 212.172(b)(7). Owner hereby waives any requirement in Chapter 43 related to procedures or service provision. Services will be provided to Owner's Property in accordance with existing city policy on the date of annexation, and as amended thereafter.

Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

Section 4. Pursuant to Sections 43.016(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The City states and specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. The term of this Agreement (the “Term”) is [a maximum of 45 years] from the date that the City Manager’s signature to this Agreement is acknowledged by a public notary.

The Owner, and all of the Owner’s heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation before the end of the Term, for annexation of the Property to be completed on or after the end of the Term. Prior to the end of the Term, the City may commence the voluntary annexation of the Property. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents pursuant to Section 212.172(b)(7). Owner hereby waives any requirement in Chapter 43 related to procedures or service provision. Services will be provided to Owner’s Property in accordance with existing city policy on the date of annexation, and as amended thereafter.

Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

In connection with annexation pursuant to this section, the Owners hereby waive any vested rights they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any plat or construction any of the owners may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

Section 6. Property annexed pursuant to this Agreement will initially be zoned Management District pursuant to the City’s Code of Ordinances, pending determination of the property’s permanent zoning in accordance with the provisions of applicable law and the City’s Code of Ordinances.

Section 7. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City. Furthermore, the Owner and the Owner’s heirs, successor, and assigns shall give the City written notice within 14 days of any change in the agricultural exemption status of the Property. A copy of either notice required by this section shall be forwarded to the City at the following address:

City of Huntsville
ATTN: City Manager
1212 Ave. M
Huntsville, TX 77340

Section 8. This Agreement shall run with the Property and be recorded in the real property records of Walker County, Texas.

Section 9. If a court of competent jurisdiction determines that any covenant of this Agreement is void or unenforceable, including the covenants regarding involuntary annexation, then the remainder of this Agreement shall remain in full force and effect.

Section 10. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 11. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to the terms of this Agreement.

Section 12. Venue for this Agreement shall be in Walker County, Texas.

Section 13. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 14. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 3, 4, and 5 herein.

Entered into this 30 day of September, 2019.

Juanita Hammock

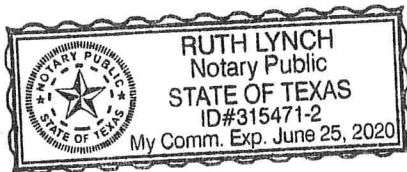


THE STATE OF TEXAS §

§

COUNTY OF Walker §

BEFORE ME, the undersigned authority, on this the 30 day of September, 2019, personally appeared Juanita Hammock, Independent Co-Executrix of the Estate of William L. Hammock Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein set forth.



(SEAL)



NOTARY PUBLIC IN AND FOR

THE STATE OF TEXAS

City of Huntsville, Texas

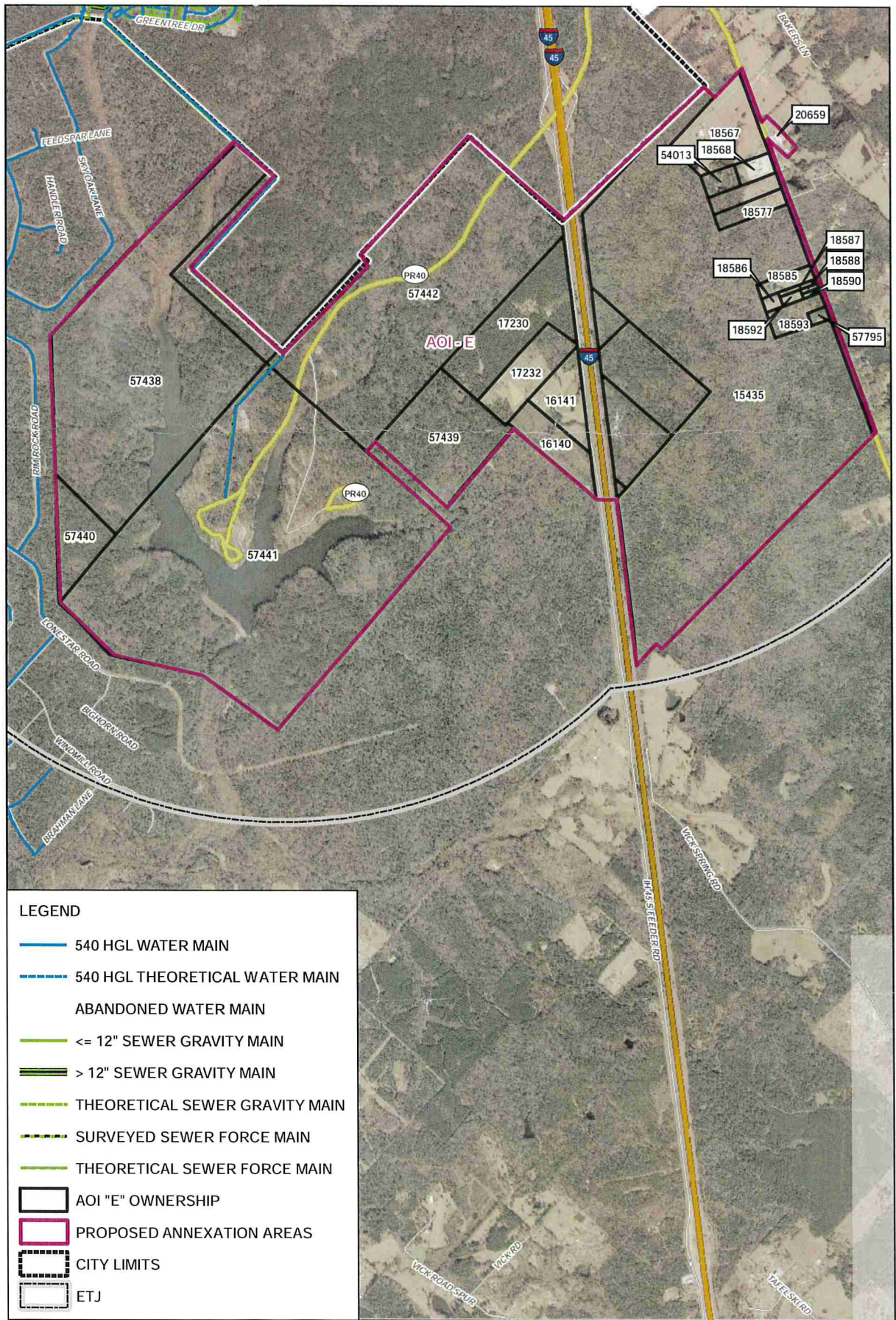
By, Aron Kulhavy, City Manager, City of Huntsville, Texas

THE STATE OF TEXAS }

COUNTY OF WALKER }

BEFORE ME, the undersigned authority, on this the _____ day of _____, 2019, personally appeared Aron Kulhavy, City Manager of the City of Huntsville, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein set forth.

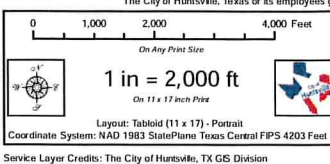
Notary Public, State of Texas



LEGEND

- 540 HGL WATER MAIN
- 540 HGL THEORETICAL WATER MAIN
- ... ABANDONED WATER MAIN
- ≤ 12" SEWER GRAVITY MAIN
- > 12" SEWER GRAVITY MAIN
- ... THEORETICAL SEWER GRAVITY MAIN
- SURVEYED SEWER FORCE MAIN
- THEORETICAL SEWER FORCE MAIN
- AOI "E" OWNERSHIP
- PROPOSED ANNEXATION AREAS
- CITY LIMITS
- ETJ

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/438/CityMaps



CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT/
GIS DIVISION
CREATED DATE: 5/31/2019

PROPOSED ANNEXATION
AREA OF INTEREST - E

CITY SERVICE CENTER
448 STATE HIGHWAY 75
HUNTSVILLE, TX, 77320
www.HuntsvilleGIS.com



City of Huntsville

Incorporated in 1845 under the Republic of Texas

Petition for Release from Extraterritorial Jurisdiction

\$500.00 application fee due at time of submission

The undersigned does hereby petition for release of 103.33 acres located in the extraterritorial jurisdiction of the City of Huntsville, Texas. The property is more particularly described in the attached survey description (title as exhibit A) and shown on the attached map (title as exhibit B). The undersigned also certifies that the following required information concerning the land and its inhabitants is reasonably accurate and assumes responsibility for the completion of said information prior to scheduled action on the request of the City of Huntsville.

1. Is this petition being initiated by either (please indicate yes or no):
 - a. A majority of registered voters in the area of request? NO or
 - b. A majority in value of the holders of title of land in the area? NO yes PH
2. Is the area subject to a non-annexation agreement or a strategic partnership agreement with the City of Huntsville? YPS
3. How many dwelling units are located within the area requested for release? 1
4. Estimated population of the area in request:
 - a. Total: 2
 - b. Number of Registered Voters: 2

Please provide the additional items below:

- ☒ Legal description by metes and bounds or lot and block number. (exhibit A)
- ☒ Map of the land to be released. (exhibit B)
- ☐ Attached petition signature/s of the owner/s of a majority of value of land in the area (based on tax rolls) or of a majority of the registered voters of the area. (if applicable)

Name and signature of Petitioner

(if multiple petitioners, please use additional petitioners page)

<u>PAUL Hammock</u>	<u>[Signature]</u>
Printed Name	Signature
<u>1904 F-45 S Huntsville, TX 77358</u>	<u>3/21/24</u>
Signer's Residence Address/ City/State/Zip	Date
<u>17230</u>	
Date of Birth or Voter Registration Number	Parcel ID

Development Services Department

448 State Highway North - Huntsville, TX 77320-1118 - (936) 294-5700 Fax - (936) 294-5701

Our vision for the City of Huntsville is a community that is beautiful, historic, culturally diverse, affordable, safe, and well planned with great opportunity for our citizens.



CITY COUNCIL AGENDA

4/16/2024

Agenda Item Number: 6.b.

Agenda Item: City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.087 for deliberation regarding economic development negotiations - Project Goose

Initiating Department/Presenter: Economic Development

Presenter:

Tammy Gann, Director of Economic Development

Recommended Motion: No action required

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

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Sam Masiel

Aron Kulhavy

Associated Information: