

CITY OF HUNTSVILLE, TEXAS

Russell Humphrey, 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



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

HUNTSVILLE CITY COUNCIL AGENDA

TUESDAY, DECEMBER 16, 2025

REGULAR SESSION 6:00 P.M. - Main Conference Room

City of Huntsville Service Center Complex, 448 Highway 75 N, Huntsville, Texas, 77320

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.* Test

PROCLAMATION

PRESENTATIONS

- a.** Presentation from the Texas Police Chiefs Association for the re-accreditation of the Huntsville Police Department in the Texas Law Enforcement Best Practices Program.
Darryle Slaven, Police Chief
- b.** Presentation from Huntsville Aviation Inc. to request consideration to amend the Airport Fixed Base Operations (FBO) lease agreement by extending the deadline for completing the self-service fuel equipment installation.
Layne Yeager, City Planner/Airport Manager

PUBLIC HEARING

1. CONSENT AGENDA

The presiding officer will call for public comments before action is taken on these items. *(Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)*

- a.** Consider approving the Minutes from the November 18, 2025, Regular City Council Meeting.
Kristy Doll, City Secretary
- b.** Consider approving the Minutes from the December 2, 2025, Regular City Council Meeting.
Kristy Doll, City Secretary
- c.** Consider adoption of Ordinance No. 2025-41 to amend the budget for FY 25-26 and /or CIP Project Budgets.
Lance Hall, Finance Director
- d.** Consider adoption of Ordinance No. 2025-40 to amend the Schedule of Fees and Charges.
Lance Hall, Finance Director

- e. Consider approving Resolution No. 2025-44 authorizing the City of Huntsville to register with the Texas Facilities Commission's Federal Surplus Personal Property Donation Program and designate authorized representatives.
Christina Bodin-Turner, Grants Manager
- f. Consider final payment and acceptance of roadway improvements to Wischnewsky Drive (formerly Parkwood Dr.).
Ricardo Villagrand, Assistant City Manager

2. STATUTORY AGENDA

- a. Consider approving the City of Huntsville Purchasing Policy 2025.
Lance Hall, Finance Director
- b. **First Reading** - Consider adopting Ordinance No. 2025-38 - Adopting a new Official City Seal by amending Chapter 2, Administration, Article III, Records, of the City of Huntsville Code of Ordinances.
Kristy Doll, City Secretary

3. CITY COUNCIL/MAYOR/CITY MANAGER

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

5. ITEMS OF COMMUNITY INTEREST

6. EXECUTIVE SESSION

- a. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 – to receive legal advice on the Airport FBO Agreement.
Scott Swigert, City Manager
- b. 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.
Brian Beasley, HR Director
- 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: Special Prosecutor for Municipal Court.
Russell Humphrey, Mayor

7. RECONVENE

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

ADJOURNMENT

*If during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 – consultation with counsel on legal matters; 551.072 – deliberation regarding purchase, exchange, lease or value of real property; 551.073 – deliberation regarding a prospective gift; 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.076 – implementation of security personnel or devices; 551.087 – deliberation regarding economic development negotiation; Sec. 551.089 - deliberation regarding security devices or security audits; and/or other matters as authorized under the Texas Government Code. If a Closed or Executive session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Kristy Doll, City Secretary, do hereby certify that the above notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.HuntsvilleTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: December 10, 2025

TIME OF POSTING: 3:35 p.m.

TAKEN DOWN:

Kristy Doll

Kristy Doll, City Secretary



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: a.

Agenda Item: Presentation from the Texas Police Chiefs Association for the re-accreditation of the Huntsville Police Department in the Texas Law Enforcement Best Practices Program.

Initiating Department/Presenter: Police Department

Presenter:

Darryle Slaven, Police Chief

Recommended Motion: N/A

Strategic Initiative: Strategic Priority #1, Public Safety - Create a community where all individuals feel safe and protected, where citizens trust the effectiveness of our agencies through community engagement, technologies, and best practices. We strive to promote a culture of service, prevention and partnership.

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Darryle Slaven

Kristy Doll

Scott Swigert

Associated Information:



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: b.

Agenda Item: Presentation from Huntsville Aviation Inc. to request consideration to amend the Airport Fixed Base Operations (FBO) lease agreement by extending the deadline for completing the self-service fuel equipment installation.

Initiating Department/Presenter: Development Services

Presenter:

Layne Yeager, City Planner/Airport Manager

Recommended Motion: None

Strategic Initiative: Strategic Priority #2, Economic Development - Create an economic climate for the City of Huntsville that drives development of diverse industries and sectors, providing sustainable economic growth and improved living standards.

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Layne Yeager

Kevin Byal

Ricardo Villagrand

Scott Swigert

Leonard Schneider

Kristy Doll

Associated Information:



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.a.

Agenda Item: Consider approving the Minutes from the November 18, 2025, Regular City Council Meeting.

Initiating Department/Presenter: City Secretary

Presenter:

Kristy Doll, City Secretary

Recommended Motion: Motion to approve the Minutes from the November 18, 2025, Regular City Council Meeting.

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:

1. City Council Meeting Minutes 11-18-2025

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 18TH DAY OF NOVEMBER 2025 AT 6:00 P.M. AT THE CITY OF HUNTSVILLE SERVICE CENTER COMPLEX, LOCATED AT 448 HIGHWAY 75, IN THE CITY OF HUNTSVILLE, WALKER COUNTY, TEXAS.

The City 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:

OFFICERS PRESENT: Scott Swigert, City Manager; Kristy Doll, City Secretary; Leonard Schneider, City Attorney

OFFICERS ABSENT:

WORKSHOP (5:30 P.M.)

- a. Reception to recognize newly elected Councilmembers.

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.*

- a. Posting of the colors by Boy Scout Troop 98

Councilmember Bert Lyle gave the invocation, and the pledges were led by Mayor Humphrey.

ELECTION MATTERS

- a. Administer the Oaths of Office and Statements of Officer to the duly elected Mayor and Ward Councilmember Positions two (2), three (3), and four (4) for City Council by Walker County Court at Law Judge, John R. Gaines.

The Honorable John R. Gaines, Walker County Court at Law Judge, administered the Oaths of Office and Statements of Officer to the duly elected Mayor Russell Humphrey, Councilmember Ward 2 Casey Cox, Councilmember Ward 3 Anissa Antwine, and Councilmember Ward 4 Jon Strong.

- b. Consider electing a Mayor Pro Tem.

Councilmember Karen Denman made a motion to nominate Councilmember Jon Strong as Mayor Pro Tem. 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

PROCLAMATIONS

- a. Proclamation No. 2025-19 Cy Andrew Brown Eagle Scout
Russell Humphrey, Mayor

- b. Proclamation No. 2025-22 Small Business Saturday**
Russell Humphrey, Mayor

PRESENTATION

- a. Receive a presentation on fraud from Terri Gardner, Sergeant Investigator, Office of the Inspector General, Texas Board of Criminal Justice.**
Pat Graham, Councilmember At-Large Position 4

PUBLIC HEARING

1. CONSENT AGENDA

The presiding officer will call for public comments before action is taken on these items. (Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)

- a. Consider approving the Minutes from the October 21, 2025, Regular City Council Meeting.**
Kristy Doll, City Secretary
- b. Consider adopting Ordinance No. 2025-35, Ordering a Municipal Runoff Election to be held on December 13, 2025, for the purpose of electing a Ward One Councilmember to serve a three-year term.**
Kristy Doll, City Secretary
- c. Consider approving the 2025 Election Services Contract with Walker County for the Runoff Election to be held on December 13, 2025, for the purpose of electing a Ward One Councilmember to serve a three-year term.**
Kristy Doll, City Secretary
- d. Consider adopting Resolution No. 2025-38, authorizing the City's application to the U.S. Department of Justice, Bureau of Justice Assistance, FY2025 Bulletproof Vest Partnership (BVP) Grant Program, and acceptance of funds if awarded.**
Christina Bodin-Turner, Grants Manager
- e. Consider adopting Resolution No. 2025-37, authorizing submission of an application to the Office of the Governor, Public Safety Office (PSO), for the FY2026 Bullet-Resistant Components for Law Enforcement Vehicles Grant, and acceptance of funds if awarded.**
Christina Bodin-Turner, Grants Manager
- f. Consider adoption of Resolution No. 2025-39 authorizing the City of Huntsville to accept FEMA Public Assistance (PA) funds awarded under Disaster Declaration DR-4781-TX (Severe Storms, Straight-Line Winds, Tornadoes, and Flooding) and authorizing the City Manager to execute all related documents.**
Christina Bodin-Turner, Grants Manager
- g. Consider adoption of Resolution No. 2025-40 authorizing the City of Huntsville to accept FEMA Public Assistance (PA) funds awarded under DR-4798-TX (Hurricane Beryl) and authorizing the City Manager to execute all related documents.**
Christina Bodin-Turner, Grants Manager
- h. Consider authorizing the City Manager to approve a contract for the replastering of the competition**

pool at the Frank D. "Poncho" Roberts Aquatic Center.

Penny Joiner, Director of Parks and Leisure

- i. Consider adoption of Ordinance 2025-31 to amend the Schedule of Fees and Charges**
Lance Hall, Finance Director
- j. Consider authorizing the City Manager to enter into an agreement with Freese and Nichols (FNI) for professional engineering services for the FY 24-25 CIP Project# AJ-10, B5 Gravity Line Rehabilitation Project.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Jon Strong made a motion to approve Consent Agenda Items a. through j. 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 adoption of Ordinance 2025-32 to amend Chapter 2, Administration, Article I. in General, Sec. 2-2, and Article IV. Purchasing Procedures, Sec. 2-91 of the City of Huntsville Code of Ordinances**
Lance Hall, Finance Director

First Reading - No action taken.

- b. First Reading - Consider acceptance of a grant in the amount of \$4,500,000.00 award from GLO, CDBG-DR adopting Resolution 2025-43 and designating the City Manager as the Authorized Representative to execute all contract documents. The City will be responsible for a 10% match amount of \$450,000.00 for the MLK Street Improvement.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Vicki McKenzie made a motion to waive the two reading requirement and adopt Resolution 2025-43 accepting a grant award from the Texas General Land Office (GLO) Community Development Block Grant Disaster Recovery (CDBG-DR) fund in the amount of \$4,500,000.00 with the City's 10% match amount of \$450,000.00 for a total of \$4,950,000.00 for the MLK Street Improvements; and to designate the City Manager as the City's Authorized Representative to execute all contract documents. 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.

- c. First Reading - Consider acceptance of a grant award in the amount of \$1,099,500.00 from GLO, CDBG-MIT funds adopting Resolution 2025-42 and designating the City Manager as the Authorized Representative to execute all contract documents. The City will be responsible for a 0% match amount of \$0.00 for the Autumn Road Flood and Drainage Project.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Vicki McKenzie made a motion to waive the two reading requirement and adopt Resolution 2025-42 accepting a grant award from the Texas General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) fund in the amount of \$1,099,500.00 with the City's match amount of \$0.00 for a total of \$1,099,500.00 for the Autumn Road Flood and Drainage Project in the area of the Spring Lake Water Plant; and to designate the City Manager as the City's Authorized Representative to execute all contract documents. The motion was seconded by Councilmember Jon Strong. 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.

Public comments were heard from Mr. Colby Oldham and Mr. Charles John Maisel.

- d. First Reading - Consider authorizing the City Manager to enter into an agreement with Garver USA for professional engineering services for the FY 24-25 CIP Project # 10, AJ-11 Basin Gravity Line Rehabilitation Project.**

Kathlie Jeng-Bulloch, City Engineer

Councilmember Vicki McKenzie made a motion to waive the two reading requirement and approve to authorize the City Manager to enter into an agreement with Garver USA for professional engineering services for the FY 24-25 CIP Project # 10, AJ-11 Basin Gravity Line Rehabilitation Project in the amount of \$373,199.00. This authorization includes Seven (7) Tasks of Basic Services, and Two (2) Tasks of Additional Services. The motion was seconded by Councilmember Anissa Antwine. The motion passed 7 - 2.

roll call vote:

Yes: Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Pat Graham, Anissa Antwine, Casey Cox

No: Bert Lyle, Tore Fossum

3. CITY COUNCIL/MAYOR/CITY MANAGER

- a. Consider the board appointments to the City of Huntsville Boards and Commissions for expiring board positions.**

Russell Humphrey, Mayor

Mayor Humphrey nominated Board and Commission member reappointments as presented. 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

BOARD NAME	SEAT #	APPOINT/ REAPPOINT	BOARD MEMBER	TERM EXPIRES
Cemetery Advisory Board				
	4	Reappointment	Douglas Wright	8-31-2027
	9	Reappointment	Andy Graves	8-31-2027

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

5. ITEMS OF COMMUNITY INTEREST

Councilmembers 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 Urban Forest.**

Scott Swigert, City Manager

- b. 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: Devan Dawson, Municipal Court Judge.
Russell Humphrey, Mayor**

- 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: Angela Valis, Alternate Municipal Court Judge.
Russell Humphrey, Mayor**

City Council convened into Executive Session at 7:30 p.m.

7. RECONVENE

Councilmember Antwine made a motion that the City Council approve and authorize the Mayor to amend the employment agreement, for one year, of the Presiding Municipal Judge to include a 4.5% salary increase, effective retrospectively to October 1, 2025, and authorize a one-time lump-sum payment equal to 1.5% of the Judge's adjusted annual salary. The motion was seconded by Councilmember 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

Councilmember Antwine made a motion that the City Council approve and authorize the Mayor to amend the employment agreement, for one year, of the Alternate Municipal Judge to include a 4.5% rate increase, effective retrospectively to October 1, 2025. The motion was seconded by Councilmember 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

ADJOURNMENT

Mayor Humphrey adjourned the meeting without objection at 8:09 p.m.

ATTEST:

CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Russell Humphrey, Mayor



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.b.

Agenda Item: Consider approving the Minutes from the December 2, 2025, Regular City Council Meeting.

Initiating Department/Presenter: City Secretary

Presenter:

Kristy Doll, City Secretary

Recommended Motion: Motion to approve the Minutes from the December 2, 2025, Regular City Council Meeting.

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Kristy Doll

Associated Information:

1. City Council Meeting Minutes 12-2-2025

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 2ND DAY OF DECEMBER 2025 AT 6:00 P.M. AT THE CITY OF HUNTSVILLE SERVICE CENTER COMPLEX, LOCATED AT 448 HIGHWAY 75, IN THE CITY OF HUNTSVILLE, WALKER COUNTY, TEXAS.

The City Council met in a Workshop and Regular Session with the following:

COUNCILMEMBERS PRESENT: Mayor Humphrey, 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: Mayor Pro Tem McKenzie

OFFICERS PRESENT: Scott Swigert, City Manager; Sharon Schultz, Deputy City Secretary; Leonard Schneider, City Attorney

OFFICERS ABSENT: Kristy Doll, City Secretary

WORKSHOP (5:30 P.M.)

Mayor Humphrey called the Workshop to order at 5:30 p.m.

- a. Discussion on Permit Process and Fees**
Kathlie Jeng-Bullock, City Engineer
Kevin Byal, Director of Development Services

Presentations were given by Kathlie Jeng-Bullock, City Engineer, and Kevin Byal, Director of Development Services.

Mayor Humphrey adjourned the Workshop at 6:01 p.m.

MAIN SESSION CALL TO ORDER

Mayor Humphrey called the meeting to order at 6:01 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.*

Councilmember Bert Lyle gave the invocation, and the pledges were led by Mayor Russell Humphrey.

PROCLAMATION

- a. Proclamation No. 2025-23 CRPS Awareness Month**
Russell Humphrey, Mayor

PUBLIC HEARING

Mayor Humphrey closed the Regular Session and opened the Public Hearing at 6:05 p.m.

- a. Public Hearing - Regarding a request to amend the Zoning District Map to change the zoning designation from Medium Density Residential (MR) to Mixed Use (MU) for the property located at 3709 Montgomery Road, Walker County (Property ID 15777).**

Layne Yeager, City Planner/Airport Manager

Applicants Michele Whitecotton, Kristen Dutka, and Cindy Markham gave remarks in favor of the Item.

The Mayor called for comments in opposition of the Item, there were none.

The Mayor called for comments in support of the Item, Joel Starkey gave comment in support of the Item.

Mayor Humphrey closed the Public Hearing and opened the Regular Session at 6:13 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 November 14, 2025, Special City Council Meeting.**
Kristy Doll, City Secretary
- b. Consider adoption of Ordinance No. 2025-36 to amend the budget for FY 25-26 and/or CIP Project Budgets.**
Lance Hall, Finance Director
- c. Consider approving the expenditure of funds approved in the 2025-2026 FY budget for the upfitting of police vehicles.**
Wade Roberts, Lieutenant
- d. Consider the acceptance of the Monthly Financial Report for the month of October 2025.**
Lance Hall, Finance Director

Councilmember Anissa Antwine made a motion to approve Consent Agenda Items a. through d. The motion was seconded by Councilmember Tore Fossum. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

2. STATUTORY AGENDA

- a. First Reading - Consider adoption of Ordinance No. 2025-37 amending the Zoning District Map to change the zoning designation from Medium Density Residential (MR) to Mixed Use (MU) for the property located at 3709 Montgomery Road, Walker County (Property ID 15777).**
Layne Yeager, City Planner/Airport Manager

Councilmember Casey Cox made a motion to waive the two reading requirement and approve Ordinance No. 2025-37 amending the Zoning District Map to change the zoning designation from Medium Density Residential (MR) to Mixed Use (MU) for the property located at 3709 Montgomery Road, Walker County (Property ID 15777). The motion was seconded by Councilmember Pat Graham. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- b. First Reading - Consider Ordinance No. 2025-39 approving the Petition for Consent to the Creation of Huntsville Municipal Utility District No. 3 submitted by Gibbs Brothers & Company L.P. and Robinson Gibbs I, LLC.**
Leonard Schneider, City Attorney

Councilmember Anissa Antwine made a motion to waive the two reading requirement and adopt Ordinance No. 2025-39 consenting to the Creation of a Municipal Utility District to be known as Huntsville Municipal Utility District No. 3. The motion was seconded by Councilmember Jon Strong. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- c. Second Reading - Consider adopting Ordinance No. 2025-32 to amend Chapter 2, Administration, Article I. In General, Sec. 2-2, and Article IV. Purchasing Procedures, Sec. 2-91 of the City of Huntsville Code of Ordinances.**
Lance Hall, Finance Director

Councilmember Anissa Antwine made a motion to adopt Ordinance 2025-32 to amend Chapter 2, Administration, Article I. in General, Sec. 2-2, and Article IV. Purchasing Procedures, Sec. 2-91 of the City of Huntsville Code of Ordinances. The motion was seconded by Councilmember Tore Fossum. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- d. Move to adopt Ordinance No. 2025-33 to amend the budget for fiscal year 2025 - 2026; amending the Fiscal Policy.**
Lance Hall, Finance Director

Councilmember Jon Strong made a motion to adopt Ordinance 2025-33 to amend the budget for fiscal year 2025 - 2026; amending the Fiscal Policy. The motion was seconded by Councilmember Karen Denman. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- e. First Reading - Consider authorizing the City Manager to award the construction contract for FY22-23 Tanyard Creek Lift Station Expansion and Force Main Project.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Bert Lyle made a motion to waive the two reading requirement and approve to authorize the City Manager to enter into a construction contract with Principal Services, Ltd and Principal Plant Services, Ltd. (sister company), in the amount of \$5,839,067.07 for the construction of the Tanyard Creek Lift Station Force Main Replacement and the Tanyard Creek Lift Station Improvements & Expansion. The motion was seconded by Councilmember Tore Fossum. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- f. First Reading - Consider authorizing the City Manager to enter into an agreement Amendment #1 with LJA Engineering for professional engineering services for FY22-23 Tanyard Creek Lift Station Expansion and Improvement Project.**
Kathlie Jeng-Bulloch, City Engineer

Councilmember Tore Fossum made a motion to waive the two reading requirement and authorize the City Manager to enter into Amendment #1 with LJA Engineering for professional engineering services for the CIP FY 22-23 Tanyard Creek Lift Station Expansion and Improvement Project in the amount of \$172,500.00. This Amendment #1 authorization is only for the Construction Phase and Additional Services. The motion was seconded by Councilmember Jon Strong. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

- g. First Reading - Consider authorizing the City Manager to enter into an agreement Amendment #1 with LJA Engineering for professional engineering services for FY22-23 Tanyard Creek Lift Station**

**Force Main Replacement Project.
Kathlie Jeng-Bulloch, City Engineer**

Councilmember Tore Fossum made a motion to waive the two-reading requirement and authorize the City Manager to enter into Amendment #1 with the LJA Engineering for professional engineering services for the CIP FY 22-23 Tanyard Creek Lift Station Force Main Replacement Project in the amount of \$148,500.00. This Amendment #1 authorization is only for the Construction Phase and Additional Services. The motion was seconded by Councilmember Pat Graham. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

h. First Reading – Consider authorizing the City Manager to enter into an agreement Amendment #1 with LJA Engineering for professional engineering services for the FY24-25 CIP AJ-09 Basin Replacement Project.

Kathlie Jeng-Bulloch, City Engineer

Councilmember Jon Strong made a motion to waive the two reading requirement and authorize the City Manager to enter into an agreement with LJA Engineering for professional engineering services for the FY24-25 CIP AJ-09 Basin Gravity Sanitary Sewer Replacement Project in the amount of \$404,000.00. This authorization is for the remaining part of the original Phase III Agreement. The motion was seconded by Councilmember Tore Fossum. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

i. First Reading - Consider authorizing the City Manager to enter into an agreement with Pape-Dawson for professional engineering services for the FY 24-25 CIP Project # 8 Gravity Lines Rehabilitation Project in the AJ-10 Basin.

Kathlie Jeng-Bulloch, City Engineer

Councilmember Bert Lyle made a motion to waive the two reading requirement and approve to authorize the City Manager to enter into an agreement with Pape-Dawson for professional engineering services for the FY 24-25 CIP Project # 8, AJ-10 Basin Gravity Lines Rehabilitation Project in the amount of \$584,835.30. This authorization includes Seven (4) Tasks of Basic Services, and Two (4) Tasks of Additional Services. The motion was seconded by Councilmember Jon Strong. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

3. CITY COUNCIL/MAYOR/CITY MANAGER

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

5. ITEMS OF COMMUNITY INTEREST

Councilmembers 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 on the Airport FBO agreement and receive advice on the petition by ETJ water rate payers, Public Utility Commission Docket 58983.

Scott Swigert, City Manager

City Council convened into Executive Session at 6:56 p.m.

7. RECONVENE

City Council reconvened from Executive Session at 8:15 p.m.

Councilmember Casey Cox made a motion to ratify the hiring of Emily Rogers to represent the City in Water Rate Appeal, Docket 58983, Public Utility Commission of Texas. The motion was seconded by Councilmember Tore Fossum. The motion passed 8 - 0. Yes: Russell Humphrey, Karen Denman, Jon Strong, Pat Graham, Bert Lyle, Anissa Antwine, Tore Fossum, Casey Cox; No: None

ADJOURNMENT

Mayor Humphrey adjourned the meeting without objection at 8:16 p.m.

ATTEST:

CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Russell Humphrey, Mayor



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.c.

Agenda Item: Consider adoption of Ordinance No. 2025-41 to amend the budget for FY 25-26 and /or CIP Project Budgets.

Initiating Department/Presenter: Finance

Presenter:

Lance Hall, Finance Director

Recommended Motion: Move to adopt Ordinance No. 2025-41 to amend the budget for FY 25-26 and/or CIP Project Budgets

Strategic Initiative: Strategic Priority #2, Economic Development - Create an economic climate for the City of Huntsville that drives development of diverse industries and sectors, providing sustainable economic growth and improved living standards.

Discussion: Detailed explanation of the Budget Amendments is provided in the attachment, Exhibit A & B, to the Ordinance. The City Council approved the acceptance of a grant in the amount of \$4.5M awarded from GLO for improvements to the MLK Street project at the November 18, 2025, City Council meeting. The City Council also approved the acceptance of the grant for the Firehouse Subs rescue boat at its meeting on October 21, 2025. These budget amendments allocate the necessary funds for these grant projects/items.

Previous Council Action: No previous Council action was required for these budget amendments, as acceptance of these Grants was approved by the City Council at its meetings on November 18, 2025, and October 21, 2025.

Financial Implications: See the attached Ordinance No. 2025-41 and related Budget Amendments (Exhibit A & B).

Approvals:

Lance Hall

Sam Masiel

Scott Swigert

Leonard Schneider

Kristy Doll

Associated Information:

1. Exhibit A - BA Fin Comm -MLK Grant \$4.5M Iso
2. Exhibit B - BA Fire House Subs Rescue Boat
3. FY 26 ORDINANCE # 41 to amend budget MLK Project & Firehouse Subs Rescue Boat

**Budget Amendments FY 25-26
Finance Committee and City Council -
December 16, 2025**

Exhibit A

Increase: MLK Street Improvement Project		\$ 450,000
Decrease: General Fund - Unallocated Reserves		\$ 450,000
Explanation:	The City Council approved the acceptance of a grant in the amount of \$4,500,000 for the MLK Street Improvements at its meeting on November 18, 2025, with a 10% match requirement from the City. These funds will put the money in place for the MLK Street improvements. Staff is requesting \$450,00 of the General Fund's Unallocated Reserves be used to fund the cost. After use of this \$450,000, the General Fund's balance of Unallocated Reserves will be approximately \$255,000 above the General Fund's \$8,772,993 required 25% reserve amount.	

Budget Amendments FY 25-26
Finance Committee & City Council
December 16, 2025

Exhibit B

Increase: Grant Management -Capital Project		\$ 33,490
Increase: General Fund - Grant Revenue		\$ 33,490
Explanation:	The City of Huntsville Fire Department received a grant in the amount of \$33,490 from the Firehouse Subs Public Safety Foundation for the purchase of a Zodiac Rescue Boat, motor, trailer, and accessories. The City Council approved the acceptance of this grant at its meeting on October 21, 2025. This budget amendment places the grant money into the budget for the purchase of this item.	

ORDINANCE NO. 2025-41

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE 2025-2026 ANNUAL BUDGET AND CAPITAL IMPROVEMENTS PROJECTS (CIP) BUDGETS, ORDINANCE NO. 2025-22 TO AMEND ADOPTED EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2025-2026 Annual Budget and CIP Budgets were adopted by Ordinance 2025-22 on September 16, 2025;

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

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

WHEREAS, pursuant to the laws of the State of Texas and the City Charter of the City of Huntsville, Texas, the City Council has determined that it will be beneficial and advantageous to the citizens of the City of Huntsville to amend the annual budget for fiscal year 2025 – 2026 and the Capital Improvements Projects (CIP) budget as set forth herein; and

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

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

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

Section 2. The annual budget for fiscal year 2025 – 2026 is hereby amended to include the expenditures and revenues in Exhibit “A & B”, and the Capital Improvements Projects budget is hereby amended to include the expenditures described in Exhibit “A & B” attached hereto and made a part of this ordinance as if set out verbatim herein.

Section 3. All ordinances of the City in conflict with the provisions of this ordinance are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. Should any section, portion, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the force or effect of any other section or portion of this ordinance.

Section 5. The necessity for amending the budget for the fiscal year 2025 – 2026 and Capital Improvements Projects, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

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

PASSED AND APPROVED on this the 16th day of December 2025.

THE CITY OF HUNTSVILLE, TEXAS

Russell Humphrey, Mayor

APPROVED AS TO FORM:

ATTEST:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.d.

Agenda Item: Consider adoption of Ordinance No. 2025-40 to amend the Schedule of Fees and Charges.

Initiating Department/Presenter: Finance

Presenter:

Lance Hall, Finance Director

Recommended Motion: Move to adopt Ordinance 2025-40 to amend the budget for fiscal year 2025-2026; amending the Schedule of Fees and Charges.

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

Discussion: The City adopts the annual budget via Ordinance. The Schedule of Fees and Charges is included as part of the adoption of the annual budget. As such, changes or additions to the Schedule of Fees and Charges require approval via Ordinance. Additional detailed information is included in the Exhibit A "Explanation" section. This was presented to the Finance Committee at their December 16, 2025 meeting.

Previous Council Action: None for this specific agenda item. The fiscal year 2025-2026 budget and Schedule of Fees and Charges for the fiscal year were adopted at Council's September 16, 2025 meeting.

Financial Implications: It is anticipated that this will create some additional revenue for the General Fund. An amount cannot be estimated as it is unknown how many plans will be submitted for review in FY 25-26.

Approvals:

Lance Hall
Sam Masiel
Scott Swigert
Leonard Schneider
Kristy Doll

Associated Information:

1. Exhibit A FY 26 Fee Schedule Amended 11.18.2025 add changes to be made -Solid Waste
2. FY 26 Ordinance 40 - addtn to Fee Sched

Exhibit A

Schedule of Fees and Charges			FY 2026 Changes
Per Month Fee			
6 Yard Dumpster			
	1 Collection per week	\$159.73	
	2 Collections per week	\$286.40	
	3 Collections per week	\$413.07	
	4 Collections per week	\$539.75	
	5 Collections per week	\$666.41	
Per Pickup Fee			
	Unscheduled/Extra Pickups - ONSITE	\$83.85	
	Unscheduled/Extra Pickups - Start from Transfer Station	\$111.81	
	After Hours/Extra Pickup	\$155.08	
Per Month Fee			
8 Yard Dumpster			
	1 Collection per week	\$187.85	
	2 Collections per week	\$342.66	
	3 Collections per week	\$497.46	
	4 Collections per week	\$652.25	
	5 Collections per week	\$807.06	
Per Pickup Fee			
	Unscheduled/Extra Pickups - ONSITE	\$104.49	
	Unscheduled/Extra Pickups - Start from Transfer Station	\$141.80	
	After Hours/Extra Pickup	\$189.26	
Per Month Fee Plus Tonnage Fee of \$95.82 per ton			
Open Top Roll-off			
	1 Collection per week	\$723.59	\$ 758.75
	2 Collections per week	\$1,222.29	\$ 1,441.25
	3 Collections per week	\$1,721.03	\$ 2,053.75
	4 Collections per week	\$2,219.74	\$ 2,737.50
	5 Collections per week	\$2,471.33	\$ 3,422.50
Per Trip Fee Plus Tonnage Fee of \$95.82 per ton			
	Extra Pickups	\$183.19	\$ 250.00
	Call In	\$393.28	
	Stand-by	\$393.28	
Set Fees and Deposits			
	Roll-off Container Set Fee, New Commercial and Existing Commercial Contractors, Outside City Limits (To Drop Off Roll-Off) One Time Fee	\$184.13 / per roll off	
	DEPOSIT - New Commercial Contractors, Outside City Limits	\$1,500 / per roll off	
Disposal Fees at Scale House			
	Basic Fee - Inside City Limit	\$78.00 per ton	
	Basic Fee - Outside City Limit, TDCJ, SHSU	\$97.41 per ton	
	Minimum Fee - Inside City Limit	\$15.00	
	Minimum Fee - Outside City Limit, TDCJ and SHSU	\$20.00	
	White Goods/Large Furniture - Inside City Limit	\$78.00 per ton	
	White Goods/Large Furniture - Outside City Limit, TDCJ and SHSU	\$97.41 per ton	
	Yard waste and limbs - Inside City Limit smaller than 4" diameter	Free with City Water Bill	
	Trees, stumps, limbs - Inside City Limit	\$78.00 DIAMETER GREATER 4" / Free with City Water Bill	
	Trees, stumps, limbs - Outside City Limit, TDCJ and SHSU	\$97.41 per ton	
	Tires, Small (i.e. car or pickup truck) - Inside City Limit	\$4.54 Per Tire	
	Tires, Small (i.e. car or pickup truck) - Outside City Limit, TDCJ and SHSU	\$5.68 Per Tire	
	Tires, Large (i.e. semi-truck) - Inside City Limit	\$20.43 Per Tire	
	Tires, Large (i.e. semi-truck) - Outside City Limit, TDCJ and SHSU	\$24.40 Per Tire	
	Small dead animal (i.e. dog, cat) - Inside City Limit	\$5.68 each	
	Small dead animal (i.e. dog, cat) - Outside City Limit, TDCJ and SHSU	\$7.09 each	
	Large dead animal (i.e. cow, horse) - Inside City Limit	\$78.00 per ton	
	Large dead animal (i.e. cow, horse) - Outside City Limit, TDCJ and SHSU	\$97.41 per ton	

ORDINANCE NO. 2025-40

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, AMENDING THE 2024-2025 ANNUAL BUDGET, ORDINANCE NO. 2024-24 TO AMEND THE ADOPTED “SCHEDULE OF FEES AND CHARGES” OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the 2025-2026 Annual Budget and CIP Budgets, and the Schedule of Fees and Charges were adopted by Ordinance 2025-22 on September 16, 2025;

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

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

WHEREAS, pursuant to the laws of the State of Texas and the City Charter of the City of Huntsville, Texas, the City Council has determined that it will be beneficial and advantageous to the citizens of the City of Huntsville to amend the 2025 – 2026 Schedule of Fees and Charges as set forth herein; and

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

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

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

Section 2. The budget for fiscal year 2025 – 2026 is hereby amended to include the fees as listed in Exhibit “A” attached hereto and made a part of this ordinance as if set out verbatim herein.

Section 3. All ordinances of the City in conflict with the provisions of this ordinance are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. Should any section, portion, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the force or effect of any other section or portion of this ordinance.

Section 5. The necessity for amending the fiscal year 2025 – 2026 Schedule of Fees and Charges, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

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

PASSED AND APPROVED on this the 16th day of December 2025.

THE CITY OF HUNTSVILLE, TEXAS

Russell Humphrey, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.e.

Agenda Item: Consider approving Resolution No. 2025-44 authorizing the City of Huntsville to register with the Texas Facilities Commission's Federal Surplus Personal Property Donation Program and designate authorized representatives.

Initiating Department/Presenter: Finance

Presenter:

Christina Bodin-Turner, Grants Manager

Recommended Motion: Move to approve Resolution 2025-44 authorizing the City of Huntsville to register with the Texas Facilities Commission's Federal Surplus Personal Property Donation Program and designate authorized representatives.

Strategic Initiative: Strategic Priority #3, Quality of Life – Establish an environment where citizens can thrive and enjoy the city in which they live. Provide services that enhance the quality of life for all, with focus on the full life cycle (children, students, families, and retirees) - by creating amenities that support physical, mental and social well-being. Support access to quality health services, education, housing, transportation, recreation and natural environment.

Discussion: The Texas Facilities Commission (TFC) administers the Federal Surplus Personal Property Donation Program on behalf of the U.S. General Services Administration (GSA). The program enables eligible public agencies, including municipalities, to acquire federal surplus equipment and supplies at a significantly reduced cost. Participating entities typically pay only an administrative or handling fee for selected items.

Surplus items commonly available through the program include generators, pumps, trailers, storage containers, industrial tools, radios and communications equipment, office furniture, information technology equipment, and, when available, vehicles or heavy equipment. These items may support Public Works, Fire, Police, Airport operations, and other City departments.

To participate, the City must register with the Texas Federal Surplus Property Program and submit basic eligibility documentation confirming the City is a tax-supported political subdivision. Participation establishes an ongoing cooperative arrangement with a state agency and functions similarly to an interlocal agreement; therefore, City Council authorization is appropriate and consistent with past City practice.

The accompanying Resolution designates the City Manager, Assistant City Managers, Finance Director, Purchasing Manager, and Grants Manager, or their designees, as authorized representatives for screening, requesting, and accepting surplus property.

Previous Council Action: None.

Financial Implications: There is no cost to register for the program. Departments would pay only the Texas Facilities Commission's handling/administrative fee for any selected items. These fees are significantly lower than market cost and would be paid using existing departmental budgets. Any surplus property with associated costs not included in an approved departmental budget would be brought to the City Council for approval prior to acquisition.

Approvals:

Lance Hall
Sam Masiel
Scott Swigert
Leonard Schneider
Kristy Doll

Associated Information:

1. Resolution 2025-44

RESOLUTION NO. 2025-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, AUTHORIZING THE CITY TO REGISTER WITH THE TEXAS FACILITIES COMMISSION'S FEDERAL SURPLUS PERSONAL PROPERTY DONATION PROGRAM AND DESIGNATING AUTHORIZED CITY STAFF TO ADMINISTER PARTICIPATION IN THE PROGRAM.

- WHEREAS the Texas Facilities Commission ("TFC") administers the Federal Surplus Personal Property Donation Program on behalf of the U.S. General Services Administration, which makes surplus federal equipment and supplies available to eligible public agencies; and
- WHEREAS the City of Huntsville is a tax-supported political subdivision of the State of Texas and is eligible to participate in the program; and
- WHEREAS participation in the program may provide the City with cost-effective opportunities to obtain equipment and supplies beneficial to multiple City departments and municipal operations; and
- WHEREAS the City Council finds that registering for the program is in the best interest of the City and will support efficient and economical procurement practices consistent with state law;

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

- SECTION 1: The City Council authorizes the City of Huntsville to register with the Texas Facilities Commission's Federal Surplus Personal Property Donation Program and to submit all documentation necessary to establish eligibility.
- SECTION 2: The City Council authorizes the City Manager, Assistant City Managers, Finance Director, Purchasing Manager, and Grants Manager, or their designees, to screen, request, and accept surplus property on behalf of the City and to take all actions necessary to administer participation in the program.
- SECTION 3: This Resolution shall take effect immediately upon its adoption. **PASSED AND APPROVED this 16th day of December, 2025.**

THE CITY OF HUNTSVILLE

Russell Humphrey, Mayor

ATTEST:

APPROVED AS TO FORM:

Kristy Doll, City Secretary

Leonard Schneider, City Attorney



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 1.f.

Agenda Item: Consider final payment and acceptance of roadway improvements to Wischnewsky Drive (formerly Parkwood Dr.).

Initiating Department/Presenter: City Manager

Presenter:

Ricardo Villagrand, Assistant City Manager

Recommended Motion: Move to accept the improvements to Wischnewski Drive and authorize the final payment to Wish Realty LLC for said improvements.

Strategic Initiative: Strategic Priority #2, Economic Development - Create an economic climate for the City of Huntsville that drives development of diverse industries and sectors, providing sustainable economic growth and improved living standards.

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: Per the terms and conditions of the approved and signed 380 agreement, Wish Realty LLC has completed the improvements to Wischnewsky Drive (formerly Parkwood Dr.).

Our Public Works Department and Engineering staff have inspected and approved these public improvements. As a result, the City is now required to provide the \$320,000 payment in accordance with the terms of the agreement.

Staff is recommending that the City issue the requested payment to Wish Realty LLC.

Previous Council Action:

Financial Implications: Per the finance department, the funds for this project was allocated in 2021, as per the 380 Agreement in account # 925_92501_56105.

Approvals:

Scott Swigert

Leonard Schneider

Kristy Doll

Associated Information:

1. Public Improvement -Wischnewsky Signed Approved

-
2. Wisch.Complicance.Report.executed
 3. Contract - Wisch Realty, LLC. - 3-12-2022



CITY OF HUNTSVILLE, TEXAS

Public Improvement Approval

(FOR IMPROVEMENTS WITHIN CITY LIMITS)

City of Huntsville Project Number: PD2018-04-02

Project Name: Parkwood Square Section 2

Project Address: 163 IH-45 North

Project Contractor: Teal Construction Company

Firm Name

1335 Brittmoore Dr.

Address

Houston

Texas

77033

713-465-8306

City

State

Zip

Phone

Michael Morale

michaelmorale@tealcon.com

Authorized Contractor's Representative – Name & Title

E-mail address

Description: Completed approximately 1,300 LF of 8" water main to include tees, valves, and fire hydrants to connect both ends of the proposed street. Placement of 5 storm inlet boxes and RCP pipe to existing storm to mitigate storm water flow coming from the street, and to include the construction of new subgrade and asphalt pavement with sidewalks and signage between Veterans Memorial PKWY and IH – 45 South Feeder Rd.

This project was substantially completed as of 11/20/2023. The above referenced project was constructed and inspected according to City of Huntsville standards. The final inspection for completion was performed and passed on 9/4/2025, pending on the Terracon Concrete Compressive Strength Test Report, which we received the completed report during the last week of October. This project is hereby accepted for ownership and maintenance by the City of Huntsville with a one (1) year warranty period ending 11/3/2025.

J.D. Ferguson
City Project Inspector

Signature

11/3/2025
Date

Dr. Kathlie Jeng-Bullock, P.E.,
City Engineer

Signature

11/3/2025
Date

cc:

- ☒ City Engineer
- ☒ Public Works Director
- ☒ Water Distribution Superintendent
- ☒ Wastewater Superintendent
- ☒ Street Superintendent
- ☒ Project Manager

- ☒ Planning Division
- ☒ City Surveyor
- ☒ GIS Manager
- ☒ Building Inspection
- ☒ Developer/Contractor
- ☐ Walker County Judge

Public Improvement Permit #: PRPI20223455
(If applicable)

Grading & Excavation Permit #: PRGR20223457
(If applicable)

APRIL, 2018



VICINITY MAP

Developer:

Caliber Investment Corp.

P.O. Box 6153

Huntsville, Texas 77342-6153

(936)291-7552

Prepared By:

McClure & Browne

Engineering/Surveying, Inc.

1008 Woodcreek Drive, Suite 103

College Station, Texas 77845

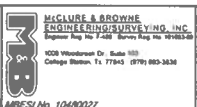
(979) 693-3838

R E V I S I O N S	
1	Revised per City Comments 8-28-2020
2	Revised per City Comments 11-20-2020
3	Revised per City Comments 11-23-2020
4	Revised per City Comments 02-13-2023

DATE 08/2020
DRAWN BY TDM
DESIGNED BY AB
CHECKED BY AB

Cover Sheet

PARKWOOD SQUARE, SECTION 2
HUNTSVILLE, TX



Sheet No. _____

00-0

Amel. 3 provided
02/27/2023

00-0



Public Improvement

City of Huntsville | 448 SH 75 North | Huntsville, TX | 77320 | 936-294-5717

PERMIT NUMBER	DATE ISSUED	FEE	PAYMENT METHOD	VALUATION	ISSUED BY
PRPI20223455	August 18, 2022	\$0.00		\$1,111,000.00	Jessie Mathis

Location: 163 IH 45 N, HUNTSVILLE, TX 77320;

Owner: JJW REALTY LLC

Address: 125 HIGHWAY 124 SOUTH WINNIE, TX 77665

SELECTED CHARACTERISTICS OF WORK	
DESCRIPTION OF WORK Public Improvement of Water System, Street System & Storm Drainage System WORK CLASS Other OCCUPANCY USE Commercial OCCUPANCY TYPE CONSTRUCTION TYPE	CONTRACTOR: Teal Construction Company ADDRESS: 1335 Brittmoore Rd Houston, TX 77043

NOTES TABLE
1. Fees Waived per Developer Agreement
2. Parkwood Drive

NOTICE
Proposed construction shall meet all applicable codes. I understand that this permit is conditioned upon the correctness of the information I have supplied and may be revoked upon a finding by the Chief Inspection Official that any relevant item of information is substantially incorrect. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 1 year at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority or cancel the provisions of any other state or local law regulating construction or the performance of construction.



RECEIVED: _____

PUBLIC IMPROVEMENT PERMIT APPLICATION

Development Permit Approved: Y N

SUBJECT PROPERTYProject Name: Parkwood Drive **163 IH45N**Project Address: Parkwood Dr and IH-45Located in: ☒ City Limits ☐ Extra-Territorial Jurisdiction (ETJ) ☐ Utility District: _____**PUBLIC IMPROVEMENTS INVOLVED:**☒ Water System☐ Sanitary Sewer System☒ Street System☒ Storm Drainage System☐ Other: _____**ENGINEER / CONTRACTOR**Engineer Name: McClure & Browne Engineering/Surveying, Inc (Jeff Robertson)Mailing Address: 1008 Woodcreek DriveCollege Station, TX 77845Daytime Phone: 979-693-3838 Alternate Phone: _____Email Address: jeffr@mcclurebrowne.comContractor Name: Teal Construction Company1335 Brittmoore Dr

Mailing Address: _____

Houston, TX 77033Daytime Phone: 713-465-8306 Alternate Phone: _____Email Address: michaelmorale@tealcon.com**ENGINEER'S ESTIMATE**Engineer's Probable Cost of Construction (Attach Engineer's Certification): \$ 1,111,000Permit Fee (3% of Engineer's Probable Cost of Construction): \$ 0 **33,330.00**Signature of Applicant: ☐ Engineer
☒ Contractor
☐ OwnerPrinted Name: Michael A Morale Date: 8/17/2022CITY ENGINEER: 

PIPmtApp0607

Date: 8/17/2022 Status: **0818122 PRP120223455**



Grading/Excavation

City of Huntsville | 448 SH 75 North | Huntsville, TX | 77320 | 936-294-5717

PERMIT NUMBER	DATE ISSUED	FEE	PAYMENT METHOD	VALUATION	ISSUED BY
PRGR20223457	August 18, 2022	\$0.00		\$0.00	Jessie Mathis

Location: 163 IH 45 N, HUNTSVILLE, TX 77320;

Owner: JJW REALTY LLC

Address: 125 HIGHWAY 124 SOUTH WINNIE, TX 77665

SELECTED CHARACTERISTICS OF WORK	
DESCRIPTION OF WORK Total Cut & Total Fill of 2,417 Cu Yds WORK CLASS Other OCCUPANCY USE Commercial OCCUPANCY TYPE CONSTRUCTION TYPE	CONTRACTOR: Teal Construction Company ADDRESS: 1335 Brittmoore Rd Houston, TX 77043

NOTES TABLE
1. Fees Waived per Developer Agreement 2. Parkwood Drive

NOTICE
Proposed construction shall meet all applicable codes. I understand that this permit is conditioned upon the correctness of the information I have supplied and may be revoked upon a finding by the Chief Inspection Official that any relevant item of information is substantially incorrect. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 1 year at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority or cancel the provisions of any other state or local law regulating construction or the performance of construction.



RECEIVED: _____

GRADING & EXCAVATION PERMIT APPLICATION

Development Permit Approved: Y N

SUBJECT PROPERTYProject Name: Parkwood Drive **163 IH45N**Project Address: Parkwood and IH-45tLocated in: ☒ City Limits ☐ Extra-Territorial Jurisdiction (ETJ) ☐ Utility District: _____**CUT & FILL AMOUNTS INVOLVED:**☐ Plan Check Required

Total Cut: +/- 1,897 cubic yards }
Total Fill: +/- 520 cubic yards } Total Cut + Total Fill: +/- 2,417 cubic yards

ENGINEER / CONTRACTOREngineer Name: McClure & Browne Engineering and SurveyingMailing Address: 1008 Woodcreek
College Station, TX 77845Daytime Phone: 979-693-3838 Alternate Phone: _____Email Address: jeffr@mcclurebrowne.comContractor Name: Teal Construction CompanyMailing Address: 1335 Brittmoore Rd
Houston, TX 77043Daytime Phone: 713-465-8306 Alternate Phone: _____Email Address: michaelmorale@tealcon.com**FEES (to be filled in by the City):**Permit Fee: \$ N/A **86.50**Plan Check Fee: \$ N/A **0**Signature of Applicant: [Signature]☐ Engineer
☒ Contractor
☐ OwnerPrinted Name: Michael Morale Date: 8/17/2022CITY ENGINEER: [Signature]Date: 8/17/22 Status: Am

G&EPmtApp0607

08/18/22 PRGR023457
86.50

**CITY OF HUNTSVILLE / WISCHNEWSKY
CHAPTER 380
ECONOMIC DEVELOPMENT AGREEMENT**

This Chapter 380 Economic Development Agreement ("*Agreement*") is made and entered into by and WISCH REALTY, LLC, a Texas limited liability company, its heirs, executors or assigns who are qualified to do business in Texas ("*Company*") and the CITY OF HUNTSVILLE, TEXAS, a home rule city and municipal corporation ("*City*").

RECITALS

- A. The City is authorized by Chapter 380 of the Texas Local Government Code to make grants of money to promote state and local economic development and to stimulate business and commercial activity in Huntsville.
- B. The Company has or has contracted to purchase real property adjacent to the subject Property and has or shall cause to plat the subject Property and, subject to this agreements and obligations of the City contained in this Agreement, has agreed to construct the Public Improvements on the Property.
- C. "**Property**" means the real property located near the intersection of Parkwood Drive and Interstate 45 North to be platted according to the re-plat attached hereto and made part hereof as Exhibit "D."
- D. The City has determined that substantial economic benefit, including the generation of additional sales and property taxes and the creation of new opportunities of employment, will accrue to the City as a result of the Company's purchase and development of the real property adjacent to the Property, the construction of the Public Improvements on the Property, and the construction and operation of the automobile dealership business on the adjacent Property ("**Project**").
- E. The City has authorized the City Manager to make a grant of services to the Company in exchange for the Company's contribution to the cost and construction of Parkwood Drive ("**Public Improvements**") on the Property and make capital investments in the City. The Public Improvements necessary for the Project shall be performed under this Agreement and a performance bond for the full amount posted with the City of Huntsville by the Company's contractor naming the City of Huntsville beneficiary and Company additional beneficiary.
- F. Building of the Project will promote economic development and stimulate business and commercial activity in Huntsville, will create jobs, and will expand the tax base by construction of real property improvements.

- 2.3 The Company's construction shall include the Public Improvements as shown in Exhibit "B", final plat approval for the property as shown in Exhibit "D" which consists of a commercial lot, the dedication of right of way for the construction of Parkwood Drive and its associated improvements, and the infrastructure and connections necessary for water and sewer utilities. The Company agrees to invest a minimum of \$6,500,000.00 in the Project.
- 2.4 Local Business Participation. In an effort to further stimulate and positively impact the local economy, Company shall use commercially reasonable efforts to provide local small businesses and minority-, women- and veteran-owned businesses, an equal opportunity to participate as suppliers for materials and services purchased by Company for the construction of the Project.
- 2.5 Compliance with City Regulations. For the construction of the Public Improvements and Project, Company will comply with all applicable City Code regulations. This means Company will not assert possible Chapter 245 rights to avoid compliance with applicable regulations for any future development within the City's planning jurisdiction.
- 2.6 Certificate of Compliance and Inspection.
- (a) *"Certificate of Compliance"* means the written certification by Company under which it warrants to the City that it is in full compliance with each of its obligations under this Agreement. The Certificate shall be substantially in the form and contain the information specified in the sample Certificate attached to this Agreement as *Exhibit "C"*.
 - (b) In the Certificate of Compliance, Company shall warrant to the City that it is in full compliance with each of its obligations under this Agreement.
- 2.7 Texas Government Code Chapter 2264. In accordance with Chapter 2264 of the Texas Government Code, Company agrees that it does not and will not knowingly employ any person who is not lawfully admitted for permanent residence to the United States or who is not authorized under law to be employed in the United States (*"Undocumented Worker"*). During the term of this Agreement, Company shall notify City of any complaint brought against Company alleging that Company has employed Undocumented Workers. If Company is convicted of a violation under 8 U.S.C. Section 1324a(f), the total amount of economic development grants it has received pursuant to this Agreement, together with interest at the rate of 3% per annum from the date of each payment of an economic development grant, shall be repaid by Company to the City not later than the 120th day after the date the City notifies Company of the violation. Company shall not be liable for a violation of Chapter 2264 by a subsidiary, affiliate, or franchisee, or by a person with whom Company contracts.

the City under applicable Texas law, subject to any applicable limitations or procedural requirements.

- 4.3 Representations and Warranties. The City represents and warrants to Company that this Agreement is within its authority, and that it is duly authorized and empowered to enter into this Agreement, unless otherwise ordered by a court of competent jurisdiction. Company represents and warrants to the City that it has the requisite authority to enter into this Agreement.
- 4.4 Default. If either the City or Company should default in the performance of any of their respective obligations of this Agreement, the other party shall provide such defaulting party written notice of the default, and a minimum period of 60 days after the receipt of said notice to cure such default, prior to instituting an action for breach or pursuing any other remedy for default.
- 4.5 Entire Agreement. This Agreement contains the entire agreement between the parties. All prior negotiations, discussions, correspondence, and preliminary understandings between the parties and others relating hereto are superseded by this Agreement. This Agreement may only be amended, altered or revoked by written instrument signed by the City and Company.
- 4.6 Binding Effect This Agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns.
- 4.7 Assignment. Except as provided below, Company may not assign all or part of its rights and obligations to a third party without prior written approval of the City, which approval shall not be unreasonably withheld, conditioned or delayed. Notwithstanding anything to the contrary, Company may assign all or part of its rights and obligations without the prior consent of the City to an affiliate of Company and to a third-party lender advancing funds for the acquisition, construction or operation of Company's facilities.
- 4.8 Notice. Any notice or statement required to be delivered pursuant to this Agreement must be in writing and shall be deemed delivered by actual delivery, by facsimile with receipt of confirmation, or by depositing the same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses:

COMPANY:

Wisch Realty, LLC

Attn: Joshua J. Wischnewsky

Phone: (713) 705-8772

joshua@baywayautogroup.com

Re: Economic Development Agreement

4.15 Public and Confidential Information. Information provided by or on behalf of Company under or pursuant to or in connection with this Agreement (including, but not limited to, the terms of this Agreement and any and all non-public information provided by Company) shall be maintained as confidential to the extent allowed by law. If Company's proprietary, financial or trade secret information is requested under the Texas Public Information Act, the City shall promptly notify Company of such request and shall follow the standards set out in the Act and under the Texas Attorney General's procedures for such requests. Other public records and information provided to the City and its representatives to verify compliance with this Agreement shall be available for public inspection.

4.16 Exhibits. The following Exhibits are attached and incorporated by reference for all purposes.

Exhibit "A"	Probable Cost Estimate
Exhibit "B"	Construction Plans
Exhibit "C"	Pro-Forma Certificate of Performance
Exhibit "D"	Approved Re-Plat

4.17 Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute but one and the same instrument, which may be sufficiently evidenced by one counterpart.

EXECUTED by the authorized representatives of the parties on the dates indicated below to be effective as of the Effective Date.

[Signatures on following page.]

EXHIBIT "A"
Probable Cost Estimate

SIGNATURE SERVICE, QUALITY PROJECTS, UNDOUBTABLE DELIVERY.



Parkwood Square Section 2 - Street and Utility Improvements
Huntsville, Walker County Texas
Plans: 09/28/2020

48000

SF

Date:	October 26, 2020	Building Gross Sq. Ft					48,000	
CIR Qty	Description	Quantity	Unit	Unit Cost	Cost		S / SF	COMMENTS
	<u>Sitework</u>							
1	General Conditions				\$	14,750	\$	0.39
	Sitework General Conditions	1.5	Mos	\$ 12,500.00	\$ 18,750		\$	0.39
2	Sitework				\$	564,283	\$	11.78
	Surveying/Field Engineering	1	LS	\$ 1,500.00	\$ 1,500			
	Sediment Control	2	Mos	\$ 550.00	\$ 1,100			
	Sediment Control Mats / Removal	1	LS	\$ 3,500.00	\$ 3,500			
	Demolish Existing Road	1	LS	\$ 21,250.00	\$ 21,250			
	Earthwork, Base and Asphalt	1	LS	\$ 157,995.00	\$ 157,995			Lime Substitution (6 @ 96%), 6" Crushed Limestone Base & 3" Type D HMAAC. No Geo Grid included
	Cut/Fill Site		SF		\$ -			
	Storm Detention Excavation	-	CY		\$ -			
	Building Pad		CY		\$ -			
	Stabilize Concrete Pavement		SY		\$ -			
	Hard Off Utility Spoils	-	CY	\$ -	\$ -			Spoils to be left on-site for future development use.
	Site Utilities - Storm	1	Sub	\$ 64,195.00	\$ 64,195			Includes 24" RCP storm lines, Type C inlets, Rip Rap at outfalls
	Site Utilities - Water Line Extension	1	Sub	\$ 73,680.00	\$ 73,680			Includes 8" water main extension.
	Site Utilities - Sanitary		Sub	\$ -	\$ -			
	Concrete - Sidewalks and HC Ramps	1	LS	\$ 113,050.00	\$ 113,050			Includes new TxDOT Drives, Curb and Gutter. Private and public sidewalks and public HC ramps
	Asphalt Paving & Sidewalks	1	LS	\$ 119,495.00	\$ 119,495			
	Light Pole Bases	-	EA	\$ -	\$ -			
	Dumpster Gate	-	EA	\$ -	\$ -			
	Dumpster Enclosure	-	LS	\$ -	\$ -			
	Bollards	-	EA	\$ -	\$ -			
	Paving Joint Sealants	14,112	SF	\$ 0.18	\$ 2,540			Expansion Joints at Sidewalks
	Clean Paving	1	LS	\$ 3,500.00	\$ 3,500			
	Striping/HC Signage/Fire Lane	14,112	SF	\$ 0.18	\$ 2,258			
	Hydromulch	-	AC	\$ -	\$ -			
	Landscape and Irrigation	-	Sub	\$ -	\$ -			
	Electrical Primary Service		LS	\$ -	\$ -			
	Site Lighting	1	ALLOW	\$ -	\$ -			None. Excluded.
	Monument Sign/Signage/Billboard	-		\$ -	\$ -			
	Site Fencing		LF	\$ -	\$ -			
	Concrete Barricade at front		UF	\$ -	\$ -			
	Rolling Gates		EA	\$ -	\$ -			
	Rolling Gate Operators		EA	\$ -	\$ -			
	Subtotal Cost of the Work				\$ 583,813	\$	583,813	\$ 12.15
	Fees			3.00%	17,490			
	Insurance			0.50%	3,483			
	3% Maintenance Bond			3.00%	18,120			Maintenance bond due to public utility extension
	Contingency			0.00%				
	TOTAL SITEWORK				\$ 622,106	\$		\$ 12.90



Parkwood Square Section 2 - Street and Utility Improvements
Assumptions, Qualifications and Clarifications

Date: 10/26/2020

Division 1 - General Conditions

- 1 We include General Liability Insurance, Builders Risk and Umbrella.
- 2 Permit by owner.
- 3 Excludes MUD, TAP or Meter fees.
- 4 Includes a 3% Maintenance bond.
- 5 Includes 12,500 testing allowance.
- 6 We assume an 6 week duration. To be performed concurrent with Building project.
- 7 Please reference the comments in the budget line items for additional qualifications.

Division 2 , 31, 32, 33 - Earthwork/Site Improvements

- 1 Excludes the relocation of power poles. Assumed to be by electric company.
- 2 Excludes the relocation of the telecom boxes. Assumed to be by utility provider.

Division 3 - Concrete

- 1 Includes pavers at the public HC ramps per the Civil Details.

Division 4 - Masonry

1

Division 5 - Metals

1

Division 6 - Woods and Plastics/Millwork

1

Division 7 - Thermal/Moisture Protection

- 1 Includes site sealants at sidewalk expansion joints.

Division 8 - Doors & Windows

1

Division 9 - Finishes

1

**EXHIBIT "C" PRO-FORMA
CHAPTER 380
REPORT OF COMPLIANCE**

COMPANY: WISCH REALTY, LLC

REPORTING YEAR: January through December 31, _____ (up to Year 10)

2.0 Local Business Participation

2.1 Is the Company in compliance with using commercially reasonable efforts to provide local small businesses and minority owned and veteran owned businesses an equal opportunity to participate as suppliers for materials and services purchased by Company?

☐ Yes ☐ No

3.0 Texas Government Code Chapter 2264

3.1 Is the Company in compliance with Section 2.6 of the Agreement?

☐ Yes ☐ No

4.0 Additional Covenants

4.1 Is the Company in compliance with the other provisions of the Agreement?

☐ Yes ☐ No

I, _____ the authorized representative for _____, hereby certify that the above information is correct and accurate pursuant to the terms of the Agreement. I further certify that _____ complied fully with the Chapter 380 Economic Development Agreement during the reporting year, including Section 2.4 regarding compliance with City Regulations and Section 2.6 regarding Texas Government Code Chapter 2264.

Signature: _____

Printed Name: _____

Title: (Controller or equivalent): _____

Date: _____

TCEQ Microbial Reporting Form

TCEQ Form 10525
08/2017

Water System Identification & Sample Collection Information (Please type or use block print)

Public Water System ID TX 2360001

Public Water System Name: City of Huntsville

County: Walker

Name: James Ferguson, Water Department Superintendent

Address: 1212 Avenue M

City: Huntsville

State: Texas

Zip Code: 77340

Phone #: (936) 294-5762

Other Contact: Fax: (936) 294-5701

Sample Name (Print)

Signature

McMilla, James W.

McMilla

Operator License #: 1250016969

☐ Owner ☒ Operator ☐ Other

For a list of the form's instructions and additional information, please visit the TCEQ website at www.tceq.texas.gov/forms. This form is for use by water utilities and is not to be used for other purposes. The form is for use by water utilities and is not to be used for other purposes. The form is for use by water utilities and is not to be used for other purposes.

Use Specific Address / Location identified in Sample

Raw Wells - Use Source ID for Well Samples (Example: G12345678)

Sample ID

Sample Identification Location

Sample Type: (V one)

Sample ID & Date of

Circle "F" for Free
"T" for Total
(mg/L)

Rejection Code
(if applicable) -
Please
Resubmit

Test Method: SM 9223B

Coliform

E. Coli

Laboratory Sample ID

Number

12437

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Form Instructions: www.tceq.texas.gov/forms/microbiological-reporting-form

* Special and Construction samples are NOT FOR COMPLIANCE

Lab Rejection Code (LR) - Document Reason

Parker Creek Laboratory
94 Parker Creek Road
Huntsville, TX 77320
Lab Phone: (936) 294-5740

Coliform Lot# 20320B
Bottle Lot# 120067
LaMotte (T) Lot# 218018
LaMotte (F) Lot# 120067
Comparator Lot# BU322

Form 1005, Rev. 2-6-16 (2/2017) Bacteriological Sample Collection Report Form, Page 1

Test Results must meet all accreditation / certification requirements unless stated otherwise

SHADED AREA FOR LABORATORY USE ONLY

Sample Used? ☒ Yes ☐ No

Temperature 19.5 °C

Corrected Temp 19.3 °C

Lab Comments

Tested By: J. Murtha

Laboratory Approval: J. Murtha

Report to Client By: J. Murtha

Date: 9-19-23

Time: 3:42p

Date: 9-19-23

Time: 3:42p

Date: 9-19-23

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Date: 9-19-23

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Date: 9-19-23

Time: 3:42p



TCEQ Laboratory ID: T104704317

Incubator ID#

Date / Time

9-18-2023 2:39pm

Date / Time

9-18-2023 2:39pm

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**EXHIBIT "C" PRO-FORMA
CHAPTER 380
REPORT OF COMPLIANCE**

COMPANY: WISCH REALTY, LLC

REPORTING YEAR: January through December 31, 2025 (up to Year 10)

2.0 Local Business Participation

2.1 Is the Company in compliance with using commercially reasonable efforts to provide local small businesses and minority owned and veteran owned businesses an equal opportunity to participate as suppliers for materials and services purchased by Company?

☒ Yes

☐ No

3.0 Texas Government Code Chapter 2264

3.1 Is the Company in compliance with Section 2.6 of the Agreement?

☒ Yes

☐ No

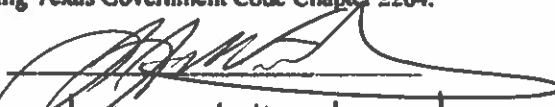
4.0 Additional Covenants

4.1 Is the Company in compliance with the other provisions of the Agreement?

☒ Yes

☐ No

Joshua J. Wischnowsky the authorized representative for Wisch Realty, LLC, hereby certify that the above information is correct and accurate pursuant to the terms of the Agreement. I further certify that Wisch Realty, LLC complied fully with the Chapter 380 Economic Development Agreement during the reporting year, including Section 2.4 regarding compliance with City Regulations and Section 2.6 regarding Texas Government Code Chapter 2264.

Signature: 

Printed Name: Joshua J. Wischnowsky

Title: (Controller or equivalent): President/Owner

Date: 11-11-25

**CITY OF HUNTSVILLE / WISCHNEWSKY
CHAPTER 380
ECONOMIC DEVELOPMENT AGREEMENT**

This Chapter 380 Economic Development Agreement ("*Agreement*") is made and entered into by and WISCH REALTY, LLC, a Texas limited liability company, its heirs, executors or assigns who are qualified to do business in Texas ("*Company*") and the CITY OF HUNTSVILLE, TEXAS, a home rule city and municipal corporation ("*City*").

RECITALS

- A. The City is authorized by Chapter 380 of the Texas Local Government Code to make grants of money to promote state and local economic development and to stimulate business and commercial activity in Huntsville.
- B. The Company has or has contracted to purchase real property adjacent to the subject Property and has or shall cause to plat the subject Property and, subject to this agreements and obligations of the City contained in this Agreement, has agreed to construct the Public Improvements on the Property.
- C. "**Property**" means the real property located near the intersection of Parkwood Drive and Interstate 45 North to be platted according to the re-plat attached hereto and made part hereof as Exhibit "D."
- D. The City has determined that substantial economic benefit, including the generation of additional sales and property taxes and the creation of new opportunities of employment, will accrue to the City as a result of the Company's purchase and development of the real property adjacent to the Property, the construction of the Public Improvements on the Property, and the construction and operation of the automobile dealership business on the adjacent Property ("**Project**").
- E. The City has authorized the City Manager to make a grant of services to the Company in exchange for the Company's contribution to the cost and construction of Parkwood Drive ("**Public Improvements**") on the Property and make capital investments in the City. The Public Improvements necessary for the Project shall be performed under this Agreement and a performance bond for the full amount posted with the City of Huntsville by the Company's contractor naming the City of Huntsville beneficiary and Company additional beneficiary.
- F. Building of the Project will promote economic development and stimulate business and commercial activity in Huntsville, will create jobs, and will expand the tax base by construction of real property improvements.

- G. Company accepts the City's grant of services in the form of; (i) a waiver of City related fees in conjunction with the construction of the Public Improvements and the Project including all permits, plan review, and inspection fees; (ii) payment of one-half (1/2) of the cost of the Public Improvements associated with the construction of Parkwood Drive as per the approved Probable Cost Estimate, attached to this agreement as Exhibit "A" up to a maximum contribution by the City of \$320,000.00 payable upon completion by the Company of the Public Improvements.

NOW, THEREFORE, in consideration of the mutual benefits and promises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Company agree as follows:

I.

Authority and Condition Precedent

- 1.1 City Authority. The City represents that its execution of this Agreement is authorized by Chapter 380 of the Texas Local Government Code and constitutes a valid and binding obligation of the City.
- 1.2 Company represents that its execution and performance of this Agreement constitutes a valid and binding obligation of the Company in the event the Company proceeds to construct the Public Improvements. The City acknowledges that the Company is acting in reliance upon the City's performance of its obligations under this Agreement, among other consideration, in making its decision to invest its funds and expand employment in Huntsville.
- 1.3 The Company and the City agree that all obligations stated in this Agreement shall be contingent upon the Company's posting of a performance bond in form as is generally customary and satisfactory to the City.

II.

Company Obligations

- 2.1 After the Effective Date (defined in **Section 4.01**) Company shall begin construction on the Public Improvements and Project on the Property.
- 2.2 The Company shall perform, and the City's obligation of payment for the Public Improvements shall be based upon the estimated cost and work as stipulated by Exhibit "A" Probable Cost Estimate, and the Public Improvement Construction Plans as approved by the City of Huntsville Engineer. Such work shall be carried out under the supervision and inspection of the City of Huntsville. Company shall correct any deficiencies in the work noted during the construction and for one year thereafter warrant the construction as to materials and workmanship.

- 2.3 The Company's construction shall include the Public Improvements as shown in Exhibit "B", final plat approval for the property as shown in Exhibit "D" which consists of a commercial lot, the dedication of right of way for the construction of Parkwood Drive and its associated improvements, and the infrastructure and connections necessary for water and sewer utilities. The Company agrees to invest a minimum of \$6,500,000.00 in the Project.
- 2.4 Local Business Participation. In an effort to further stimulate and positively impact the local economy, Company shall use commercially reasonable efforts to provide local small businesses and minority-, women- and veteran-owned businesses, an equal opportunity to participate as suppliers for materials and services purchased by Company for the construction of the Project.
- 2.5 Compliance with City Regulations. For the construction of the Public Improvements and Project, Company will comply with all applicable City Code regulations. This means Company will not assert possible Chapter 245 rights to avoid compliance with applicable regulations for any future development within the City's planning jurisdiction.
- 2.6 Certificate of Compliance and Inspection.
- (a) *"Certificate of Compliance"* means the written certification by Company under which it warrants to the City that it is in full compliance with each of its obligations under this Agreement. The Certificate shall be substantially in the form and contain the information specified in the sample Certificate attached to this Agreement as *Exhibit "C"*.
 - (b) In the Certificate of Compliance, Company shall warrant to the City that it is in full compliance with each of its obligations under this Agreement.
- 2.7 Texas Government Code Chapter 2264. In accordance with Chapter 2264 of the Texas Government Code, Company agrees that it does not and will not knowingly employ any person who is not lawfully admitted for permanent residence to the United States or who is not authorized under law to be employed in the United States (*"Undocumented Worker"*). During the term of this Agreement, Company shall notify City of any complaint brought against Company alleging that Company has employed Undocumented Workers. If Company is convicted of a violation under 8 U.S.C. Section 1324a(f), the total amount of economic development grants it has received pursuant to this Agreement, together with interest at the rate of 3% per annum from the date of each payment of an economic development grant, shall be repaid by Company to the City not later than the 120th day after the date the City notifies Company of the violation. Company shall not be liable for a violation of Chapter 2264 by a subsidiary, affiliate, or franchisee, or by a person with whom Company contracts.

- 2.8 **Failure to Meet Obligations.** In the event that Company fails to fulfill its obligations under the performance terms above, after receipt of notice and expiration of the cure period described in Section 4.04 below, the City may, at its sole and exclusive remedy, terminate this Agreement, whereupon the City shall not be required to perform, and Company shall not be entitled to receive any further performance by the City under this Agreement, provided, however that Company shall be obligated to pay the City for any inspection or permitting services by the City before the termination of this Agreement.

III. City Obligations

- 3.1 **Economic Development Incentive.** In consideration of Company performance of each of its obligations under this Agreement, the City shall provide City services in the form of inspections and permitting for the construction of the Public Improvements and the Project without cost to Company.
- 3.2 The City agrees to waive all permit fees related to the construction and inspection of the Project and Public Improvements.
- 3.3 The City agrees to pay one half (1/2) of the cost of the Public Improvements associated with the construction of Parkwood Drive as per the approved Probable Cost Estimate, attached to this Agreement as *Exhibit "A"*, payable upon completion of the Public Improvements. This amount shall not exceed \$320,000.00.
- 3.4. The City agrees to consider an Ordinance to rename Parkwood Drive to a name chosen by the Company.

IV. General Terms

- 4.1 **Effective Date and Term.** This Agreement shall become enforceable and be effective upon December __, 2020 (the "*Effective Date*").
- 4.2 This Agreement shall not be construed as a commitment, issue, pledge or obligation of any specific taxes or tax revenues for the providing of inspections and permitting services to Company.
- (a) The payments to be made to Company or other expenditures under this Agreement, if paid, shall be made solely from annual appropriations of the City as may be legally set aside for the implementation of Article III, Section 52a of the Texas Constitution or Chapter 380 of the Local Government Code or any other economic development or financing program authorized by statute or home rule powers of

the City under applicable Texas law, subject to any applicable limitations or procedural requirements.

- 4.3 Representations and Warranties. The City represents and warrants to Company that this Agreement is within its authority, and that it is duly authorized and empowered to enter into this Agreement, unless otherwise ordered by a court of competent jurisdiction. Company represents and warrants to the City that it has the requisite authority to enter into this Agreement.
- 4.4 Default. If either the City or Company should default in the performance of any of their respective obligations of this Agreement, the other party shall provide such defaulting party written notice of the default, and a minimum period of 60 days after the receipt of said notice to cure such default, prior to instituting an action for breach or pursuing any other remedy for default.
- 4.5 Entire Agreement. This Agreement contains the entire agreement between the parties. All prior negotiations, discussions, correspondence, and preliminary understandings between the parties and others relating hereto are superseded by this Agreement. This Agreement may only be amended, altered or revoked by written instrument signed by the City and Company.
- 4.6 Binding Effect This Agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns.
- 4.7 Assignment. Except as provided below, Company may not assign all or part of its rights and obligations to a third party without prior written approval of the City, which approval shall not be unreasonably withheld, conditioned or delayed. Notwithstanding anything to the contrary, Company may assign all or part of its rights and obligations without the prior consent of the City to an affiliate of Company and to a third-party lender advancing funds for the acquisition, construction or operation of Company's facilities.
- 4.8 Notice. Any notice or statement required to be delivered pursuant to this Agreement must be in writing and shall be deemed delivered by actual delivery, by facsimile with receipt of confirmation, or by depositing the same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses:

COMPANY:

Wisch Realty, LLC

Attn: Joshua J. Wischnewskey

Phone: (713) 705-8772

joshua@baywayautogroup.com

Re: Economic Development Agreement

With copy to:

Jennifer S. Stoddard
Holmes Firm, PC
14911 Quorum Drive, Ste.340
Dallas, Texas 75254
jennifer@theholmesfirm.com

CITY:

City Manager
1212 Avenue M
Huntsville, Texas 77340
Phone: 936-291-5400
Fax: 936-291-5409

Either party may designate a different address at any time upon written notice to the other party.

- 4.9 Interpretation. Each of the parties has been represented by counsel of their choosing in the negotiation and preparation of this Agreement. Regardless of which party prepared the initial draft of this Agreement, this Agreement shall, in the event of any dispute regarding its meaning or application, be interpreted fairly and reasonably and neither more strongly for, nor against any party.
- 4.10 Applicable Law. This Agreement is made, and shall be construed and interpreted, under the laws of the State of Texas and venue shall lie in the State courts of Walker County, Texas.
- 4.11 Severability. In the event any provisions of this Agreement are illegal, invalid or unenforceable under present or future laws, and in that event, it is the intention of the parties that the remainder of this Agreement shall not be affected. It is also the intention of the parties that in lieu of each clause and provision that is found to be illegal, invalid or unenforceable, a provision be added to this Agreement which is legal, valid or enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- 4.12 Paragraph Headings. The paragraph headings contained in this Agreement are for convenience only and will in no way enlarge or limit the scope or meaning of the various and several paragraphs.
- 4.13 No Third-Party Beneficiaries. This Agreement is not intended to confer any rights, privileges or causes of action upon any third party.
- 4.14 No Joint Venture. It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create any partnership or joint venture among the parties. The City, its past and future officers, elected officials, employees and agents do not assume any responsibilities or liabilities to any third party in connection with Company or the construction or operation of any portion of the Project.

4.15 Public and Confidential Information. Information provided by or on behalf of Company under or pursuant to or in connection with this Agreement (including, but not limited to, the terms of this Agreement and any and all non-public information provided by Company) shall be maintained as confidential to the extent allowed by law. If Company's proprietary, financial or trade secret information is requested under the Texas Public Information Act, the City shall promptly notify Company of such request and shall follow the standards set out in the Act and under the Texas Attorney General's procedures for such requests. Other public records and information provided to the City and its representatives to verify compliance with this Agreement shall be available for public inspection.

4.16 Exhibits. The following Exhibits are attached and incorporated by reference for all purposes.

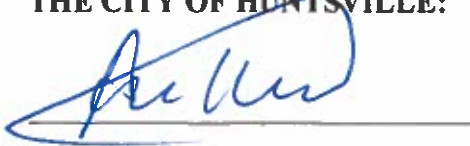
Exhibit "A"	Probable Cost Estimate
Exhibit "B"	Construction Plans
Exhibit "C"	Pro-Forma Certificate of Performance
Exhibit "D"	Approved Re-Plat

4.17 Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute but one and the same instrument, which may be sufficiently evidenced by one counterpart.

EXECUTED by the authorized representatives of the parties on the dates indicated below to be effective as of the Effective Date.

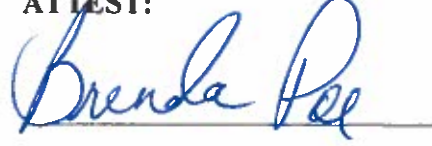
[Signatures on following page.]

THE CITY OF HUNTSVILLE:



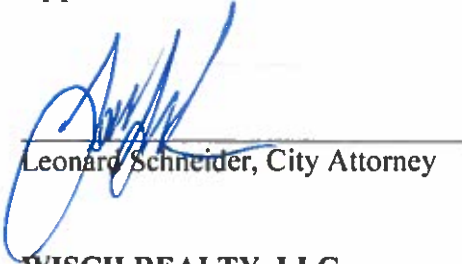
By: Aron Kulhavy, City Manager

ATTEST:

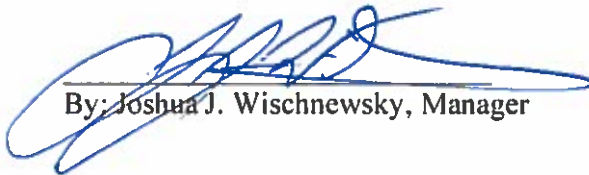


Brenda Poe, City Secretary

Approved as to Form:


Leonard Schneider, City Attorney

WISCH REALTY, LLC


By: Joshua J. Wischnewsky, Manager

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF Walker §

Before me, the undersigned authority, on this day personally appeared Joshua J. Wischnewsky, who after first being by me duly sworn, acknowledged and stated the witness has executed the above and foregoing document for the purposes and consideration therein expressed, and in the capacity therein expressed, and with full authority to so act, on this, the day of December, 2020.


Notary Public in and for the State of Texas

My commission expires: 3-12-2022

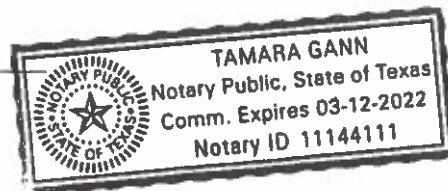


EXHIBIT "A"
Probable Cost Estimate

EXHIBIT "B"
CONSTRUCTION PLANS

**EXHIBIT "C" PRO-FORMA
CHAPTER 380
REPORT OF COMPLIANCE**

COMPANY: WISCH REALTY, LLC

REPORTING YEAR: January through December 31, _____ (up to Year 10)

2.0 Local Business Participation

2.1 Is the Company in compliance with using commercially reasonable efforts to provide local small businesses and minority owned and veteran owned businesses an equal opportunity to participate as suppliers for materials and services purchased by Company?

☐ Yes ☐ No

3.0 Texas Government Code Chapter 2264

3.1 Is the Company in compliance with Section 2.6 of the Agreement?

☐ Yes ☐ No

4.0 Additional Covenants

4.1 Is the Company in compliance with the other provisions of the Agreement?

☐ Yes ☐ No

I, _____ the authorized representative for _____, hereby certify that the above information is correct and accurate pursuant to the terms of the Agreement. I further certify that _____ complied fully with the Chapter 380 Economic Development Agreement during the reporting year, including Section 2.4 regarding compliance with City Regulations and Section 2.6 regarding Texas Government Code Chapter 2264.

Signature: _____

Printed Name: _____

Title: (Controller or equivalent): _____

Date: _____

EXHIBIT "D"

RE-PLAT



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 2.a.

Agenda Item: Consider approving the City of Huntsville Purchasing Policy 2025.

Initiating Department/Presenter: Finance

Presenter:

Lance Hall, Finance Director

Recommended Motion: Move to approve the City of Huntsville Purchasing Policy 2025.

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

Discussion: During the 89th Legislative Session, the State of Texas, through Senate Bill 1173 and House Bill 4747, raised the state and local competitive procurement threshold from \$50,000 to \$100,000, effective September 1, 2025. In reviewing the current policy to update the City of Huntsville threshold, staff has decided to amend the entire policy. Enclosed are the current policy, last amended in 2023, and the proposed new policy.

Previous Council Action: The City Council approved the amendment to the Code of Ordinances and the Fiscal Policy, reflecting the change to the competitive procurement threshold during the December 2 meeting. Approving the new updated Purchasing Policy is the final step in the process. The Finance Committee reviewed and approved the new Purchasing Policy at its meeting on November 18, and Legal Counsel has also reviewed the policy.

Financial Implications: The changes to the Competitive procurement threshold will save the city both time and money.

Approvals:

Lance Hall

Sam Masiel

Kristy Doll

Associated Information:

1. Procurement Manual - 9-2023
2. Final Draft Procurement Manual 12.2025



September 1, 2023

Glossary Tab

Glossary of Terms

Addendum: a written instrument issued by the City that modifies or clarifies a solicitation prior to the Due Date.

Annual Blanket/Open Purchase Orders: Purchases made routinely throughout the year and are typically used year to year and in many instances are used city wide. They are fixed price agreement throughout the life of the agreement. This process eliminates the necessity of obtaining multiple POs for the same goods or services, i.e., periodic purchase of sack concrete which is used in multiple departments.

Best Value: An assessment and/or award based on analysis of the total life cycle of the item. Combination criteria which can be used are: price, quality of item, location of responder, safety record of responder, past relationship with responder, and/or any relevant criteria specifically listed.

Bonds:

Bid Bond – A bond required of a contractor that ensure that the contractor will enter into the contract with the City.

Payment Bond – A bond required that ensures that all suppliers and labors of the contract will be paid for goods and services supplied in the course of the contract. Required for all public work projects in excess of \$50,000.

Performance Bond – A bond required that guarantees a vendor's performance should the vendor default and/or terminate during the execution of the contract. Required for public work projects in excess of \$100,000. (Also called a completion bond)

Capital Assets: Assets which when originally purchased had a value/cost which is over \$5,000. A City of Huntsville Addition to Asset Form and asset number are required.

Change Orders: A request to make changes to the contracted scope of work of specifications, primarily due to changes caused by unanticipated conditions, increase or decrease.

Component Purchases: The purchase of individual goods of an item that in the normal purchasing practices would be purchased in one purchase and the original item was previously bid.

Due Date: The date and time specified for receipt of quote/response.

Emergency Purchase: Purchases that are made to meet a critical or unforeseen need of the City, where the City's ability to protect the public's safety and welfare would be impaired if the purchase was not made immediately.

Encumbrance: The process in which the City reserves funds for the purchase of goods or services, in one budgetary accounting period.

Formal Procedure: A solicitation in which the response is to be delivered to the City Secretary's office in a sealed envelope. The solicitation opening is attended by the requesting department and purchasing. City purchases over \$50,000 follow the formal procedure.

Historically Underutilized Businesses HUBs: Generally refers to minority, and/or women-owned business. If a purchase is \$3,000 or greater but less than \$50,000, the department shall contact at least two historically underutilized businesses on a rotation based from information provided by the State Comptroller. If the list fails to identify a HUB in Walker County, the City is exempt.

Informal Procedure: A solicitation in which the response is delivered to the requesting department. The responses may be received electronically, facsimile, and/or delivered.

Individual One Time Purchase: Purchases made at the Department level which is typically purchased one time per fiscal year.

Piggyback Cooperative: a form of an intergovernmental cooperative which an entity will extend the pricing and terms of their contract to another governmental entity.

Professional Services: Services rendered by a person or a firm that requires years of education and service for one to attain competence and which calls for a high order of skill and/or learning. Professional Services include: accounting, architecture, engineering, medial, real estate, and surveyor.

Purchase Order: The City's written document which is submitted to a vendor formalizing all the terms and conditions of the transaction.

Request for Proposal (RFP): A type of solicitation in which the potential responders make an offer to the City based on selected criteria. The solicitation is written in the context of best value for the City. The terms and conditions can be negotiated between the responder and the City.

Request for Qualifications (RFQ): A type of solicitation in which the responder meets the definition of a Professional Service. Award based on the most qualified responding firm.

Responsible Responder: A responder who is fully capable to meet all the requirements of a solicitation

and/or contract, i.e. a responder who complies with the minimum standards of solicitation.

Responsive Responder: A responder who has submitted a bid/offer which conforms to the requests within, i.e. a responder who has signed the solicitation document and all the forms included.

Separate Purchases: Purchase of items or services made separately that in normal purchasing practices would be purchased in one purchase.

Sole Source: Purchases of goods or services that are available from only one supplier.
Subcontractor: Any person or business enterprise providing goods, labor, and/or services to a vendor if such goods, equipment, labor, and/or services are procured or used in fulfillment of the vendor's obligations arising from a contract with the City.

Term Purchase Order: A type of PO established for a specified time for goods or services.

Value Engineering: A technique by which a contractor may 1) voluntarily suggest methods for performing more economically and may share in any resulting savings 2) be required to establish a program or identify and submit methods for performing more economically.

Vendor/Contractor: Person or business enterprise providing goods, equipment, labor, and/or services to the City as fulfillment of obligations from an agreement or purchase order.

Purchasing Policy Tab



City Of Huntsville Purchasing Policy

**Approved
July 3, 2023**

Revised July 26, 2016

Revised March 15, 2022

Revised September 1, 2023

FORWARD

This manual contains the policies for purchasing related activities. Its purpose is to provide guidance and instruction for all employees as well as a reference for staff and management.

The purpose of the Purchasing Department is to provide a systematic and efficient procurement and surplus disposition for all City operations, enabling staff to have the necessary equipment and supplies needed to be as efficient as possible in their service to the citizens of Huntsville.

Legal and organization changes, as well as, operational improvements will bring about policy and procedural changes and revisions to this policy. Updates will be issued that reflect these changes in order to keep this policy current. This policy is provided as a white paper in the purchasing office as well as available on the City of Huntsville's internet and intranet.

If you cannot find an answer to your questions(s) or need additional information not found in the policy, please stop by the Purchasing Office or contact us and we will be of assistance. This policy cannot address every situation. When an unusual situation or a difficult legal problem occurs, the City Manager may approve exceptions to this Policy.

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CITY OF HUNTSVILLE PURCHASING POLICY

1.0 Governing Authority

The primary governing authority for the City of Huntsville's Purchasing Policy shall be the City Charter in conjunction with the Local Government Code. All procurement activity shall be governed by the City of Huntsville Purchasing Policy, City Charter, City Fiscal and Budget Policies, and in accordance with applicable state and local government codes.

All purchase approval(s) of the City vest in the City Council, for purchases of \$50,000 or more. Authority for purchasing of goods and services is delegated to the City Manager provided the purchase does not exceed \$50,000.

To ensure proper oversight, all purchases and requisitions in excess of \$25,000 but not more than \$50,000 shall be reported to City Council, reference Ordinance 2010-9.

2.0 Purchasing Code of Ethics

We Will:

- Eliminate personal aggrandizement this is dishonest and a misuse of public trust; Eliminate all conflicts of interest; Conduct ourselves in a manner that maintains personal honor and professional integrity; Maintain transparency by communicating all of our operations and actions; Attend technical and professional training to maintain government compliance with all federal, state, and local statutes, rules, and regulations; Eliminate tasks or processes that create a lack of fairness or displays partiality; and Eliminate the acceptance of gifts or making personal purchases based on business relationships, because it is considered dishonest and a misuse of our professional position. • •

3.0 Objectives

The Purchasing Department is responsible for assisting and consulting with City Departments in complying with federal, state and local statutes regulating competitive sealed bids, competitive sealed proposals, professional services, cooperative purchases, emergency and sole/one source purchases. The Purchasing Department shall assist all departments in solicitations in which the total project or individual purchase is in excess of \$50,000. The user departments shall make recommendations to the Mayor and City Council.

The Purchasing Department is a functional support department and should be included in all prepurchase planning meetings for purchases less than \$50,000. This is to ensure compliance with the State of Texas competitive bid statutes and the City's purchasing policies. The Purchasing staff issues solicitations and purchase order (PO's) in a timely manner. The Purchasing Department will assist at any stage of the purchasing process as requested.

3.1 General Duties of the Purchasing Department

- Observe and enforce the policy and procedures outlined in the City of Huntsville Purchasing Policy or as directed by the City Manager or his/her designee;

- Support, organize and assist departments in the specification writing, so that specifications are written concisely and are not written in an exclusive manner;
- Join with other governmental agencies in cooperative purchasing plans when it is in the best interest of the City;
- Attend formal solicitation pre-opening and opening meetings and assist as requested;
- Act in an advisory role as a non-voting member on evaluation committees;
- Assist in preparing and coordinating solicitation results, with user department director reporting recommended award of competitive solicitations to City Council;
- Combine purchase of similar items whenever possible and practical, to allow for better pricing and establish a more competitive atmosphere;
- Assist department heads in the disposition of scrap materials and properly dispose of City assets and/or property;
- Conduct regular training sessions for staff involved in the purchasing process;
- To recommend to the Director of Finance, City Manager and City Council those policies and/or procedures which are required to safeguard public funds while acquiring goods and services necessary to provide the citizens and vendors with a complete trust of the purchasing process; and
- To ensure responsible vendors are given a fair opportunity to compete for the City's business by using transparent methods and/or practices and by using specifications which encourages competition.

4.0 Competitive Purchasing Requirements

Under no circumstances shall multiple requisitions be used in combination to avoid other applicable bidding requirements or City Council approval.

Historically Underutilized Business, (HUBs) Local Government Code Chapter 252.0215 - Competitive bidding in relation to HUB vendors states that a municipality in making an expenditure of more than \$3,000 but less than \$50,000 shall contact at least two historically underutilized business on a rotating basis, based on information provided by the comptroller pursuant to Texas Government Code, Chapter 2161. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this section.

Refer to Local Government Code 252.0215

4.1 Procedures for Purchases less than \$3,000

The user Department Director and/or designee approves all purchases. Purchases can be made utilizing a procurement card, direct billing or with a purchase order.

4.2 Procedures for Purchases of \$3,000 to less than \$8,000

The Departments are to gain three quotes, either verbal or written. The Department Director must approve all purchase requisitions. The requisition is set to the Purchasing Department for issuance of a purchase order. Once a purchase order is issued, the user department places the order and/or picks up the materials. The Purchasing Department shall assist at any stage of the process as requested.

4.3 Procedures for Purchases of \$8,000 to less than \$50,000

The user Department Director and/or designee gains three written quotes. The Department Director and City Manager approves all purchase requisitions. The requisition is sent to purchasing for issuance of a purchase order. Once a purchase order is issued the user department places the order and/or picks up the materials. The Purchasing Department shall assist at any stage of the process as requested.

4.4 Procedures for Purchases of \$50,000 and over

Unless otherwise exempted by applicable State Law, solicitation whose aggregate total cost is \$50,000 or more, must be processed as a competitive solicitation. The purchasing process for all purchases of \$50,000 and over must begin with a conference between the Department Director and the Purchasing Manager. Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids. Purchases of \$50,000 and over will be taken to City Council as a Financial Transaction. The user Department Director shall be responsible for recommendation and preparation to City Council.

Texas Local Government Code, Section 252.062, states:

- a) A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential or component purchases to avoid the competitive bidding requirements of Section 252.021. An offense under this subsection is a Class B Misdemeanor.
- b) A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates Section 252.021 other than by conduct described by Subsection (a). An offense under this subsection is a Class B Misdemeanor.
- c) A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates this chapter, other than by conduct describe by subsection (a) or (b). An offense under this subsection is a Class C Misdemeanor.

4.5 Award Contract

The City of Huntsville shall award based on criteria deemed in the best interest/value of the City.

Texas Local Government Code, Section 252.043, states in part:

- a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.
- b) Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

4.6 Professional Services

Personal and professional services are exempted from the competitive bidding process, and may be procured through the use of Request for Qualification (RFQ) documents. The Purchasing Department is available to consult with departments regarding the preparation of information; however, the presentation of technical and qualifications aspects of personal and/or professional services included in the RFQ documents is the sole responsibility of the requesting department.

- a) Texas Government Code, Chapter 2254, Professional and Consulting Services: states in part that contracts for the procurement of defined professional services may not be awarded on the basis of competitive bids. Instead they must be awarded on the basis:
 - Of demonstrated competence and qualifications to perform the services;
 - For a fair and reasonable price; and
 - May not exceed any maximum provided by law
- b) Professional Services for the purpose of Texas Government Code, Chapter 2254 are defined as those services within the scope of the practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing, or provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant, an architect a landscape architect, and land surveyor, a physician, including surgeon, an optometrist or a professional engineer, a state certified or stated licensed real estate appraiser or registered nurse.

4.7 Information Technology

All requests for computer equipment, software, telecommunications and/or related services or supplies should be submitted to the Information Technology (IT) Director for review or technical evaluation. The IT Director will determine compatibility, best source or investigate alternatives and will recommend purchase. No purchase for computer related equipment or supplies are allowed without the IT Director's approval.

4.8 Grant Funding

All requests for grants are to be approved by the Neighborhood Resources Director, City Manager and/or City Council. The awarded department is encouraged to contact the Neighborhood Resources Director prior to beginning the purchasing process.

4.9 Cooperative Purchases

Cooperative purchasing occurs when two or more governmental entities coordinate some or all purchasing efforts to gain the best overall value for the entities. Cooperative purchasing can occur through inter-local agreements, state contracts, and/or joint purchases. The Purchasing Department will assist the user departments to determine best method/cooperative for the purchase.

Refer to Local Government code 271 Subchapter D

5.0 General Exemptions

The State Legislature has exempted certain items for sealed bidding.

5.1 Emergency Purchases

Valid emergencies are those that occur as a result of an unforeseen breakdown or damage of equipment, procurement necessary to protect the public's safety, health, and/or procurement made due to public calamity. When this situation occurs, the department shall contact the Purchasing Department and conduct the procurement of supplies and services in accordance with the City's Purchasing Policy, City Charter and Texas Local Government Code.

5.2 Sole Source Purchases

Sole-source purchases are items that are available from only one source because of patents, copyrights, secret process or natural monopolies as defined by the local government code.

When a department has identified a specific item with unique features or characteristics essential and necessary to the requesting department and no alternative products are available, a detailed written justification must be included with the purchase requisition along with the Department Director approval.

Refer to Local Government Code 252.022 (a) 7 for sole source purchases.

Refer to Local Government Code 252.022 for a complete listing for General Exemptions.

6.0 Sale or Lease of Real Estate

- a) Statutory and other authority
Local Government Code Section 272
City Charter Section 14.12, 14.13(a) & (b)
- b) Purpose
To provide procedures and guidelines for the sale or lease of real estate for members of the City Council, City Management and the public.
- c) Glossary
Real Estate: Land and its permanently affixed buildings or structures.
- d) General provisions

1. Delegation of Authority: Except as otherwise provided in the policy, the City Council delegates to the City Manager authority to manage and maintain all real estate owned or controlled by the City.
2. The City Manager or designee is responsible for ensuring care, maintenance, safekeeping, deeds and/or inventory of all real estate.
3. No public park shall be sold or any part thereof, until the question of such sale has been submitted to a vote of qualified voters of the City and approved by a majority of the votes cast at such election. (Reference City Charter Section 14.13 (a))
4. Only City Council can approve the sale or lease of real estate.

e) Sale of real estate

1. The City Manager shall present to City Council notification of intent to sell real estate twenty-one (21) calendar days prior to beginning procedures for sale of real estate. Should a City Council member have objection, the City Manager is to be notified in writing. A Council Member agenda item may be placed for council consideration and action at the next available council meeting. Should there be no written objections the City Manager has authority to implement procedures for sale on the 22nd calendar day.
2. All real estate must be sold at no less than fair market value. Fair Market Value is determined by an independent appraisal.
3. The solicitation must be an Invitation for Bid with the award based highest price/offer.
4. The Purchasing Department shall place notice for the sale of real estate in the City's official newspaper, on the City's Website and when possible place for sale signs on the property. This notice shall be published each publication day for two consecutive weeks in the City's official newspaper. The sale cannot be completed until after the 14th day after the date of the last publication. This does not prohibit the City from sending notifications via email or delivery service. (Reference City Charter 14.13 (b)).
5. The notice for sale of real property shall include description of property, location of property, procedures for sealed bids to be received, opening procedures, date, time, and location of opening.
6. Procedures for acceptance of response which must be outlined in the Invitation for Bid are:
 1. The City reserves the right to accept or reject any or all responses.
 2. All responses must be received in a sealed envelope addressed to Attention City Secretary, City Hall. Electronic responses will not be accepted.
 3. Must include date, time and location of opening.
 4. Should less than 2 responses be received by the published date and time of opening, the opening shall be automatically extended for a minimum of 24 hours. Notification of date and time extension shall be issued by an addendum as soon as possible. At no time during the extension period

shall any responses be opened until all time has expired. After the revised opening date and time the City Manager has the authority to issue a 2nd extension addendum or open responses.

5. This does not prohibit sale of property to take place during a live auction.
6. All mineral rights are to be retained by the City and shall not be sold unless approved by City Council.
7. The City Manager will recommend final sale or rejection of all responses to City Council for action.

f) Lease of real estate

1. The City Manager shall present to City Council notification of intent to lease of real estate twenty-one (21) calendar days prior to beginning procedures for lease of real estate. Should a City Council member have objection, the City Manager is to be notified in writing. A Council Member agenda item may be placed for council consideration and action at the next available council meeting. Should there be no written objections the City Manager has authority to implement procedures for lease on the 22nd calendar day.
2. The solicitation must be a Request for Proposal with the award based on the best value for the City.
3. The Purchasing Department shall place notice for the lease of real estate in the City's official newspaper, on the City's Website and when possible place for lease signs on the property. This notice shall be published each publication day for two consecutive weeks in the City's official newspaper and the lease cannot be completed until after the 22nd day after the date of the least publication. This does not prohibit the City for sending notifications via email or delivery service. (Reference City Charter 14.13 (b)).
4. The notice for lease of real estate shall include description of property, location of property, procedures for seal proposals to be received, opening procedures, date, time, and location of opening.
5. Procedures for acceptance of response which must be outlined in the Request for Proposal are:
 1. The City reserves the right to accept or reject any or all responses
 2. All responses must be received in a sealed envelope addressed Attention City Secretary, City Hall. Electronic responses will not be accepted.
 3. Must include date, time and location of opening.
 4. Should less than 2 responses be received by the published date and time of opening, the opening shall be automatically extended for a minimum of 24 hours. Notification of date and time extension shall be issued by an addendum as soon as possible. At no time during the extension period shall any responses be opened until all time has expired. After the revised opening date and time the City Manger has authority to issue a 2nd extension addendum or open responses.

6. The City Manager is to recommend acceptance or rejection of all responses to City Council for action.
- g) Lease of mineral rights
1. No City owned property or any part thereof shall be leased for the purpose of prospecting for mining, drilling or producing oil, gas, or other minerals unless such lease agreement specifically provides that the City shall retain a royalty interest equivalent to at least one-eighth of the total production of such oil, gas, or other minerals. (Reference City Charter Section 14.12)
 2. The City Manager is to negotiate and recommend all mineral rights leases to City Council for action.

7.0 Purchasing Procedures Handbook

The Purchasing Procedures Handbook contains expanded explanation and procedures for accomplishing the procurement of goods and services in accordance with this policy. The Purchasing Manager maintains responsibility for updating the Purchasing Procedures Handbook in accordance with the applicable State and Local Government Codes, City Charter and Purchasing Policy as approved by City Council

Purchasing Card Program Tab

City of Huntsville Purchasing Card Program



Cardholder Manual and Agreement

Updated July 1, 2005

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CITY OF HUNTSVILLE
PURCHASING CARD CARDHOLDER AGREEMENT

Requirements for Use

The Purchasing Card is to be used only to make purchases at the request of and for the legitimate business benefit of the City of Huntsville.

The Purchasing Card must be used in accordance with the provisions of the Purchasing Card Program Cardholder Manual and in accordance with the Purchasing policies and procedures established by the City of Huntsville.

Violations of these requirements may result in revocation of use privileges and/or disciplinary actions, up to and including TERMINATION of employment. Employees who are found to have inappropriately used the Purchasing Card will be required to reimburse the Organization for all costs associated with such improper use.

Purchasing Card Account Number: _____

Monthly Limitations: _____

Received By: _____

Cardholder Signature: _____

Date: _____

Purchasing Card Administrator

CITY OF HUNTSVILLE PURCHASING CARD PROGRAM

CARDHOLDER MANUAL

(Revised July 1, 2005)

1. INTRODUCTION

The City of Huntsville has implemented a Purchasing Card Program as part of its continuing effort to improve service while reducing costs. A number of unique controls have been developed for the Purchasing Card Program. These controls help ensure that the card will be used only for official City purchases and within specific dollar limits. This Cardholder Manual has been developed to assist you in understanding both the Purchasing Card Program and your responsibilities as a Cardholder.

2. WHAT IS THE PURCHASING CARD?

The Purchasing Card is a credit card issued under the state purchasing agreement. It is a fast, flexible new purchasing tool which offers an alternative to the existing purchasing processes and provides an efficient and effective method for purchasing and paying for small dollar items. **The purchasing card is not to be used for purchases of \$1,000 or more unless approval is obtained from the Purchasing Card Administrator and Director of Finance.** The card is to be used only for official purchase. The Purchasing Card will be issued in the employee's name and the "Organization Name" clearly indicated on the card.

3. THE PURCHASING CARD PROGRAM BRINGS MANY BENEFITS TO...

Cardholders – This program will help streamline the purchasing process and can help improve turnaround time on receipt of your order. It reduces the workload and processing costs related to the purchase and payment of supplies.

Department Cards – If Department cards are issued, it is the responsibility of the director to provide an internal procedure of who will hold these cards and maintain the invoices and statements. The issuing bank offers no liability on misuse of department cards. A copy of the procedure must be given to the accounting department for audit process.

Vendors – The Purchasing Card will be welcomed by vendors who accept MasterCard. When they accept the card for business purchased, vendors need not send invoices to the City of Huntsville, and they will receive payment directly for the issuing bank within 48 hours.

4. PARTIES INVOLVED

Card Issuer – Bank One’s services include issuing Purchasing Cards to City of Huntsville employees and departments, providing electronic transaction authorizations, and billing the City of Huntsville for all purchases made on the cards.

City of Huntsville – Arranges with the issuing bank to have Purchasing Cards issued to approved employees and departments and agrees to accept liability for the employees’ use of the cards.

Department Head – Organization official who must approve employee’s request for a Purchasing Card, designate default accounting code for purchases on the Purchasing Card, and submit application to the City Manager’s office for approval. Department Head approval delegates transactions authority to the Cardholder and the department.

Purchasing Card Administrator – The central administrator located in the Organization’s Purchasing Department who coordinates the Purchasing Card program for the Organization and acts as the Organization’s intermediary in correspondence with the card issuer.

Cardholder – An employee of the Organization who is approved by the Department Head and City Manager’s Office to use the Purchasing Card to execute purchase transactions on behalf of the Organization. The director of each department will assign who will maintain department cards.

Vendor – The merchant from whom a Cardholder is making a purchase.

5. CARDHOLDER ELIGIBILITY

Criteria to receive a Purchasing Card is as follows:

- Applicant must be an employee of the Organization.
- Applicant’s request for Purchasing Card must be approved by the Department Head and City Manager’s office.
- Each individual Cardholder must sign a Cardholder Agreement (Attachment 1) in the presence of the Purchasing Card Administrator.

6. CARDHOLDER RESPONSIBILITIES

The Cardholder must use the Purchasing Card for legitimate business purposes only. Misuse of the card will subject Cardholder to disciplinary action in accordance with the City’s Policies and Procedures relating to disciplinary action and termination for cause. The Cardholder must:

- Ensure the Purchasing Card is used for legitimate business purpose only.
- Maintain the Purchasing Card in a secure location at all times.

- Adhere to the purchase limits and restrictions of the Purchasing Card and City purchasing policies.
- Receive a **detailed** receipt from each vendor. Receipt needs to include each item purchased and the price per each, with a total of all items. This includes restaurant receipts. Make sure no tax has been charged. **It is the responsibility of the cardholder to assure that tax is either credit to the card or paid, with the exception of any restaurant receipts.** (Refer to Section 11 of this policy and the City Travel and Training Policy for card use related to travel expenses).
- Retain and reconcile all sales slips, register receipts, and/or Purchasing Card slips to the Cardholder statement and provide it to the supervisor for reconciliation, approval and allocation of transactions.
- Attempt to resolve disputes or billing errors directly with the vendor and notify the issuing bank if the dispute or billing error is not satisfactorily resolved.
- Ensure that an appropriate credit for the reported dispute item or billing error appears on a subsequent Cardholder statement.
- **NOT ACCEPT CASH** in lieu of a credit to the Purchasing Card account.
- Immediately report a lost or stolen card to Bank One at 1-800-890-0669 (24 hours a day, 365 days a year).
- Immediately notify supervisor of a lost or stolen Purchasing Card at the first opportunity during normal business hours.
- Return the Purchasing Card to the supervisor upon termination employment with the Organization or transferring Departments within the Organization.
- If a vendor does not accept the purchasing card, contact the purchasing card administrator.
- Report erroneous and emergency transaction needs to the supervisor during normal business hours.

7. DEPARTMENTAL SUPERVISOR RESPONSIBILITIES

Responsibilities include:

- Reviewing vendor receipts attached to the Cardholders statements.
- Attempt to resolve any disputes with vendor and/or the issuing bank not resolved by Cardholder.
- Notifying Purchasing Card Administrator in 3 to 5 days of an unresolved disputes, noting the reason for dispute.
- Notify Purchasing Card Administrator if Cardholder transfers to a different division or department; experiences any problems with use of card; **or lost or stolen cards.**
- Requesting Purchasing Card Administrator to cancel a Cardholder's card (ie. Terminated employees, lost of card and loss of purchasing card privileges) as approved by Department Head.

- Collecting canceled cards from Cardholders and forwarding to Purchasing Card Administrator.
- Assisting Cardholders with erroneous declines and emergency transactions.
- Approve and sign purchasing receipts/statements and ensure proper coding and timely submittal to Finance.

8. PURCHASING CARD ADMINISTRATOR RESPONSIBILITIES

The Purchasing Agent will act as the Purchasing Card Administrator to be responsible for the over-all Purchasing Card program. Responsibilities include:

- City of Huntsville liaison with the issuing bank.
- Reviewing Department approved applications for completeness of required information.
- Serve as liaison informing credit card company of budget and transaction limitations or any other changes or restrictions.
- Submitting completed application to the issuing bank and receiving Purchasing Card.
- Training Departmental supervisors and Cardholders before releasing Purchasing Cards.
- Having Cardholder sign Cardholder Agreement (Attachment 1), signifying agreement with the terms of the Purchasing Card program.
- Handling disputed charges/discrepancies not resolved by Cardholder or Departmental Supervisor.
- Securing revoked Purchasing Cards and submitting information to the issuing bank.
- Ensuring that lost stolen cards have been blocked by the issuing bank.
- Assisting the Departmental supervisor with erroneous declines and emergency transactions.
- Provide monthly and quarterly reports on usage as necessary to Director of Finance and Finance Committee.

9. PURCHASING CARD MAINTENANCE AND CLOSURE

All contact with the issuing bank for card set up, maintenance closure (except for reporting lost or stolen cards) will be handled by the Purchasing Card Administrator who is located in the Purchasing Department. The Purchasing Card Administrator is required to close an account if a Cardholder: (a) moves to a new job in which a Purchasing Card is not required, (b) terminates employment or (c) for any of the following reasons which will also subject Cardholder to disciplinary action in accordance with Organization Policies and Procedures relating to disciplinary action and termination for cause:

- The Purchasing Card is used for personal or unauthorized purposes.
- The Purchasing Card is used to purchase alcoholic beverages or any substance, material, or service which violates policy, law or regulation pertaining to the City of Huntsville.

- The Cardholder splits a purchase to circumvent the limitations of the Purchasing Card or the purchasing policies.
- The Cardholder uses another Cardholder's card to circumvent the purchase limit assigned to each Cardholder or the limitations of the Purchasing Card.
- The Cardholder fails to provide Departmental Supervisor with required receipts.
- The Cardholder fails to provide, when requested, information about any specific purchase.
- The Cardholder does not adhere to all of the Purchasing Card policies and procedures.

A request for closing a Cardholder account will be submitted to the issuing bank by the Purchasing Card Administrator, and the Cardholder must return the Purchasing Card immediately to their supervisor.

10. PURCHASING CARD USE/RESTRICTIONS

The card works just like your personal credit card, except all charges are paid in full by the City of Huntsville. **The purchasing card is not a debit card.** The card is to be used only for purchasing items with a total cost under the assigned transaction limit.

The City's expenditure limits for each Purchasing Card issued are set at a maximum monthly spending amount. The purchasing card is not to be used for purchase of \$1,000 or more unless it relates to travel, ie. hotel reservations, etc. or pre-approved purchases.

The City requires that certain types of purchases be blocked from Purchasing Card use. Among these are entertainment and cash transactions. Such transactions, if attempted, will be blocked at the point-of-sale level and may subject the Cardholder to disciplinary action.

11. PURCHASING CARD PAYMENT FOR TRAVEL EXPENSES

Departments are encouraged to utilize the City of Huntsville procurement card to cover travel and business expenses for themselves and their staff. For each travel and business expense charged to a City procurement card, the cardholder shall complete the required **Record of Travel/Training/Expense Form**. The date, description and purpose of the travel expense and submittal of itemized receipts are required for each travel expenditure as part of the account reconciliation.

Credit cards should not be used for meals. Exceptions may be granted for appointed board members and officials, or employees traveling with a cardholder on city business. Copies of receipts for credit card purchases are required to be attached to the Record of Travel/Training/Expense Form. Originals should be included with the credit card statement.

12. PURCHASING CARD/ACCOUNT NUMBER SECURITY AND STORAGE

Cardholders should always treat the Purchasing Card with at least the same level of care as one does their own personal credit cards. The card should be maintained in a secure location and the card account number should be carefully guarded. The only person entitled to use the card is the person whose name appears on the face of the card.

The Purchasing Card Administrator located in the Purchasing Department will maintain all other documentation concerning the Purchasing Card program. This documentation includes, but is not limited to, applications, Cardholder Agreements, and copies of transmittals and correspondence with the issuing bank.

13. CARDHOLDER LIABILITY

The Purchasing Card is a corporate charge card and will not affect your person credit. It is the Cardholder's responsibility to ensure that the card is used within stated guidelines of this manual. Failure to comply with program guidelines may result in permanent revocation of the card, notification of the situation to management, and disciplinary action in accordance with the City of Huntsville's policies and procedures relating to disciplinary action and termination for cause. Reimbursement to the City of payroll deductions may be required to ensure refund of unauthorized expenditures.

14. LOST, MISPLACED OR STOLEN PURCHASEING CARDS

Report any lost or stolen Purchasing Card immediately to Bank One toll-free at 1-800-890-0669. Banks One representatives are available to assist you 24 hours a day, 365 days a year. Be sure to notify your Department Supervisor about the lost or stolen card at the first opportunity during normal business hours.

15. ERRONEOUS DECLINES

There may be certain situations when a vendor receives a decline message when processing your Purchasing Card transaction. If you do not know the reason for the decline, contact Bank One at 1-800-890-0669 for an explanation. If the decline was in error, the Cardholder should immediately contact the Purchasing Card Administrator for assistance.

If purchase is being made outside of normal business hours, the employee must find an alternate payment method or terminate the purchase and contact the Purchasing Card Administrator during normal hours.

16. DISPURES & BILLING ERRORS

The Cardholders should always attempt to resolve any disputes or billing errors directly with the vendor. If appropriate, the vendor will issue a credit to the card account. If an agreement cannot be reached with the vendor, you should contact Bank One at 1-800-890-0669. Bank One may ask you to mail or fax a Statement of Disputed Item to document the dispute.

All issues should be resolved using this process. However, if you are unable to obtain an acceptable resolution, you must contact the Purchasing Card Administrator for assistance. The total amount billed by the issuing bank will be charged to the individual department account, and a credit for the disputed transaction will be posted to department account when a credit appears on the Bank billing.

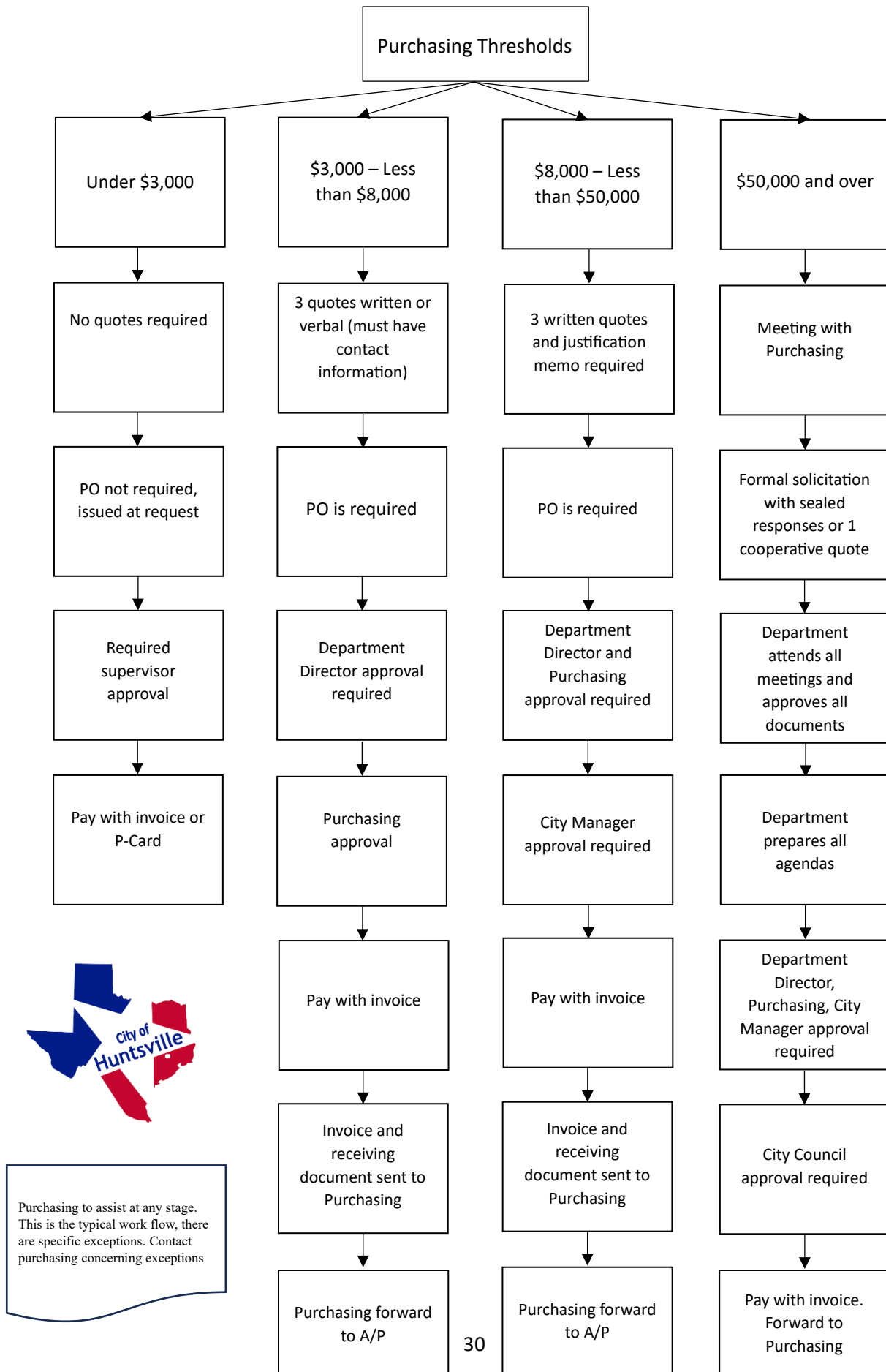
17. SALES TAX

The City of Huntsville is exempt from sales tax for all purchases. Make sure you inform your vendor of this exemption before executing a purchasing transaction. It is the responsibility of the cardholder to assure that tax is either not billed or paid.

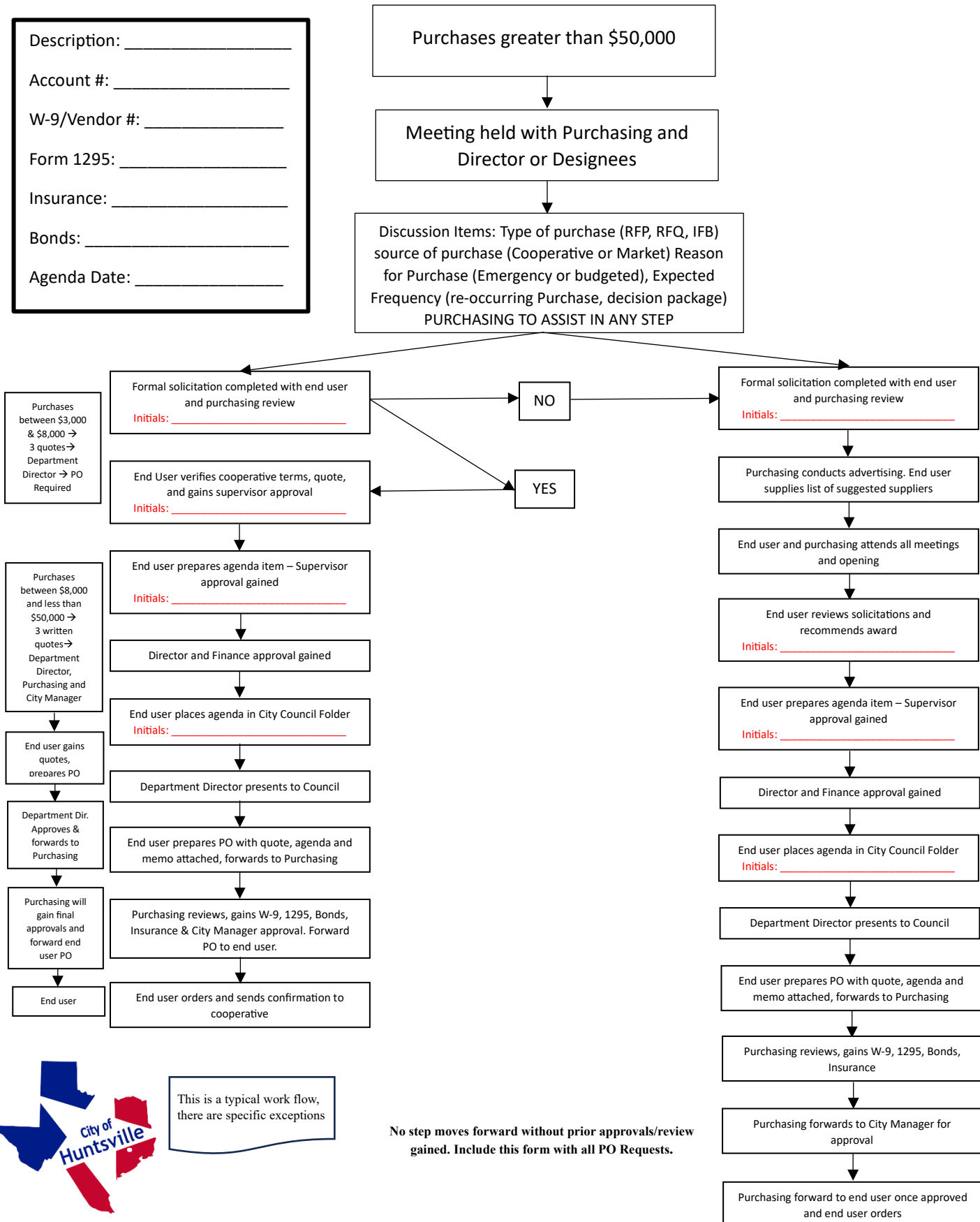
18. TRAVEL CARD

The City may maintain a travel card in the purchasing office. Use of the card through purchasing is encouraged to obtain state rates on air fair, car rentals, or hotels.

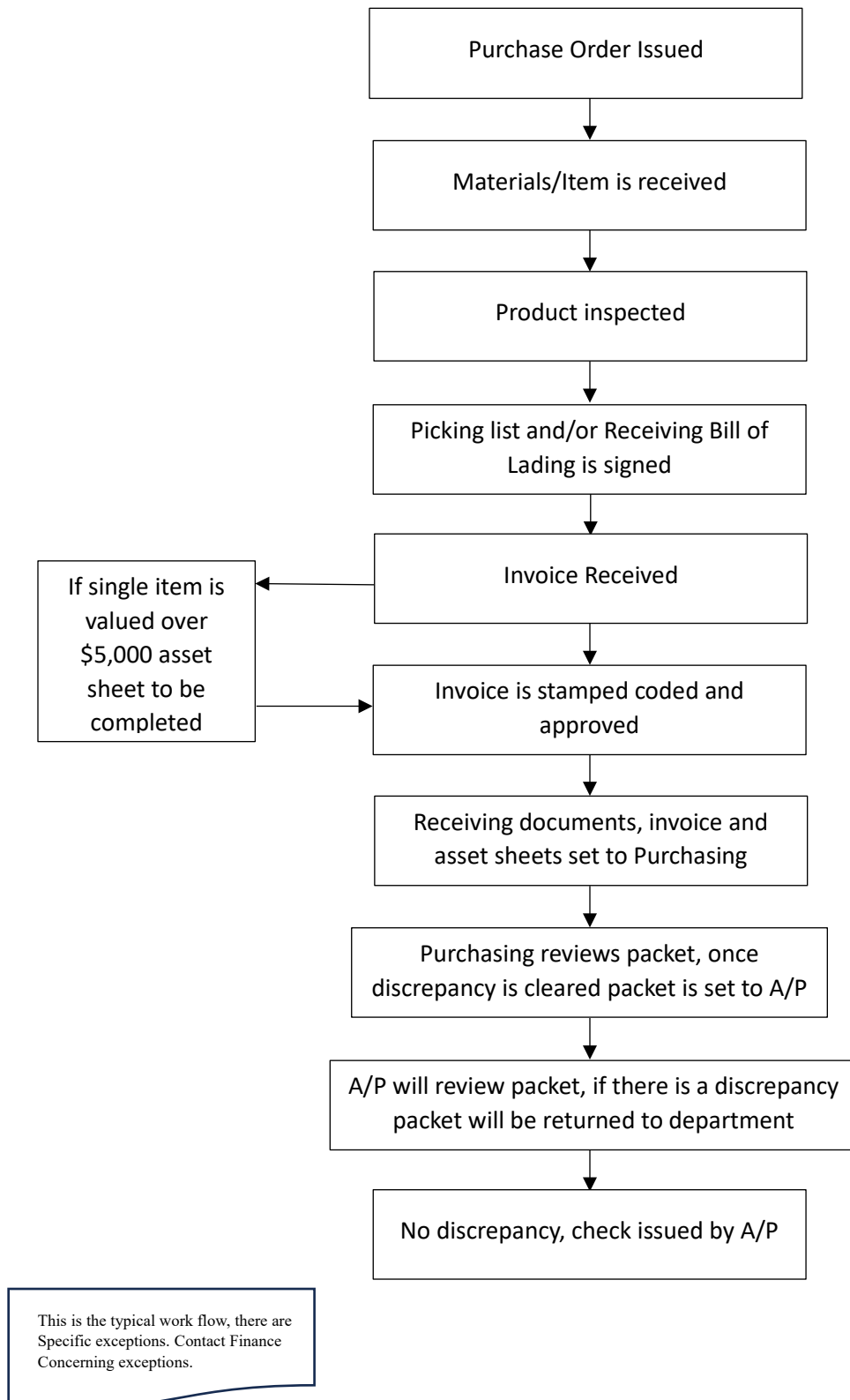
Paperflow Tab



PUBLIC WORKS PURCHASE REQUEST PROCESS



Flow for all goods and services, which a purchase order (PO) is issued



HUBs Tab

WALKER COUNTY HUBS

COMPANY NAME	MAILING ADDRESS	EMAIL	PHONE	HUB ELIGIBILITY	HUB GENDER
ANDIE HO	331 OAK LAWN ST,	ANDIE@ANDIEHOTTRANSLATIONS.COM	316-727-6877	AS	F
COLLUM CONSTRUCTION PARTNERS, LTD.	14 STATE HIGHWAY 75 N STE B,	NANCYCOLLUM@YAHOO.COM	936-291-0334	WO	F
CRYSTAL RESOLUTIONS, LLC	1085 ELKINS LAKE,	LIESA@CRYSTALRESOLUTIONS.COM	936-293-1338	BL	F
D DURDA LLC	919 ELKINS LAKE,	DEBRA.DURDA@NOVYSOLUTIONSSERVICES.COM	817-994-0123	WO	F
D.B. & J.A. WARD, INC.	180 IH 45 S,	WARDFURNITURE@SBCGLOBAL.NET	936-295-2514	WO	F
DRAGON A/C & HEATING CO.	PO BOX 470,	DRAGONACHEATING@GMAIL.COM	936-355-1083	WO	F
ELITE MACHINING, INC.	P. O. BOX 8878,	RAGENA.ELITE@YAHOO.COM	936-435-9899	WO	F
GERONIMO'S CADILLAC, INC.	DBA ADAMS FURNITURE,30 STATE HWY 75 NORTH	123ADAMS@SBCGLOBAL.NET	936-295-1028	WO	F
HBI OFFICE SOLUTIONS INC	308 HWY 75 NORTH STE B,	SUSAN@HBI-INC.COM	936-295-4592	WO	F
JANES PAVEMENT SERVICES, INC.	62A POSSUM WALK LOOP,	ANNM.JANES@SBCGLOBAL.NET	936-293-8581	WO	F
KINGDOM STEWARDS OF FIVE LOAVES DELI, LL	KINGDOM STEWARDS OF FIVE LOAVES DELI, LL,1329 UNIVERSITY AVE STE I	JUDY5809@ATT.NET	936-439-9400	WO	F
LITTLE SPLITPEAS LLC	2821 SAM HOUSTON AVE, SUITE C	LITTLESPLITPEAS@ICLOUD.COM	936-439-3348	WO	F
MADE BY MAB	151 BRIARWOOD DR,	MADEBYMAB@YAHOO.COM	936-661-5321	HI	F
MCCAFFETY ELECTRIC CO., INC.	P.O. BOX 163,	PAM@MCCAFFETYELECTRIC.COM	936-295-2831	WO	F
TEXAS HUB EXPRESS LLC	809 FM 2821 RD W,	TEXASHUBEXPRESS@GMAIL.COM	936-545-3362	WO	F
TREXXLER ENERGY SOLUTIONS, LLC	810 INTERSTATE 45 N,	MORGAN@TREXXLER.COM	713-396-9771	DV	M
TOP NOTCH DIRT WORKS	253 FISHERMAN'S TRAIL,	TOPNOTCHDIRTWORKS@GMAIL.COM	936-661-2276	WO	F
WALKER COUNTY HARDWARE, INC.	PO BOX 1086,	WALKERHARD@TXCYBER.COM	936-295-7751	WO	F
WILLIAM R. PITTS ENTERPRISES, INC. DBA	ADVANTAGE SPECIALTIES,252 STATE HIGHWAY 19	STEPHANIE@ADVANTAGESPECIALTIES.COM	936-291-3222	WO	F
WILSON ELECTRICAL CONTRACTORS, INC.	P.O. BOX 1717,	WILSONELECCTRACTORS@GMAIL.COM	936-344-6402	WO	F



City Of Huntsville

Purchasing Policy

Revise December 16, 2025

Revised July 3, 2023

Revised July 26, 2016

Revised March 15, 2022

Revised September 1, 2023

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Forward

The City of Huntsville acknowledges the importance of identifying guidelines for city employees that will enable them to make purchases for the City, while maintaining the integrity of its financial controls. The purchasing process starts with the annual budget. The approval of the City's budget is the way the City Council approves management to spend on behalf of the City. Purchasing is a key part of the process of turning the authorized city budget into actual services. That process must be designed to allow staff to maximize results with limited resources while ensuring compliance with all relevant local, state, and federal laws and regulations. Although the respective department Directors may have the authority to spend within their budget, they must follow specific purchasing procedures and possess an understanding of the procedures to ensure a fair purchasing process.

Purpose

This purchasing policy manual provides the necessary methods of procurement for the roles and responsibilities of both the Purchasing department and all other City departments. The information included will allow the departments to make decisions necessary to request the purchase of goods and services needed to perform the functions of their department effectively.

Mission

- **Ensure Compliance:** Adhere to City Charter, all City policies, as well as applicable state and federal laws governing procurement.
- **Promote Fair Access:** Provide equal opportunity for all qualified vendors through a transparent, competitive procurement process.
- **Safeguard Public Funds:** Ensure that public funds are used responsibly and efficiently to achieve the best value for taxpayers.
- **Uphold Integrity and Public Trust:** Conduct all purchasing activities in a manner that protects the interests of the City of Huntsville and promotes public confidence in the integrity of the procurement process.

Governing Authority

In accordance with the City Charter, purchasing authority is ultimately vested in the City Council. The City Manager, serving as the Chief Executive Officer of the City, is authorized to approve purchases of goods and services not exceeding \$0,000, in alignment with policies established by the City Council. Any purchase exceeding \$100,000 requires formal approval by the City Council prior to the execution of any contractual obligation. All procurement activities shall adhere to all City policies, City Charter, and applicable federal, state, and local laws.

Compliance and Legal Penalties

In accordance with Local Government Code 252.062, a municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential or component purchases to avoid the competitive bidding requirements. This offense could result in up to a class B misdemeanor.

Purchasing Code of Ethics

City personnel involved directly or indirectly in procurement activities are expected to uphold the standards set forth in this Purchasing Code of Ethics. This includes individuals involved in specification development, quote or bid evaluations, requisition approvals, contract oversight, and payment authorization.

To promote shared accountability, all employees participating in purchasing-related decisions shall review and sign a Purchasing Code of Ethics Acknowledgment Form on an annual basis. The Purchasing Department shall maintain these acknowledgments as part of the City's procurement compliance records. We Commit To:

- Upholding the highest standards of honesty, integrity, and impartiality in all procurement activities, avoiding any actions that would result in personal gain or misuse of public trust.
- Avoiding and eliminating all conflicts of interest, both real and perceived, in the execution of our duties.
- Conducting ourselves in a manner that reflects personal honor and professional ethics, fostering public confidence in the integrity of the procurement process.

- Ensuring transparency and accountability by openly communicating procurement actions and decisions in accordance with applicable laws and policies.
- Pursuing ongoing professional development and training to remain current with federal, state, and local procurement statutes, rules, and best practices.
- Promoting fairness and competition by eliminating processes or practices that create bias or unequal treatment of vendors.
- Refusing to accept gifts, favors, or gratuities, and refraining from making personal purchases through business relationships, as such actions compromise the ethical principles of our profession and the public's trust.

Objectives of the Purchasing Department

The Purchasing Department is responsible for providing guidance and support to City departments to ensure compliance with all applicable City policies, City Charter, and applicable federal, state, and local laws governing procurement. To not limited to competitive sealed solicitations, professional services, cooperative purchasing, emergency procurements, and sole or single-source acquisitions. User departments are responsible for making final recommendations to the Mayor and City Council. Purchasing should be included in all pre-purchase planning meetings to ensure adherence to competitive bidding requirements.

User Do's and Don'ts

Coordination among City departments is necessary for the process to work effectively. To avoid delays and comply with all policies and laws, departments should remember the following:

- Don't commit to or acquire goods or services without an authorized purchasing plan or you could be held personally liable for the payment.
- Do adhere to the City's Code of Ethics and avoid activities and behaviors that are unethical or create conflict of interest or the perception of a conflict of interest.
- Do plan purchases to minimize the use of emergency and expedited purchases. Rush purchases are generally more expensive and they delay other requisitions already in the system.
- Do plan purchases to allow sufficient time to process purchase requests. The Purchasing Department is committed to processing all requisitions within a restricted timeframe depending on the dollar threshold of the purchase. In general, departments should allow:
 - 1-2 business days for purchase order requests less than \$3,000 that are not being quoted for competitive pricing.
 - 0-1 business day to complete HUB verification only for purchases \$3,000.01 - \$5,000. The department must obtain an emailed confirmation of HUB vendor verification prior to purchase.
 - 2-3 business days for purchase order requests between \$5,000.01 - \$25,000 from when the requisition and informal quotes are received by the Purchasing Department.
 - 2-3 weeks for purchase order requests between \$25,000.01 - \$100,000 requiring a formal solicitation process.
 - 4-6 weeks for purchase order requests over \$100,000 requiring planning and a formal solicitation process.

General Duties of the Purchasing Department

The Purchasing Department is responsible for overseeing the City's procurement activities in accordance with applicable laws, City policies, and ethical standards. In fulfilling this role, the Purchasing Department shall:

- Enforce the policies and procedures established in the City of Huntsville Purchasing Manual and implement directives issued by the City Manager or their designee;
- Provide support and guidance to departments in the development of specifications to ensure they are clear, non-restrictive, and promote open competition;
- Pursue cooperative purchasing opportunities with other governmental entities when such arrangements are in the best interest of the City;

- Attend and facilitate formal solicitation openings, including pre-opening meetings, and provide procedural support as needed;
- Serve in an advisory capacity as a non-voting member on evaluation committees for competitive solicitations;
- Collaborate with user departments to prepare and coordinate solicitation outcomes, including reporting recommended awards to City Council for formal approval;
- Consolidate purchases of similar goods or services, when practical, to leverage volume pricing and encourage a more competitive procurement environment;
- Assist department heads in the proper disposition of surplus or scrap materials and coordinate the disposal of City-owned assets in accordance with City policy;
- Conduct periodic training sessions for City staff involved in purchasing activities to promote consistent application of procurement procedures;
- Recommend updates or changes to procurement policies and procedures to the Director of Finance, City Manager, and City Council to safeguard public funds and enhance procurement efficiency and accountability; and
- Promote fairness, transparency, and vendor confidence in the City's procurement process by ensuring that specifications support broad competition and that all responsible vendors are afforded equal opportunity to compete for City business.

Purchasing Thresholds and Procedural Requirements

Purchasing Thresholds

- **Purchasing Guidelines for Purchases less than \$3,000**
The Department Director or designee must approve all purchases. Purchases can be made using the Procurement Card, Direct Billing, or a Purchase Order.
- **Purchasing Guidelines for Purchases between \$3,000.01 - \$5,000**
Departments must acquire HUB vendor verification from the Purchasing Department prior to purchase. Purchases made with a purchase order are exempt from this verification requirement. The Department Director or designee must approve all purchases. These Purchases can be made using the Procurement Card, Direct Billing, or a Purchase Order.
- **Purchasing Guidelines for Purchases between \$5,000.01 - \$25,000**
Departments are required to obtain three written quotes. The Department Director must approve all purchase requisitions. The requisition and all supporting documents must be submitted to the Purchasing Department for review and HUB vendor verification. Once the Purchase Order is confirmed, the department will be notified to proceed with placing the order and/or picking up the materials upon confirmation email from the Purchasing Department.
- **Purchasing Guidelines for Purchases between \$25,000.01–\$100,000**
Departments are required to obtain three formal (written) quotes. The Department Director must approve all purchase requisitions. The requisition and all supporting documents must be submitted to the Purchasing Department for review and HUB vendor verification. The Purchasing Department prepares a draft Purchase Order and requests the City Manager's approval. Upon receipt of approval for the purchase, the purchase order is issued. Once the Purchase Order is confirmed, the department will be notified to proceed with placing the order and/or picking up the materials upon confirmation email from the Purchasing Department.
- **Purchasing Guidelines for Purchases \$100,000.01 and over**

A formal sealed competitive solicitation is required, unless the procurement is exempt by law. The solicitation process starts with a planning meeting to decide the appropriate solicitation method (IFB, RFP, RFQ), project timeline, and required documentation. The Department Director must provide an estimated budget to support planning, compliance, and fiscal review. The Purchasing Department will coordinate, develop, and issue the solicitation. The requesting department is the subject-matter expert and is responsible for providing a complete scope of work or specifications for the solicitation. Finally, the Department Director will submit the recommendation of award to the City Council for approval.

- **Purchasing Guidelines for Citywide Solicitations**

The Purchasing Department will submit all supporting documentation of Citywide solicitations for City Council approval. Citywide solicitations are intended to serve multiple departments, such as for janitorial services, landscaping services, or similar commonly used goods or services.

Historically Underutilized Businesses (HUBs)

In accordance with Texas Local Government Code Section 252.0215, when making a purchase exceeding \$3,000 but less than \$100,000, the City must contact at least two Historically Underutilized Businesses (HUBs) on a rotating basis. This requirement is based on the list of HUBs maintained by the Texas Comptroller pursuant to Texas Government Code Chapter 2161. If no HUBs are listed for the county in which the City is located, the requirement does not apply.

Because the HUB directory is a live document updated regularly by the Texas Comptroller, Purchasing can provide current HUB contact information upon request to assist with compliance.

Contract Award Determination

The City of Huntsville awards contracts based on best value and overall benefit to the City. In accordance with Texas Local Government Code Section 252.043, if competitive sealed solicitation is required, the contract must be awarded to either:

- The bidder offering the lowest price who also meets all responsibility requirements (e.g., qualifications, past performance, financial stability).
- The bidder who provides the best overall value to the City, considering both price and other relevant factors (e.g., quality, service, experience, delivery time, etc.).

To ensure transparency and compliance, bid specifications must clearly state whether the award will be made to the lowest responsible bidder or based on best value. If the award is for best value, the solicitation must clearly state the evaluation criteria as permitted under Texas Local Government Code Section 252.043.

All contract award recommendations must have justifying documentation that the award is in the City's best interest. This documentation shall be retained in the procurement file.

Solicitation Protest

Any actual or prospective vendor or contractor who is aggrieved in connection with the solicitation or award of a contract may file a written protest. Protests must be submitted to the Purchasing Department within 10 days post award and must clearly state the grounds for the protest and the relief requested. The Purchasing Department will review the protest, conduct any necessary investigations, and issue a written decision within a reasonable period. The Purchasing Department shall make every effort to settle protests promptly and fairly and will not proceed with the contested procurement until the protest is resolved, unless failure to do so would pose a significant risk to operations or the public interest.

Purchase Order Exemptions

The City of Huntsville recognizes that certain payments and services are routine, statutory, or otherwise governed by alternative procedures and therefore do not require the issuance of a purchase order for payment authorization. These exemptions are intended to streamline administrative processing while maintaining fiscal accountability. The following categories of payments are exempt from the purchase order requirement:

- Tax payments
- Insurance premium payments
- Retirement system contributions
- Debt service payments
- Investment transactions
- Utility service payments
- Payments related to employee payroll deductions
- Interlocal agreements
- Reimbursements or payments to other governmental or regulatory agencies
- Training, travel, and lodging expenses
- Customer deposit refunds
- Captive replacement parts or components for equipment,
- Memberships
- Legal Notices
- Bonds
- Software Maintenance
- Postage and Post office rental
- Purchases under \$5,000

Departments remain responsible for ensuring that applicable competitive bidding requirements are met and that all necessary documentation and approvals are secured in accordance with the City's fiscal and budgetary policies prior to initiating payment for any exempt item. The Purchasing Department is available to assist in determining whether a transaction qualifies for an exemption.

Vendor Performance Reviews and Debarment

The City of Huntsville requires routine evaluation of vendor performance to support transparency, accountability, and continuous improvement in vendor relations.

Performance Review Requirements

These reports should be submitted using the City's standardized Vendor Performance Report form. Reports should highlight both positive and negative aspects of vendor conduct. Reports are reviewed and retained by the Purchasing Department in a centralized tracking system. Negative trends may result in a vendor being placed on a performance monitoring list or denied future contract opportunities. Positive performance reports may be used to support future vendor selections, including as part of evaluation criteria in best value solicitations.

- Performance evaluations shall consider the following:
 - Timeliness of delivery or service completion.
 - Quality and conformance to contract specifications.
 - Communication, responsiveness, and professionalism.
 - Billing accuracy and adherence to quoted or contract pricing.
 - Compliance with safety, insurance, and regulatory requirements.
- Departments should complete a Vendor Performance Report:
 - At the conclusion of any project or purchase over \$5,000.
 - Prior to renewing annual purchase orders or term contracts.
 - Whenever vendor performance, positive or negative, warrants documentation.

Debarment

Vendors may be suspended or debarred from future City contracts for:

- Failure to perform in accordance with contract terms.
- Fraudulent, unethical, or deceptive business practices.
- Misrepresentation of qualifications or delivery capabilities.
- Repeated negative performance reports or contract violations.
- Violation of applicable laws or ordinances.

Suspension

The Purchasing Department will issue a Notice of Intent to Debar, detailing the proposed basis for debarment.

- The vendor may submit a written response within 10 business days.
- A final determination will be made by the City Manager, in consultation with the Legal and Finance Departments.
- Debarment periods may range from six (6) months to three (3) years, depending on the nature and severity of the offense.

Reinstatement Requests

All vendor reinstatement requests after debarment must be submitted in writing to the City Manager and will be evaluated on a case-by-case basis. The Purchasing Department will maintain and publish a list of debarred vendors to ensure transparency and compliance in future procurement processes.

Exceptions to Competitive Bidding and Alternative Procurement Methods

While the City of Huntsville is committed to promoting open and competitive procurement practices, both state law and City policy recognize that certain purchases may be exempt from traditional competitive bidding requirements or may be procured through authorized alternative methods. These options enable the City to respond efficiently to specific operational, legal, or emergency needs while maintaining full compliance with applicable statutes.

This section outlines the circumstances under which competitive bidding may be waived—such as for professional services, emergencies, or sole source procurements—as authorized under Texas Local Government Code § 252.022 and Texas Government Code Chapter 2254. It also addresses approved alternative procurement methods, including the use of cooperative purchasing agreements, interlocal contracts, and state-authorized contract programs, which fulfill competitive requirements without the need for a City-issued solicitation.

All exemptions and alternative procurement methods must be properly justified, documented, and approved in coordination with the Purchasing Department to ensure legal compliance, fiscal responsibility, and procurement transparency.

In addition to the exemptions and methods described herein, Texas law provides several other statutory exemptions under Local Government Code § 252.022. Departments considering the use of non-competitive procurement methods not explicitly covered in this section must consult with the Purchasing Department. The Purchasing Department will provide guidance on the appropriate use of such exemptions and ensure that all required documentation and approvals are in place.

Cooperative Agreements

The City of Huntsville may utilize cooperative purchasing agreements as an alternative procurement method that satisfies competitive bidding requirements in accordance with Texas Local Government Code Chapter 791 (Interlocal Cooperation Act) and Section 271.102. Cooperative purchasing agreements allow the City to procure goods and services through contracts that have been competitively solicited and awarded by another governmental entity or purchasing cooperative. This method promotes efficiency, reduces administrative burden, and often results in favorable pricing and terms.

- The City may participate in cooperative programs established by:
 - The State of Texas (e.g., Texas SmartBuy, TXMAS, DIR)

- Regional councils of governments
- Other municipalities, counties, or state agencies
- Recognized purchasing cooperatives such as BuyBoard, HGACBuy, Omnia Partners, or Sourcewell
- All cooperative agreements must be reviewed and approved by the Purchasing Department prior to use. The Purchasing Department will verify that:
 - The cooperative contract was competitively awarded in accordance with applicable laws.
 - The vendor is authorized under the contract to provide the goods or services.
 - The scope of the proposed purchase aligns with the terms and pricing of the cooperative contract.
 - The City's participation in the cooperative is properly documented.
- Use of a cooperative contract does not exempt a department from:
 - Obtaining appropriate internal approvals based on purchasing thresholds.
 - Submitting a requisition and supporting documentation to the Purchasing Department.
 - Complying with grant or funding source requirements, when applicable.
 - IT review/approval for all technology related purchases.
- When submitting a requisition based on a cooperative agreement, departments must include:
 - A copy of the vendor's quote referencing the cooperative contract.
 - The cooperative name and contract number on request.
 - Any required supporting documentation verifying pricing and scope.

The Purchasing Department reserves the right to require additional documentation or justification when using a cooperative agreement, particularly when the procurement exceeds \$100,000 and must be presented to City Council for approval.

Interlocal Agreements

In accordance with Texas Government Code Chapter 791 (Interlocal Cooperation Act), the City of Huntsville may enter into interlocal agreements with other governmental entities to jointly perform governmental functions or procure goods and services when it is in the City's best interest to do so.

- While not commonly used for procurement, interlocal agreements may be appropriate when:
 - Another public entity has already competitively awarded a contract the City wishes to utilize; or piggy back on the contract.
 - Two or more entities collaborate on a shared project or service.
- All interlocal agreements must:
 - Be in writing and outline the scope, duration, responsibilities, and cost-sharing terms.
 - Be approved by the City Manager and City Council if required based on scope or expenditure.
 - Be filed with the City Secretary and retained by the Purchasing Department as part of the official record.
 - Obtain IT review/approval for all technology related purchases.

Procurement of Professional and Personal Services

Certain services are exempt from the competitive bidding requirements. The City of Huntsville follows the applicable statutory framework to ensure the proper selection, contracting, and oversight of these specialized services.

Professional Services

As defined by Texas Government Code 2254.002, the following services are considered professional services when performed by a licensed or certified individual in the course of their professional practice. These services are exempt from bidding and must be procured using a qualifications-based selection process, typically initiated through a Request for Qualifications (RFQ).

- Certified Public Accountants (CPAs)
- Architects
- Landscape Architects
- Land Surveyors
- Physicians and Surgeons

- Optometrists
- Professional Engineers
- Registered Nurses
- State-Certified or Licensed Real Estate Appraisers

Under Texas Government Code Chapter 2254, contracts for professional services may not be awarded based on competitive bidding. Instead, providers must be selected on the basis of:

- Demonstrated competence and qualifications,
- A fair and reasonable price, and
- Fees that do not exceed any maximum amount prescribed by law.

Personal Services

Some services may not fall under the definition of “professional services” governed by Texas Government Code Chapter 2254, but may still be exempt from competitive bidding requirements under Texas Local Government Code § 252.022(a)(4) as personal services. These services are those performed personally by the individual contracted to perform them. To qualify, the compensation under the contract must primarily be for the individual’s labor, not for ancillary costs such as insurance, materials, or equipment. Additionally, these services are typically based on the provider’s unique skills, qualifications, or direct involvement, where trust, personal attributes, or one-on-one interaction is integral to performance.

- Specialized consulting or training where a specific individual’s expertise is essential
- Legal services (typically procured through or approved by the City Attorney)
- Subject-matter experts retained for temporary projects or advisory roles
- Facilitators, mediators, or instructors for specific City programs

All proposed personal service engagements must be submitted to the City Manager and routed through the City Attorney for case-by-case evaluation and approval to determine whether the exemption applies. IT must review/approve all technology related purchases. Departments must provide written justification that clearly outlines the individual’s specific qualifications and explains how the nature of the service meets the statutory and judicial criteria for exemption.

Contract Approval Requirements

All contracts for professional or personal services—whether exempt under Texas Government Code Chapter 2254 or Local Government Code Section 252.022—must follow the City’s formal approval and documentation process to ensure compliance, transparency, and fiscal accountability. Contracts must be:

- Reviewed and approved by the City Attorney for legal sufficiency.
- Approved by the City Manager prior to execution.
- Approved by the City Council if the total contract value is \$100,000 or more, in accordance with City policy and state law.
- Submitted to the Purchasing Department for the issuance of a Purchase Order (PO) before any work begins or payment is made; and
- Filed with the City Secretary following full execution, in accordance with City records retention and policy requirements.

The issuance of a Purchase Order is required for all professional and personal service contracts, regardless of bidding exemptions, to ensure proper authorization, budget verification, and compliance with procurement procedures.

Sole-Source Exemptions

In limited circumstances, purchases may be exempt from competitive procurement requirements if the goods or services are available from only one source. These are known as sole-source procurements, and they are permitted under Texas Local Government Code § 252.022(a)(7) when competition is not feasible. A sole source exemption may be appropriate when:

- The product or service is proprietary and available only from a single provider.

- The item is compatible with existing equipment or systems and must be procured from the original manufacturer or a single authorized distributor.
- The purchase involves specialized services or equipment for which no other source is reasonably available.
- The provider holds exclusive rights, patents, or intellectual property preventing competition.

Requirements for Sole Source Justification

All sole-source purchases must be supported by a written sole-source justification memo prepared by the requesting department. The justification must include:

- A clear explanation of why the goods or services are only available from one source;
- Efforts made to identify alternative sources, if any;
- A description of how the item or service is essential to City operations;
- Any documentation from the vendor supporting sole source status (e.g., letter of exclusivity).
- Obtain IT review/approval for all technology related purchases.

The written justification must be approved by the Purchasing Manager prior to issuance of a Purchase Order.

Special Considerations:

- Price reasonableness must still be evaluated and documented, even for sole source purchases.
- Sole source purchases are subject to annual review, and new supporting documentation must be submitted each fiscal year to justify continued use of the sole source exemption. This requirement ensures the City maintains transparency, verifies that the conditions justifying sole source procurement remain valid, and upholds compliance with applicable state and federal procurement regulations. Failure to provide updated documentation may result in the denial of the exemption and the need to initiate a competitive solicitation process.
- Sole source designation does not exempt the purchase from approval requirements. Purchases that meet or exceed the financial threshold requiring City Manager approval must be reviewed and approved by the City Manager. Purchases that meet or exceed the threshold requiring City Council action must be presented to and approved by the City Council, regardless of sole source status.

Legal Authority

In accordance with Texas Local Government Code § 252.022(a)(2) and (3), competitive bidding requirements may be waived when the immediate purchase of goods or services is necessary to:

- Protect the public health, safety, or welfare of the City's residents; or
- Respond to unforeseen damage to public property, equipment, or infrastructure.

Emergency purchases must be limited to only those materials, services, or equipment necessary to address the immediate need. When feasible, departments should still obtain written quotes to ensure prudent use of public funds.

Authorization and Documentation Requirements

The following procedures must be followed to the greatest extent possible during and immediately after the emergency:

- Written Justification: Emergency purchases exceeding \$5,000 must be documented in a written memorandum prepared by the Department Director.
- The memo must include:
 - A description of the emergency.
 - The items or services procured.
 - The estimated or actual cost.
 - A statement explaining why competitive bidding procedures could not be followed.
- The Department Director must notify the City Manager as soon as practical and no later than the next business day when an emergency purchase is made outside normal bidding requirements.
- All emergency purchases must be reviewed by the City Manager promptly after the emergency has been addressed. If the purchase exceeds the applicable financial threshold, it must be presented to the City Council for formal acknowledgment or approval in accordance with City policy.

- Cyber Incident Exception: When the City Manager (or designee) declares a cyber incident, the IT Director may procure containment/monitoring/IR tooling and services immediately. The Department Director memo (within 1 business day) must include the incident ticket, scope, vendor(s), estimated cost, and reason normal bidding could not be followed.
- For federally declared emergencies, all emergency purchases must also comply with applicable federal procurement standards under 2 CFR § 200, including:
 - Cost or price analysis;
 - Documentation of non-competitive procurement justification;
 - Compliance with federally required contract clauses.

Purchasing Department Notification

Departments must notify the Purchasing Department as soon as reasonably possible following an emergency purchase. The Purchasing Department will assist in reviewing and completing the required documentation, ensure compliance with applicable procurement requirements, and retain records in accordance with City, state, and federal standards.

Technology-Related Purchases

All requests for computer hardware, software, telecommunications equipment, and related services or supplies must be submitted to the Information Technology (IT) Director for review and technical evaluation. The IT Director is responsible for assessing compatibility with existing systems, identifying the most appropriate source, evaluating potential alternatives, and making a formal recommendation regarding the purchase.

No purchases of technology-related equipment, software, or services may be made without prior review and approval from the IT Director. This requirement ensures consistency, system integration, cost-effectiveness, and adherence to City technology standards.

Technology-related purchases include, without limitation: software (on-prem or cloud), SaaS subscriptions and renewals, add-on modules or integrations, professional services related to systems, managed/hosted telecom, mobile device management, multifunction devices with storage, IoT/OT devices, audio/visual systems, security systems (access control, CCTV/ALPR, body cameras), payment systems, and any device or service connecting to City networks.

Technology procurements must comply with the Electronic Communications Systems policy (City of Huntsville Policy & Procedures Manual §12.09).

Expanded Requirements for Cloud-Based Software Vendors

Vendors with access to City data must provide evidence of cybersecurity controls (e.g., SOC 2 Type II or equivalent). Annual third-party attestation of these controls is required. Vendors must also provide summary results or letters of attestation for annual vulnerability or penetration tests, along with remediation confirmation upon request.

The City retains ownership of all data and must be granted export rights. Data exports must be provided in a non-proprietary, accessible format (e.g., CSV, XML, JSON). Within 30 days of contract termination, vendors must provide all City data exports in the aforementioned non-proprietary accessible format and obtain written confirmation of successful receipt and verification from the City IT Director prior to any data deletion. Vendors must then certify secure deletion of all City data, including backups, within 30 days of receiving such confirmation, and provide a destruction certificate to the City IT Director.

Vendors must agree to City audit rights for data security and service compliance. The City reserves the right to audit or request independent verification of vendor security and privacy practices, including review of incident response records, access control logs, and subprocessor agreements. Vendors providing cloud-based or data-hosting services to the City shall ensure that all City data, including backups and disaster-recovery systems, is stored and processed within the continental United States. No confidential or restricted data may be transferred, stored, or accessed from outside the U.S., in accordance with applicable state cybersecurity guidelines and industry best practices.

Vendors must provide documentation confirming U.S.-based data centers upon request. Failure to comply may result in disqualification or contract termination.

Vendors must implement and maintain the following minimum technical and administrative controls:

- Access and Authentication: Require multifactor authentication (MFA) for all administrative accounts; support Single Sign-On (SSO) via SAML or OIDC; enforce least-privilege access.
- Incident Notification and Cooperation: The Vendor is required to notify the City IT Director within 24 hours of any actual or suspected data breach, security incident, or unauthorized access. Furthermore, the Vendor must fully cooperate with any City investigations by providing relevant logs, forensic data, and details of mitigation actions taken.
- Data Protection: Encrypt City data at rest and in transit using current NIST-approved standards (e.g., AES-256, TLS 1.2 or higher).
- System Resilience: Maintain defined Recovery Time Objectives (RTO) and Recovery Point Objectives (RPO); perform annual disaster-recovery and business-continuity testing with documented results.
- Subprocessors: Disclose all subcontractors or subprocessors handling City data prior to engagement and ensure equivalent security and privacy safeguards.
- Regulatory Compliance: Comply with applicable regulations, including CJIS, HIPAA, PCI DSS, and Tx-RAMP when relevant. Provide supporting documentation or certification upon request.
- Right to Suspend Connectivity: The City reserves the right to immediately disable system connectivity to any vendor environment determined to pose a material cybersecurity or privacy risk.

Vendors must maintain active Cyber Liability Insurance with minimum coverage of \$1,000,000 per occurrence, including first-party coverage for data restoration, incident response, regulatory defense, and notification costs. Proof of coverage must be provided at contract execution and upon each renewal.

Purchases Funded by Grants

Purchases made with grant funds are subject to specific procurement requirements set forth by the awarding agency. These requirements may differ from the City's standard purchasing procedures and often include additional federal or state mandates, documentation, and reporting obligations.

To ensure compliance:

- Departments must coordinate with the Grants Manager for all purchases funded by grant awards. The Grants Manager will assist in interpreting grant conditions and ensure that procurement activity aligns with the grant's approved scope and budget.
- A copy of the grant agreement must be provided to the Purchasing Department at the time a requisition is submitted for a Purchase Order or when initiating a formal solicitation process.
- The Purchasing Department will review the grant agreement to identify and apply any applicable procurement requirements, including those outlined in Title 2 of the Code of Federal Regulations (2 CFR), Part 200, specifically §§ 200.317 through 200.327. These may include, but are not limited to:
 - Required federal contract clauses;
 - Competitive procurement thresholds;
 - Solicitation transparency and outreach;
 - Cost and price analysis;
 - Bonding requirements;
 - Use of small, minority, and women-owned businesses;
 - Documentation and record retention.

Failure to follow applicable grant procurement requirements may result in disallowed costs, grant repayment, or loss of funding eligibility. Therefore, it is essential that departments engage Purchasing early in the planning process for any grant-funded purchase.

The Purchasing Department and Grants Manager will work collaboratively with user departments to ensure that all procurement activities conducted under a grant award are fully compliant, properly documented, and audit-ready.

Insurance Requirements

General Requirement

Vendors and contractors performing work for the City of Huntsville shall furnish and maintain, at their own expense, insurance coverage that meets or exceeds the minimum requirements outlined below. A Certificate of Insurance must be submitted to the City prior to issuance of a purchase order or commencement of work.

Required Coverages

The following insurance coverage types and minimum limits shall apply to most contracts. Requirements may be imposed depending on the nature and scope of the services being provided.

- Commercial General Liability
 - \$1,000,000 per occurrence
 - \$2,000,000 general aggregate
 - Must include coverage for products/completed operations at a minimum of \$1,000,000 per occurrence.
 - The City must be named as an Additional Insured by endorsement.
- Commercial Automobile Liability
 - \$300,000 combined single limit per occurrence
 - Must include coverage for owned, non-owned, and hired vehicles.
- Workers' Compensation and Employer's Liability
 - Coverage must comply with all applicable Texas Workers' Compensation laws.
 - A waiver of subrogation in favor of the City of Huntsville must be included by endorsement.
- Professional Liability Insurance (if applicable)
 - Required for contracts involving professional services (e.g., architectural, engineering, legal, financial, consulting):
 - Minimum limit of \$1,000,000 per claim
 - Coverage shall be maintained for the duration of the contract and for a minimum of two (2) years after final completion or termination of services.
- Cyber Liability Insurance (if applicable)
 - Required for vendors with access to the City's networks, systems, confidential data, or personally identifiable information (PII):
 - Minimum limit of \$1,000,000 per claim
 - Coverage must include, at a minimum: data breach response and notification, business interruption, cyber extortion, and network security liability.

Additional Requirements

The Certificate of Insurance must include the following endorsement language in the Description of Operations: "Blanket Additional Insured is added in favor of the certificate holder with respect to general liability coverage as required by written contract. Blanket Waiver of Subrogation is added in favor of the certificate holder with respect to workers' compensation coverage as required by written contract."

Certificate Holder shall be listed as:

City	of	Huntsville
1212	Avenue	M
Huntsville, TX 77340		

Policies must provide **30 days' advance written notice** to the City of cancellation, non-renewal, or material change in coverage.

The City of Huntsville reserves the right to request certified copies of insurance policies and endorsements at any time. Insurance coverage must remain in force for the duration of the contract and any extension periods. Failure to maintain required insurance may result in contract suspension or termination.

Purchasing Card Program

Any violations of this policy will be considered misuse and may result in disciplinary action.

Program Overview

The City of Huntsville's Purchasing Card (P-Card) Program is designed to streamline the procurement of low-dollar goods and services, particularly for travel and training-related expenses. The program offers an efficient alternative to traditional purchasing methods for allowable purchases under \$5,000, while maintaining accountability, transparency, and compliance with City policy, the City Charter, and applicable state law. Software or SaaS (new or renewal), cloud credits, and technology services may not be purchased with a P-Card without documented IT Director approval and a Purchase Order; this applies to any dollar amount.

Program Oversight

The P-Card Program is administered by the Purchasing Card Administrator within the Purchasing Department. This individual is responsible for training, issuing and maintaining cards, monitoring usage, coordinating billing, and providing periodic reports to the Director of Finance.

Cardholder Eligibility and Agreement

To participate in the program, employees must be authorized by their Department Head and approved by the City Manager's Office. Cardholders must sign a Cardholder Agreement acknowledging receipt of the card and responsibility for compliance with the Purchasing Card Program policies. This agreement outlines the terms of use, restrictions, and the consequences of non-compliance.

Primary Use and Restrictions

The Purchasing Card is intended for travel and training related expenses and low-dollar incidental purchases where the use of a Purchase Order (PO) is impractical. Purchases should **not** be made with a P-Card when:

- The vendor has a billing account with the City. In such cases, departments must contact the Purchasing Department for a PO number and use the billing arrangement.
- The purchase exceeds \$3,000 without HUB vendor verification from the Purchasing Department.
- The purchase exceeds \$5,000 without prior approval from the Finance Director. (Coordinate with the Program Administrator to ensure all purchasing policies and documentation requirements are met.)
- The purchase involves controlled, restricted, or capital items (unless approved).
- The item or service is otherwise restricted under City or State policy.

Prohibited Expenditures

In accordance with the Texas Local Government Code § 271.903, the City of Huntsville Charter, and applicable City ordinances, P-Cards may not be used for:

- Alcoholic beverages
- Personal expenses of any kind
- Gifts or donations not authorized by City Council
- Cash advances
- Split transactions intended to circumvent dollar thresholds
- Entertainment expenses unrelated to official City business
- Fuel for personal vehicles, unless approved for specific travel

Sales Tax Exemption

The City of Huntsville is exempt from state and local sales tax on all purchases, in accordance with applicable tax laws. Employees making purchases on behalf of the City are responsible for informing vendors of the City's tax-exempt status prior to completing any transaction. It is the responsibility of the cardholder or end user to ensure that sales tax is not charged or paid. If sales tax is inadvertently billed, the cardholder must request a corrected invoice or reimbursement.

A copy of the City's Sales Tax Exemption Certificate is available from the Finance Department upon request.

Receipts and Required Documentation

- All cardholders are required to submit itemized receipts for each purchase. For meals, the receipt must:
 - Clearly identify each attendee;
 - Include the business purpose of the meeting or event;
 - Be accompanied by the "Credit Card Meal Receipt" form, available on the City of Huntsville Intranet.
- In cases where a receipt is lost, the cardholder must complete the "Record of Lost Procurement Card Receipt" form, also available on the Intranet, and submit it with their monthly reconciliation. Lost receipts must be an exception, not a regular occurrence.
- Habitual or single occurrence issues could result in termination of card privileges, written reprimand, reimbursement, or up to employment termination. Examples include but are not limited to:
 - Repeated loss of receipts,
 - Unauthorized or unapproved business purchases,
 - Personal charges on the card (even if reimbursed),

Meal and Business Expense Requirements

For meals and hospitality charges to be reimbursable under federal guidelines (e.g., 2 CFR § 200.432), they must meet the following criteria:

- Serve a valid business purpose;
- Be reasonable and necessary;
- Be properly documented with itemized receipts and purpose/attendee list;
- Be approved as part of a travel or training activity or a Council-authorized event.

Disputes and Billing Errors

- Cardholders must make every reasonable effort to resolve disputes or billing errors directly with the vendor. If the vendor acknowledges the error, a credit should be issued to the purchasing card account.
- If a resolution cannot be reached with the vendor, the cardholder should contact JP Morgan using the number listed on the back of the purchasing card. JP Morgan may require the submission of a Statement of Disputed Item to document the issue.
- Disputes must be reported to JP Morgan within 30 calendar days of the transaction date. Cardholders are encouraged to review statements promptly and initiate contact with vendors within 5 business days of identifying a discrepancy to allow sufficient time for resolution and escalation if needed.
- If an acceptable resolution cannot be obtained, the Purchasing Card Program Administrator is available to assist with resolving the issue. The full amount billed by JP Morgan will be charged to the department's account. A credit will be applied to the same account once the issuing bank processes the adjustment.

When to Use a Purchase Order Instead

If a vendor has a billing account with the City of Huntsville, the P-Card should not be used. The department must:

- Confirm with the Purchasing Department whether the vendor is on account;
- Request a Purchase Order (PO) number, usually an Annual Purchase Order;
- Process the purchase through standard billing procedures.

This practice helps maintain centralized vendor billing, ensures appropriate controls, and avoids duplicate payments.

Enforcement and Compliance

The Purchasing Card is a privilege, not an entitlement. The cardholder is personally responsible for:

- Ensuring all purchases comply with City policies and funding source requirements;
- Submitting receipts and required forms timely;
- Reporting lost or stolen cards immediately;
- Returning the card upon transfer, resignation, or termination.

Any misuse of the card may result in revocation of card privileges, disciplinary action, and/or repayment of unauthorized charges, consistent with the City's personnel policies and applicable law.

Sale or Lease of Real Estate

Authority and Purpose

The sale or lease of City-owned real estate shall be conducted in accordance with the requirements set forth in Texas Local Government Code Section 272 and the City of Huntsville Charter, Sections 14.12 and 14.13(a)–(b). The purpose of this section is to establish procedures and guidelines to ensure that all real estate transactions are carried out in a manner that is transparent, legally compliant, and consistent with the responsibilities of the City Council, City Management, and the public.

Real Estate Management and Delegation of Authority

Except as otherwise provided in this policy, the City Council delegates to the City Manager the authority to manage and maintain all real estate owned or controlled by the City of Huntsville.

Responsibilities of the City Manager

The City Manager, or a designated representative, shall be responsible for the care, maintenance, safekeeping, and inventory of all City-owned real estate, including the proper handling and retention of deeds and related documentation.

Sale of Public Parks

In accordance with City Charter Section 14.13(a), no public park, or any portion thereof, may be sold unless the proposed sale has been submitted to a vote of the qualified voters of the City and approved by a majority of those voting.

Approval Authority for Real Estate Transactions

The sale or lease of any City-owned real estate shall require the express approval of the City Council.

Sale of Real Estate

The City Manager shall provide written notification to the City Council of the intent to sell real estate no fewer than twenty-one (21) calendar days prior to initiating any sale procedures. If a Councilmember objects to the proposed sale, written notice must be submitted to the City Manager. Upon receipt of such objection, the item may be placed on the next available City Council agenda for discussion and action. If no written objections are received, the City Manager is authorized to proceed with the sale process beginning on the twenty-second (22nd) calendar day.

Fair Market Value Requirement

City-owned real estate shall not be sold for less than its fair market value, as determined by an independent, licensed appraiser.

Methods of Sale

City-owned real estate may be sold using one of the following methods:

- Invitation for Bid (IFB): A competitive sealed bid process, with award to the highest responsive and responsible bidder based solely on price; or
- Brokered Sale: A private sale facilitated by a real estate broker licensed under Texas Occupations Code Chapter 1101, in accordance with Texas Local Government Code Section 272.001(b). The property must be listed for at least thirty (30) days on a Multiple Listing Service or other service commonly used by real estate professionals.
- Public Auction: A sale conducted by a licensed auctioneer or auction firm in accordance with applicable state and local laws. The property must be advertised publicly in advance of the auction date, and the sale must be awarded to the highest qualified bidder.

Public Notice Requirements

In accordance with City Charter Section 14.13(b), the Purchasing Department shall publish notice of the proposed sale in the City's official newspaper on each publication day for two consecutive weeks, regardless of the method of sale. The sale shall not be finalized until at least fourteen (14) calendar days have passed from the date of the last publication.

The notice shall include:

- A legal description and location of the property;
- The method of sale (IFB, brokered sale or public auction);
- Instructions for submitting bids or offers, if applicable;
- The date, time, and location of bid opening (for IFB); and
- Any other relevant sale procedures.

Invitation for Bid Procedures

When using the IFB method, the following requirements apply:

- The City reserves the right to accept or reject any or all responses.
- All responses must be submitted in sealed envelopes addressed to: Attention: City Secretary, City Hall.
- The date, time, and location of the bid opening must be clearly stated in the solicitation and notice.
- If fewer than two responses are received by the published deadline, the opening shall be automatically extended for a minimum of twenty-four (24) hours. An addendum shall be issued promptly to communicate the extension. No responses may be opened until the revised deadline has passed. After the revised deadline, the City Manager may issue a second extension or authorize bid opening.

Retention of Mineral Rights

All mineral rights associated with the property shall be retained by the City unless expressly approved for sale by City Council.

Final Recommendation and Council Action

The City Manager shall present a final recommendation to the City Council on whether to approve the sale or reject all responses or offers, regardless of the method used.

Glossary of Terms

2 CFR Part 200 (Uniform Guidance): Federal regulations for federal awards to non-federal entities. Procurement must comply with §§ 200.317 - 200.327 when using federal funds.

Addendum (*plural: Addenda*): A written instrument issued by the City that modifies or clarifies a solicitation prior to the due date.

Annual Blanket Purchase Orders: A fixed-price agreement used for routine, recurring purchases throughout the fiscal year. These purchase orders are commonly utilized for goods or services required by multiple departments and help streamline procurement by eliminating the need to issue multiple individual POs for similar items (e.g., periodic purchases of sack concrete). Although typically tied to a single fiscal year, blanket purchase orders may extend across fiscal years when supported by an active contract that specifies a valid term beyond one year.

Best Value: A procurement method in which award is based on an evaluation of factors beyond price alone, with consideration given to the overall value to the City over the life cycle of the good or service. Evaluation criteria may include, but are not limited to: price, quality, vendor location, safety record, past performance or relationship with the City, and any other relevant factors specifically identified in the solicitation.

Bonds: Financial instruments required to protect the City's interests in the procurement and execution of certain contracts, particularly in public works projects.

- **Bid Bond:** A bond submitted with a bid to ensure that the bidder, if awarded the contract, will enter into an agreement with the City under the terms proposed.
- **Payment Bond:** A bond that guarantees payment to subcontractors, suppliers, and laborers providing goods or services under the contract. Required for all public works contracts exceeding \$50,000.
- **Performance Bond:** A bond that ensures satisfactory completion of a contract and protects the City in the event of contractor default or failure to perform. Required for public works contracts exceeding \$100,000. (Also referred to as a “completion bond.”)

Blanket Additional Insured Endorsement: A provision in a general liability insurance policy that automatically includes the City of Huntsville as an additional insured under specific contract conditions.

Capital Assets: Tangible assets that, at the time of acquisition, have a value or cost of \$5,000 or more and a useful life exceeding one year. Capital assets must be recorded in the City’s asset management system, and a City of Huntsville ‘Addition to Asset Form’ must be completed and assigned an official asset number.

Change Order: A formal written modification to an existing contract that alters the original scope of work, specifications, quantities, contract amount, or performance timeline. Change orders are typically issued to address unanticipated conditions, regulatory requirements, or changes in project needs, and may result in an increase, decrease, or no change in cost or time.

Cloud-Based Services: Software, storage, or computing services delivered via the internet and hosted on external servers. Cloud-based vendors must meet cybersecurity and data residency requirements specified by the City.

Component Purchases: The purchase of individual components or parts of an item that, under normal purchasing practices, would be acquired in a single purchase. Component purchases may be considered a violation if used to circumvent competitive bidding requirements, particularly when the complete item has previously been competitively bid or should be treated as a single procurement.

Debarment: The formal disqualification of a vendor from participating in future City procurements for a specified period due to documented non-performance, unethical conduct or other violations.

Due Date: The specific date and time by which a quote, bid, proposal, or other solicitation response must be received by the City. Submissions received after the due date are considered late and will not be accepted or evaluated.

Emergency Purchase: A procurement made to address a critical, unforeseen situation in which the City’s ability to protect public health, safety, or welfare would be significantly impaired if the purchase is not

made without delay. Emergency purchases must be limited to those goods or services necessary to respond to the immediate situation.

Encumbrance: The accounting process by which the City reserves funds to cover the anticipated cost of goods or services, thereby reducing the available budget balance for the applicable period. Encumbrances ensure that funds are set aside when a purchase order or contract is issued, helping to maintain budgetary control.

Formal Procedure: A competitive solicitation process in which responses must be submitted in a sealed envelope to the City Secretary's Office by the specified due date and time. Responses are publicly opened in the presence of representatives from the requesting department and the Purchasing Division. Formal procedures are required for City purchases exceeding \$100,500, in accordance with applicable state and local procurement regulations.

Historically Underutilized Businesses HUBs: Businesses that are at least 51% owned by one or more individuals who are socially and economically disadvantaged, including minority- and women-owned businesses, as certified by the State of Texas. For purchases of \$53,000 or more but less than \$100,500, departments must, when applicable, contact at least two HUBs using a rotational system based on the State Comptroller's HUB directory. If no HUBs are identified in Walker County, the City is exempt from this requirement.

Informal Procedure: Solicitation process used for purchases below the formal bidding threshold, in which responses are submitted directly to the requesting department. Responses may be received by electronic means (e.g., email), facsimile, or physical delivery. Informal procedures are typically used to expedite procurement while maintaining fairness and competition.

Individual One-Time Purchase: A purchase made at the department level for a specific good or service that is typically required only once during a fiscal year. These purchases are non-recurring in nature and do not warrant a blanket or contract purchase. Individual one-time purchases remain subject to all applicable City purchasing thresholds, approval requirements, and competitive purchasing procedures based on the total dollar value of the purchase. A purchase made at the department level for a specific good or service that is typically required only once during a fiscal year. These purchases are not recurring and do not warrant a blanket or contract-based procurement.

Invitation for Bids (IFB): A formal solicitation method used when the City is seeking competitive bids for goods, equipment, or services that are clearly defined and for which an award can be based on the lowest responsive and responsible bidder. An IFB includes **detailed** specifications, contract terms, and submission requirements. Price is the primary factor in the award and negotiations are not conducted.

Piggyback Cooperative: A form of intergovernmental cooperative purchasing in which one governmental entity leverages the pricing, terms, and conditions of a contract awarded by another governmental entity. The original contract must include language that permits such usage by other public agencies.

Professional Services: Services provided by individuals or firms that require specialized knowledge, formal education, and professional licensing or certification. These services involve a high degree of skill, judgment, and expertise, and are generally exempt from competitive bidding under Texas Government Code Chapter 2254. Examples include, but are not limited to: accounting, architecture, engineering, medicine, real estate, and surveying.

Purchase Order: The City's official written document issued to a vendor that authorizes a purchase and formalizes the terms and conditions of the transaction. A purchase order serves as a legal agreement between the City and the vendor for the delivery of specified goods or services at agreed-upon prices.

Real Estate: Land and any buildings, structures, or improvements that are permanently affixed to it.

Request for Proposal (RFP): A formal solicitation method used when the City seeks solutions based on defined criteria that extend beyond price alone. Respondents are invited to submit proposals offering the best value to the City, considering factors such as qualifications, methodology, experience, and cost. The RFP process allows for negotiation of terms and conditions between the City and the selected proposer prior to contract award.

Request for Qualifications (RFQ): A solicitation method used to procure services that fall under the definition of Professional Services, as defined by Texas Government Code Chapter 2254. Responses are evaluated based solely on qualifications, and an award is made to the firm deemed most qualified. Price is not considered until after the most qualified firm is selected.

Responsible Responder: A respondent who has the capability in all respects to fully meet the requirements of a solicitation and successfully fulfill the terms of any resulting contract. This includes, but is not limited to, possessing the necessary skill, experience, integrity, financial and technical resources, and compliance with all applicable standards and specifications outlined in the solicitation.

Responsive Responder: A respondent who has submitted a bid or proposal that complies in all material respects with the requirements, specifications, terms, and conditions set forth in the solicitation. This includes proper completion and submission of all required forms, signatures, and documentation as outlined in the solicitation package.

Separate Purchases: The procurement of individual items or services in multiple transactions that, under normal purchasing practices, would be combined into a single purchase. This practice may be considered a violation if used to circumvent competitive bidding requirements.

SOC 2 Type II: A cybersecurity compliance standard for service organizations that describes controls relevant to security, availability, processing integrity, confidentiality, and privacy. Required for vendors handling sensitive or hosted City data.

Sole Source: A procurement method used when goods or services are available from only one known source, and no reasonable alternative or substitute exists. Sole source purchases must be justified and documented in accordance with applicable laws and City policy and are typically exempt from competitive bidding requirements.

Subcontractor: Any individual or business entity engaged by a vendor to provide goods, labor, equipment, or services that are used in fulfilling the vendor's obligations under a contract with the City. Subcontractors operate under the direction of the primary contractor and are not in direct contractual agreement with the City.

Suspension: A temporary exclusion from the procurement process pending investigation or resolution of a performance or compliance issue. Suspended vendors may not receive awards during the suspension period.

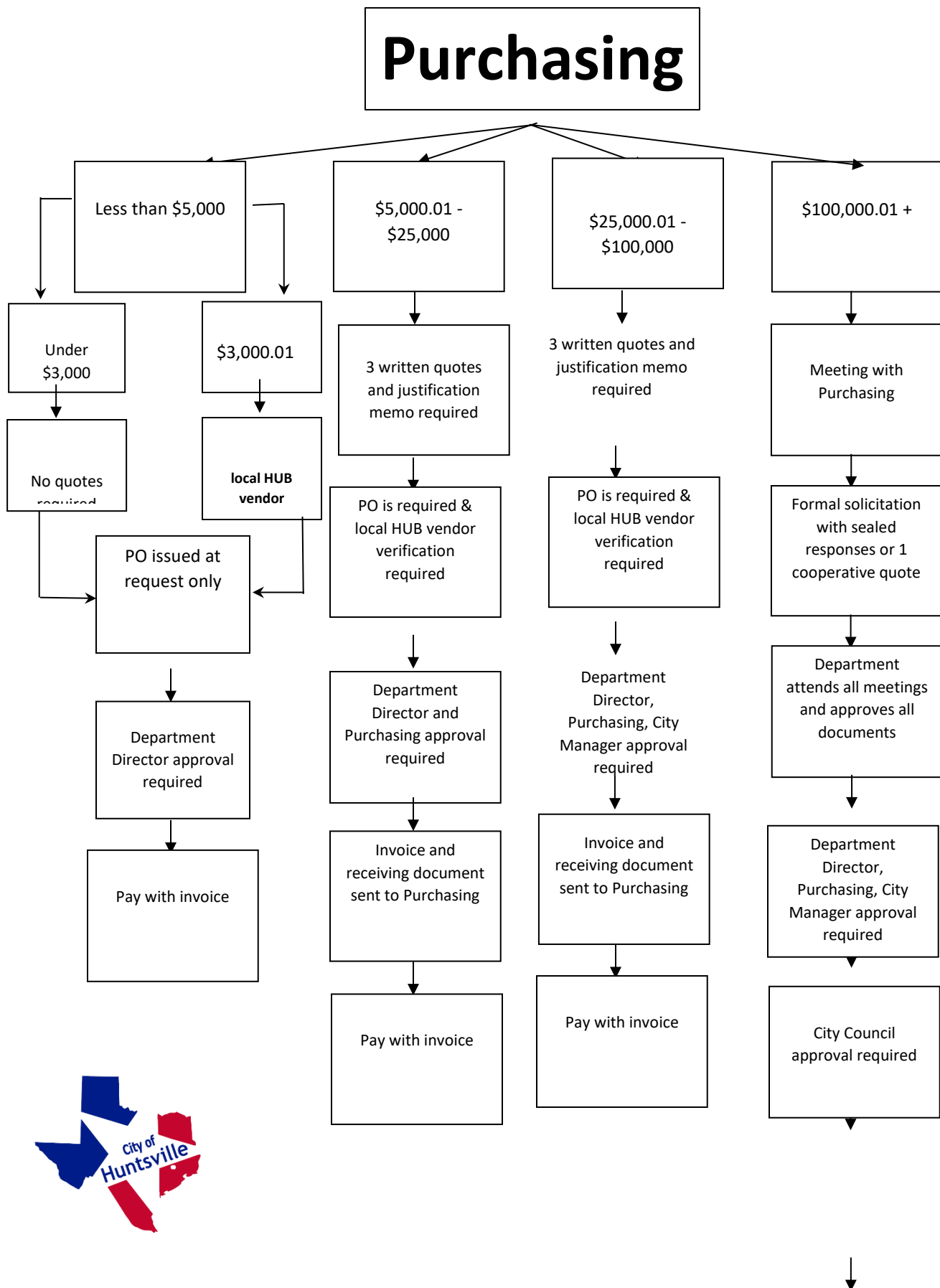
Term Purchase Order: A purchase order established for a defined period of time to allow for the recurring procurement of specified goods or services under agreed-upon terms and pricing. Term purchase orders facilitate efficient ordering and are typically used when needs are anticipated throughout the duration of the specified term.

Value Engineering: A systematic technique used to improve the value of a project by identifying cost-saving alternatives without compromising quality, performance, or functionality. Under this approach, a contractor may:

- Voluntarily propose more economical methods or materials and share in any resulting cost savings; or
- Be contractually required to establish a value engineering program and submit proposals aimed at reducing costs while maintaining project objectives.

Vendor/Contractor: An individual or business entity that provides goods, equipment, labor, and/or services to the City in fulfillment of the terms and conditions outlined in an agreement, contract, or purchase order. The vendor or contractor is responsible for delivering the specified deliverables in accordance with the City's requirements.

APPENDIX A – FLOWCHARTS & DIAGRAMS

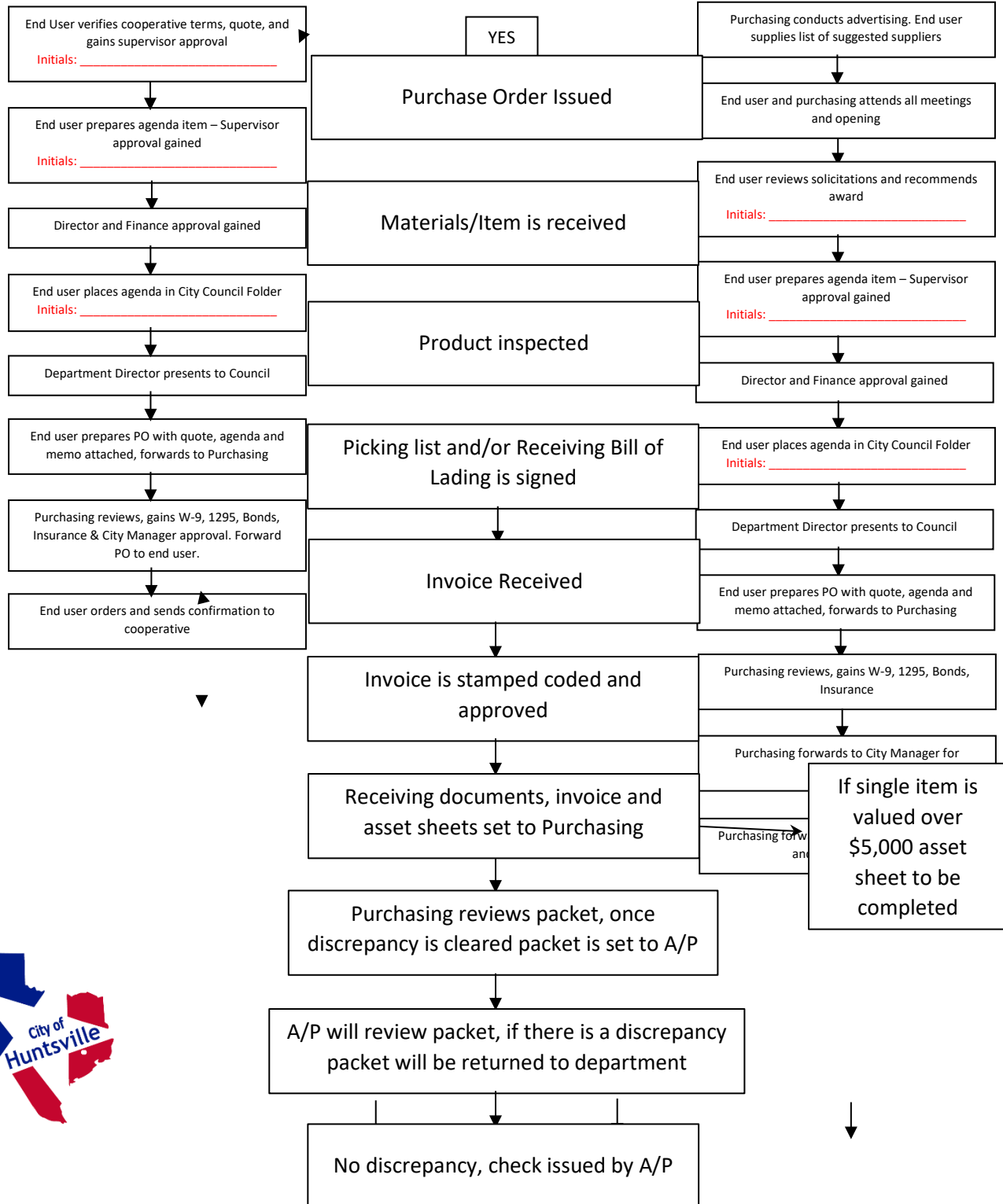


**THIS IS THE
TYPICAL
WORKFLOW.**

Now for all goods and services, which a
purchase order (PO) is issued

Invoice and
receiving document
sent to Purchasing

Pay with invoice



**THIS IS THE TYPICAL
WORKFLOW.**

CONTACT

APPENDIX B – Procurement Policies and Procedures for Federal Grant Funds

Appendix B – Procurement Policies and Procedures for Federal Grant Awards

The City of Huntsville follows the procurement standards outlined in 2 CFR §§200.317 – 200.327 and Appendix II to Part 200 for all procurement actions funded in whole or in part with Federal grant funds. The City makes every effort to adhere to these requirements and updates its internal policies and procedures as Federal regulations change.

Because federal programs vary in scope and applicability, the entirety of 2 CFR §§200.317 – 200.327 may not apply to every procurement situation or funding source. This appendix reflects the current regulatory language and requirements in effect at the time of adoption of these policies and procedures. Where Federal guidance is revised or superseded, the City will follow the most current applicable regulations.

Note on §200.317

Section 200.317 applies specifically to States. As a municipal government, the City of Huntsville is considered a non-federal entity under 2 CFR Part 200 and is therefore required to follow the procurement standards in §§200.318-200.327 for all procurements funded in whole or in part with Federal grant funds. The State-specific provisions in §200.317 do not apply to the City.

2 CFR §200.318 – General Procurement Standards

The City of Huntsville follows the general procurement standards established in 2 CFR §200.318 for all procurements funded as a whole or in part with Federal grant funds. The City maintains documented procurement procedures that are consistent with State and local laws, the City's Purchasing Policy, and the federal requirements found in 2 CFR §200.317 through 200.327. These procedures must be followed by all departments when acquiring goods and services using Federal funds.

Departments are responsible for providing adequate oversight of contractors to ensure performance in accordance with terms, conditions, and specifications of their contracts or purchase orders. This oversight requirement applies through the life of the contract and is a core component of federal grant compliance.^{2 CFR §200.318(b)} To support this responsibility, the Purchasing Department and the Grant Management Office are available to provide guidance and assistance to departments on contract monitoring, documentation, and compliance requirements whenever needed.

This policy establishes the City's standards of conduct for individuals involved in federally funded procurement activities. These standards apply to City Council Members, the City Manager, Assistant City Managers, Department Directors, managers, supervisors, employees, and any agents or representatives acting on behalf of the City in the selection, award, or administration of federally funded contracts. Individuals subject to these standards may not participate in a procurement if they have a real or apparent conflict of interest. A conflict exists when an individual, a member of their immediate family, their partner, or an organization employing or seeking to employ any of these parties has a financial or personal interest in a firm competing for a contract.^{2 CFR §200.318(c) (1) & (c) (2)}

These individuals may not solicit or accept gifts, gratuities, or favors from contractors or subcontractors, except for unsolicited items of nominal value, defined for these purposes as \$25 or less. Violations of these standards may result in disciplinary action consistent with City personnel policies. Because the City does not have parent, subsidiary, or affiliated entities, organizational conflicts of interest are not anticipated; however, if such situation were ever to arise, the City will develop appropriate written standards to ensure impartiality in the procurement process.^{2 CFR §200.318(c)(2)}

Departments must avoid acquiring unnecessary or duplicative items and should evaluate opportunities to consolidate or separate procurements when doing so may result in more economic outcomes. When appropriate, departments should conduct lease-versus-purchase analysis or other cost-effectiveness evaluations to determine the most economical approach.^{2 CFR §200.318(d)}

To promote efficiency and cost savings, the City is encouraged to use intergovernmental agreements, cooperative purchasing contracts, and other shared-service arrangements when appropriate. These practices must still comply with all applicable federal competition requirements. Departments are also encouraged to use Federal excess or surplus property when feasible and cost-effective instead of purchasing new equipment.^{2 CFR §200.318(e) & (f)}

For construction projects of sufficient size or complexity, the City may include value engineering provisions designed to identify opportunities for cost reductions while maintaining essential functionality.^{2 CFR §200.318(g)} Contracts funded with Federal grant dollars will be awarded only to responsible contractors that demonstrate integrity, compliance with public policy, satisfactory performance history, and adequate financial and technical resources. The City will also comply with federal suspension and debarment requirements found in 2 CFR §200.214.^{2 CFR §200.318(h) and §200.214}

The City will maintain procurement records that document the history of each procurement action. These records must identify the method of procurement used, the rationale for selecting that method, the basis for contractor selection or rejection, the contract type chosen, and the basis for the contract price. Records must be sufficient to meet federal audit and monitoring standards.^{2 CFR §200.318(i)}

Time-and-materials contracts may be used only when no other contract type is suitable and only when the contract contains a not-to-exceed price that the contractor may not exceed at its own risk. Departments using this type of contract must exercise a higher degree of oversight to ensure

efficient performance and appropriate cost controls.^{2 CFR §200.318(j)} Before execution, any time-and-materials contract to be charged to a Federal award must be reviewed and approved by the City Attorney's Office and, when required by the terms of the Federal program, by the Federal awarding agency or pass-through entity.

§200.319 Competition

All procurements conducted by the City of Huntsville using Federal grant funds must be carried out in a manner that provides full and open competition, consistent with the requirements of 2 CFR §200.319 and §200.320. Ensuring open competition is not only a federal requirement – it also helps the City obtain the best value and maintain public trust in the integrity of its purchasing process.

To support objective contractor performance and avoid unfair competitive advantage, the City will not allow a contractor, consultant, or firm that prepares or assists in preparing specifications, statements of work, requirements, or solicitation documents to compete for the same procurement.^{2 CFR §200.319 (b)} In practice, this means that anyone who helps shape the scope of work may not later submit a proposal for it. This separation protects both the City and the fairness of the process.

The City must also avoid procurement practices that may restrict competition. Federal guidance provides several examples of what this looks like in the real world, including setting unreasonable qualification requirements; demanding unnecessary experience or excessive bonding; allowing noncompetitive pricing practices amount firms; awarding noncompetitive contracts to on-on retainer consultants; permitting organizational conflicts of interest; specifying a single brand name without allowing an equivalent product; or taking arbitrary action that affects the competitive process.^{2 CFR §200.319 (b)} These types of situations can limit competition and must be avoided.

The City must conduct all federally funded procurements in a manner that does not impose state, local or geographical preferences in evaluating bids or proposals, unless a specific Federal statute requires or encourages such a preference.^{2 CFR §200.319(C)} This requirement does not prevent the City from requiring vendors to hold the licenses required under Texas law. This distinction is important because licensing requirements are legal qualifications – not geographic preferences. When procuring architectural or engineering services the City may consider a firm's geographic location as one of many selection factors, as long as doing so does not reduce the number of qualified firms able to compete, given the nature and size of the project.

The City maintains written procurement procedures to guide the development and issuance of competitive solicitations.^{2 CFR §200.319 (d)} Each solicitation must include a clear and accurate description of the materials, products, or services being purchased. The description should be detailed enough to communicate what the City needs but not so restrictive that it narrows competition unnecessarily. IN some cases, this may include descriptions of the qualitative features or essential characteristics needed for the intended use. Detailed product specifications should be avoided, as they can unintentionally limit competition. When it is impractical to develop a complete technical description, the City may use a "brand name or equivalent" approach, provided the key performance of functional characterizes are clearly identified. Solicitations must also

identify all requirements that bidders or proposers must meet, as well as all evaluation factors that will be applied during the selection process.

If the City uses pre-qualified lists of vendors, firms, or products for federally funded procurements, these lists must be kept current and include enough qualified sources to support full and open completion. Additionally, the City may not prevent new vendors from qualifying during the solicitation period or structure the list in a way that limits competition.² CFR §200.319(e)

Finally, the City may award a non-competitive (sole source) procurement only when one of the limited circumstances permitted under 2 CFR §200.320(c) applies.² CFR §200.319(f) referencing §200.320(c) When a department believes that a non-competitive procurement is justified, the rationale must be documented and clearly meet federal standards. All sole-source justifications must be submitted to the Purchasing Department for review and approval before the procurement method is used or any contract executed.

§200.320 – Methods of Procurement

The City of Huntsville follows the procurement methods established in 2 CFR §200.320 for all acquisitions made with Federal grant funds. These methods must be applied together with the requirements in §§200.317-200.319 and all applicable State and City purchasing rules. When determining which procurement threshold applies, the City will always use the most restrictive requirement, whether it is the Federal, State or City threshold.

The City maintains document procurement procedures, as required by 2 CFR §200.318(a), that describe how each method of procurement must be carried out. These procedures provide a consistent framework for departments and help ensure compliance with federal and local resources.

Before initiating any purchase using Federal grant funds, whether through micro-purchase, small purchase, or formal procurement methods, departments are strongly encouraged to consult with the Purchasing Department or the Grant Management office. Early coordination helps ensure that the correct thresholds, documentation requirements, and procurement methods are applied and that the purchase complies with the applicable sections of 2 CFR Part 200.

- Informal Procurement Methods

Informal procurement methods may be used for purchases that do not exceed the Simplified Acquisition Threshold defined in the most current version of 2 CFR §200.1, unless the City has adopted a lower threshold. Informal methods allow the City to purchase needed goods and services efficiently while still maintaining appropriate safeguards.

- Micro-Purchases

Micro-purchases are purchases at or below the applicable micro-purchase thresholds established under the current version of 2 CFR §200.1, unless the City has adopted a lower internal threshold. These purchases may be made without soliciting competitive quotations when the prices are reasonable and properly documented. Whenever

practical, micro-purchases should be distributed equitably among qualified suppliers. The City will follow all requirements in 2 CFR §200.320(a)(1) when determining or applying the appropriate micro-purchase threshold.

- Small Purchases

Small purchases are those that exceed the micro-purchase threshold but do not exceed the Simplified Acquisition Threshold defined in 2 CFR §200.1, unless the City has a more restrictive internal threshold. For these procurements, the City must obtain price or rate quotations from an adequate number of qualified sources, consistent with 2 CFR §200.320(a)(2).

- Formal Procurement Methods

When a purchase is above the level allowed for small purchase procedures, the City must use one of the formal procurement methods as outlined in 2 CFR §200.320(b). Formal methods involve public notice, a structured solicitation process and sufficient documentation to show that the procurement was conducted fairly and in full compliance with all requirements. As with other thresholds – the City will always apply the most restrictive requirement – Federal, State, or City – when determining whether formal methods must be used.

- Sealed Bids

Sealed bids, also known as Invitation for Bids (IFB), are appropriate when complete and adequate specifications are available, two or more responsible bidders are willing and able to compete, and the purchase can be awarded primarily on price. Bids must be publicly advertised, opened at the designated time and place, and evaluated based on responsiveness and responsibility. The contract is awarded to the lowest responsive and responsible bidder unless all bids are rejected for clearly documented reasons.

- Competitive Proposals

Competitive proposals are used when sealed bids/IFBs are not suitable. Under this method the City issues a Request for Proposals (RFP) that identifies all evaluation factors and their relative importance. Proposals are solicited from an adequate number of qualified offerors and are evaluated using a written method for scoring and selection.² CFR §200.320(b)(2) The contract is awarded to the responsible offeror whose proposal is most advantageous to the City, considering price and other relevant factors.

For architectural and engineering services, the City must use a qualifications-based selection method consistent with the Brooks Act and 2 CFR §200.320(b)(2)(iv), in which firms are evaluated on qualifications first and price is negotiated with the most qualified firm. This method is required for A/E procurements using federal funds.

- Noncompetitive Procurement (Sole Source)

A noncompetitive procurement may be used only when one or more of the circumstances in 2 CFR §200.320(c) apply.

- The purchase does not exceed the micro-purchase threshold;
- Only one source is available;
- A public emergency or exigency will not permit delay
- The Federal awarding agency or pass through entity authorizes the request in writing; or
- Competition is inadequate after soliciting multiple sources.

Departments requesting a noncompetitive procurement must prepare a written justification explaining the basis for the request. All sole-source justifications must be reviewed and approved by the Purchasing Department before a contract is executed. When required by the Federal award, the justification must also be approved by the Federal awarding agency or pass through entity.

§200.321 – Contracting with Small and Minority Businesses, Women-Owned Businesses and Labor Surplus Area Firms

The City of Huntsville is committed to providing fair and inclusive opportunities in all federally funded procurements. IN accordance with 2 CFR §200.321, the City will take meaningful steps to encourage the participation of small businesses, minority-owned businesses, women-owned businesses, and firms located in labor surplus areas whenever feasible. The City will also follow any additional State-required supplier diversity or HUB requirements, applying the most restrictive applicable standard when Federal, State, or City requirements differ.

To support this commitment, departments must make reasonable efforts to identify and include qualified small, minority, women-owned firms in the solicitation process. This may include adding such firms to vendor lists, reaching out to them when they are potential sources, breaking larger procurements into smaller components when practical, or setting delivery schedules in a way that does not necessarily limit their ability to participate. Departments are also encouraged to use available resources such as the U.S. Small Business administration or the Minority Business Development Agency when those services can help broaden competition.² CFR §200.321(b)

The Purchasing Department and the Grant Management office are available to assist departments with these efforts and can help ensure that all required steps are properly documented in the procurement file.

§200.3322 Domestic Preferences for Procurement

The City of Huntsville will give preference to goods, products, and materials produced in the United States whenever doing so is allowed by federal rules and is compatible with project needs and budget. Federal domestic preference requirements apply to all federally funded contracts, purchase orders, and subawards, and departments must ensure that any required domestic-origin language is included in the procurement documents.

Under this requirement, certain materials such as iron, steel, manufactured products and specific construction materials must meet federal definitions for U.S. production or manufacturing. Departments should review the applicable federal award terms and consult with the Purchasing

Department and/or the Grant Management office when determining whether a domestic preference applies to a particular procurement.

The purchasing Department will assist departments in including the required clauses in bid documents and contracts, documentation showing how domestic preference requirements were addressed must be maintained in the procurement file.

§200.323 Procurement of Recovered Materials

The City must follow the requirements of Section 6002 of the Solid Waste Disposal Act and 2 CFR §200.323 when purchasing any products made from recovered materials. These rules apply whenever the City buys an item that appears on the Environmental Protection Agency's (EPA) list of designated products regardless of whether the purchase is funded with federal grant funds or local City funds.^{40 CFR Part 247}

Because the EPA updates this list over time, departments should contact the Purchasing Department before acquiring any product that may fall into a designated recovered materials category. Purchasing will help determine whether the item is covered, what documentation is required, and how to ensure compliance with federal standards.

§200.324 Contract Cost and Price Requirements

For any procurement action that exceeds the Simplified Acquisition Threshold, including contract modifications, the City must complete a cost or price analysis as required by 2 CFR §200.324. This begins with preparing an independent cost estimate, also known as an 'ICE', before bids or proposals are received.

If competition is limited or unavailable, the City must negotiate profit as a separate element of the contract price. When negotiating profit, departments should consider the complexity of the work, the level of risk to the contractor, the contractor's investment, the amount of subcontracting anticipated, the contractor's past performance, and typical industry profit rates for similar work.²
CFR §200.324(b)

Any contract that includes estimated or reimbursable costs must rely on cost principles allowable under 2 CFR Part 200, Subpart E, and cost-plus-percentage-of-cost contracts are strictly prohibited as per 2 CFR §200.324(d).

§200.325 Federal Awarding Agency or Pass-Through Entity Review

Under 2 CFR §200.325, the City must make procurement records available to the Federal awarding agency or pass-through entity whenever requested. This includes technical specifications, solicitation documents, independent cost estimates, and any other records needed by the agency to confirm that the procurement complies with federal requirements.

A Federal agency may request these records before a solicitation is issued or at any point during the procurement process. The City must all provide documents for pre-procurement review whenever required by the terms of the federal award or when the circumstances outlined in 2 CFR §200.325(b) apply.

§200.326 Bonding Requirements

For construction or facility improvements contracts that exceed the Simplified Acquisition Threshold, the City will follow the bonding requirements of 2 CFR §200.326. In most cases, the Federal awarding agency or pass-through entity may allow the City to use its own bonding policies, provided they determine that the federal interest is adequately protected. If such a determination is not made, the minimum federal bonding requirements apply.

Under the federal standards, bidders must submit a bid guarantee equal to five percent of the bid price to ensure that the contractor will execute the contract if awarded. Contractors must also provide a performance bond for 100 percent of the contract price to guarantee completion of the work, and a payment bond for 100 percent of the contract price to ensure that subcontractors and suppliers are paid as required by law.

§200.327 Contract Provisions

When the City enters into a contract using federal grant funds, the agreement must include all clauses required under 2 CFR §200.327 and Appendix II to 200. The specific clauses that apply will depend on the type of procurement, the dollar amount, and the nature of the work. These federally required provisions cover topics such as remedies, termination, equal employment opportunity, Davis-Bacon, contract work hours and safety standards, rights to inventions, Clean Air and Water Act compliance, debarment and suspension, anti-lobbying requirements, recovered materials, and any prohibitions on certain telecommunications equipment.

Purchasing and the Grant Management office will assist departments in determining when provisions apply to a particular contract to ensure the City remains fully compliant with federal requirements.

Protest Procedures

The City of Huntsville provides a formal process for respondents – including bidders, proposers, or any party who has participated in a City solicitation – to raise concerns about how a solicitation or contract award was handled. The purpose of this process is to ensure fairness, transparency, and consistency across procurements. All protests are reviewed and decided by the City Attorney or their designee, who will issue a final decision in writing.

A respondent wishing to file a protest must submit it in writing to the Purchasing Department at purchasing@huntsville.gov. A pre-award protest must be received no later than five (5) business days after the respondent becomes aware of the issue being challenged, but before the scheduled bid opening. A post-award protest must be received no later than ten (10) business days after the notice of intent award or notice of award is issued. Protests filed after these deadlines will not be considered.

A protest must clearly identify the solicitation or contract, describe the specific grounds for the protest, and provide any supporting facts or documentation. Purchasing will acknowledge receipt and forward the protest and the procurement file to the City Attorney for review.

Upon receiving a timely protest, Purchasing will pause further action on the procurement unless the City Attorney determines that proceeding is necessary to protect the City's interests. The City Attorney will review the protest, evaluate the procurement record, request additional information if needed, and issue a written decision. The decision will state whether the protest is granted or denied and whether any corrective action is required. The determination of the City Attorney or their designee is final.

All documentation related to the protest, including the protest letter, correspondence and the written decision, must be retained in the official procurement file.



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 2.b.

Agenda Item: First Reading - Consider adopting Ordinance No. 2025-38 - Adopting a new Official City Seal by amending Chapter 2, Administration, Article III, Records, of the City of Huntsville Code of Ordinances.

Initiating Department/Presenter: City Secretary

Presenter:

Kristy Doll, City Secretary

Recommended Motion: Move to adopt Ordinance No. 2025-38 - Adopting a new Official City Seal by amending Chapter 2, Administration, Article III, Records, of the City of Huntsville Code of Ordinances.

Strategic Initiative:

Discussion: A City Seal is used to authenticate official documents of the City while a logo is used for branding. When the city seal is placed or affixed on a document, it serves as a form of "city signature," authenticating that the document is an official document of the City, much like a notary stamp. The City Secretary, or a designated representative, acts as the custodian of the official City Seal and is authorized to use it on ordinances, resolutions, honorariums, certificates, acknowledgments, and other documents that require authentication. The City is strongly committed to protecting its official seal from unauthorized use and preventing confusion among residents. Safeguarding the City Seal from any unauthorized applications is beneficial for both the City and its citizens.

Previous Council Action:

Financial Implications:

Approvals:

Scott Swigert

Leonard Schneider

Kristy Doll

Associated Information:

1. Ordinance No. - 2025-38 Chapter 2 Adopting a New City Seal - for packet

ORDINANCE NO. 2025-38

AN ORDINANCE OF THE CITY OF HUNTSVILLE, TEXAS, ADOPTING A NEW OFFICIAL CITY SEAL BY AMENDING THE CITY OF HUNTSVILLE, TEXAS CODE OF ORDINANCES, SPECIFICALLY CHAPTER 2 “ADMINISTRATION” BY AMENDING ARTICLE III, BY ADDING A NEW SECTION 2-51; AND MAKING OTHER PROVISIONS AND FINDING THERETO; AND DECLARING AN EFFECTIVE DATE.

WHEREAS the City of Huntsville, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS the City Council of the City of Huntsville, Texas, has deemed it necessary and in the best interest of the citizens of the City of Huntsville to adopt a new official seal for the City; and

WHEREAS the City of Huntsville, Texas, has a substantial interest in protecting its seal from unauthorized use to avoid consumer and resident confusion; and

WHEREAS the City Council has investigated and determined that it would be advantageous and beneficial to the City and its citizens to protect the City seal from unauthorized use; and

WHEREAS the City Council of the City of Huntsville, Texas, has reviewed and hereby adopts the new official City seal shown in Exhibit "A" to this Ordinance.

WHEREAS, the City Council of the City of Huntsville, Texas now wishes to make amendments to Chapter 2, Article III “Records” by adding a new section 2-51 “City Seal”; and

WHEREAS, notice of the agenda for this meeting was given in accordance with the law by posting the same at the place reserved and designated for notices of public meetings and public activities, and prior to the adoption of this ordinance;

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are to be found true and correct and are hereby adopted, ratified, and confirmed.

Section 2. The City Seal is the property of the City of Huntsville.

Section 3. That Article III of Chapter 2 of the Huntsville Code of Ordinances is hereby amended by adding a new section 2-51 “City Seal” as shown in the Exhibit “A” attached hereto and adopted for all purposes.

Section 4. All ordinances or parts of the Ordinances that are in conflict or inconsistent with the provisions of this ordinance shall be, and the same are hereby, repealed, and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. Should any paragraph, sentence, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

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

First reading date: _____

PASSED AND APPROVED on this the ____ day of _____

THE CITY OF HUNTSVILLE, TEXAS

Russell Humphrey, Mayor

ATTEST:

Kristy Doll, City Secretary

APPROVED AS TO FORM:

Leonard Schneider, City Attorney

Exhibit A

Chapter 2 – Administration

ARTICLE III. - RECORDS

Sec. 2-51. - City seal.

(a) The seal of the city shall be as follows:



(b) The city secretary or designee, acting as the custodian of the official seal of the city, is authorized to use the city seal on any ordinance, resolution, honoraria, certificate, notarial jurat or acknowledgment, or other instruments necessary to authenticate official city documents or to indicate institutional sanction for official, legal and ceremonial purposes. The city seal shall only be used for the official business of the city.

(c) The city seal may be altered with an Ordinance of the city council.

(d) The city secretary shall be the official custodian of the city seal and any other city seals adopted by the city council.

(e). Permission to use the City seal shall not be assignable. The use of the city seal by any person for the following uses is specifically prohibited:

- (1) In support or opposition of any candidate for elective office, referendum, initiative, or ballot measure, or in any candidate or committee campaign literature.
- (2) In connection with any advertisement or promotion for any product, business, organization, or service, whether offered for sale, profit, or without charge.
- (3) On any written or printed material designed, calculated, intended or likely to confuse, deceive or mislead the public or cause the reader of such written or printed material to believe it to be an official city publication, including circulating or distributing any such written or printed material or to suggest or assert any city support or endorsement of any product, goods or services

Secs. 2-52. - 2-90. - Reserved.



CITY COUNCIL AGENDA

12/16/2025

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 Airport FBO Agreement.

Initiating Department/Presenter: City Manager

Presenter:

Scott Swigert, City Manager

Recommended Motion: N/A

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Ricardo Villagrand

Scott Swigert

Leonard Schneider

Associated Information:



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 6.b.

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.

Initiating Department/Presenter: Human Resources

Presenter:

Brian Beasley, HR Director

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Brian Beasley

Sam Masiel

Scott Swigert

Leonard Schneider

Associated Information:



CITY COUNCIL AGENDA

12/16/2025

Agenda Item Number: 6.c.

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: Special Prosecutor for Municipal Court.

Initiating Department/Presenter: City Council

Presenter:

Russell Humphrey, Mayor

Recommended Motion: Not applicable

Strategic Initiative:

Discussion:

Previous Council Action:

Financial Implications:

Approvals:

Sam Masiel

Scott Swigert

Leonard Schneider

Kristy Doll

Associated Information: