

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD TELEPHONICALLY ON THE 7th DAY OF APRIL 2020, AT 6:00 P.M.

The Council met in a telephonic session with the following:

COUNCILMEMBERS PRESENT: Daiquiri Beebe, Blake Irving, Russell Humphrey, Dee Howard Mullins, Paul Davidhizar, Joe P. Rodriquez, Mari Montgomery, Clyde D. Loll

COUNCILMEMBERS ABSENT: Andy Brauninger

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

MAIN SESSION [6:00 P.M.]

CALL TO ORDER – Mayor Pro Tem Rodriquez called the meeting to order at 6:00 p.m.

City Secretary Brenda Poe read the following statement: “This meeting of the Huntsville City Council is being conducted by telephonic conferencing as allowed by the Governor’s Order to suspend certain portions of the Open Meetings Act. The public is requested to not make any comments until invited by the Mayor Pro Tem and then please do not speak over each other. The public, council and staff are requested to make sure there is no background noise and to try to participate from a quiet area. The pledge of allegiance is being performed by the Mayor Pro Tem only. When roll call is made each council member is asked to announce by stating your name. It is requested each staff member identify themselves by name before speaking. When the Mayor Pro Tem allows comments from the public it is requested the person speaking state their name for the record. This meeting is being recorded and made available to the public on our website and Facebook page.”

Mayor Pro Tem Rodriquez conducted a roll call for attendance.

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

Mayor Pro Tem Rodriquez gave the invocation and said the pledges.

1. PRESENTATION

- a. Hear presentation and consider approval of the audit for FY18-19 from Pattillo, Brown, and Hill, LLP, CPAs. [Steve Ritter, Finance Director]**

Auditor and CPA Chris Pruitt presented the FY18-19 audit. Councilmember Loll made a motion to accept the FY18-19 audit from Pattillo, Brown and Hill, LLP, CPAs; the motion was seconded by Councilmember Montgomery. The motion was adopted, 8-0.

2. CONSENT AGENDA

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

- a. Approve the minutes of the City Council meeting held on March 17, 2020. [Brenda Poe, City Secretary]**
- b. Consider authorizing the City Manager to enter into an agreement with Schaumburg & Polk, Inc. for professional engineering services for FY19-20 Waterline Replacement Projects. [Y. S. “Ram” Ramachandra, City Engineer]**
- c. Consider adoption of Ordinance 2020-20 to amend the budget for FY 19-20 and/or CIP Project budgets. [Steve Ritter, Finance Director]**
- d. Consider authorizing the City Manager and the City Attorney to draft and enter into an agreement with the Community Organization for Missionary Endeavor, Inc. (C.O.M.E. Center) to waive construction-related permit fees. [Dee Howard Mullins, Councilmember At-large Pos. 2]**

Councilmember Beebe pulled 2c for discussion. Councilmember Davidhizar made a motion to approve the consent agenda 2a, b, and d; the motion was seconded by Councilmember Howard Mullins. The motion was adopted, 8-0. City Manager Kulhavy explained the reclamation project with SHSU and later pulled the item for consideration. Councilmember Davidhizar made a motion to approve item 2c to portion covering COVID-19 virus monies; the motion was seconded by Councilmember Montgomery. The motion was adopted, 8-0.

3. STATUTORY AGENDA

- a. **SECOND READING - Consider adoption of Ordinance 2020-18 to approve regulating the operation of Personal Mobility Devices, second reading. [Darryle Slaven, Asst. Chief of Police]**

Councilmember Montgomery made a motion to approve Ordinance 2020-18 implementing regulations for the use of Personal Mobility Devices; the motion was seconded by Councilmember Howard Mullins. The motion was adopted, 8-0.

- b. **FIRST READING - Consider authorizing the City Manager to approve a purchasing agreement with FleetCor for Fuelman fuel cards for off-site point of sale fueling of City vehicles, first reading. [Brent S. Sherrod, P.E., Director of Public Works]**

First reading, no action taken.

4. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY

- a. **Consider approving nominees for City boards, committees, and commissions. [Andy Brauninger, Mayor]**

The Mayor's nominations for the HGAC Board alternate and two appointments to the Veterans Affairs Advisory Board were moved. The motion was adopted, 8-0.

- b. **FIRST READING - Consider and possible action to adopt Ordinance No 2020-22 approving the settlement of a proposed rate increase of CenterPoint Energy Resources Corp in the Beaumont/East Texas Division, first reading.**

Councilmember Davidhizar made a motion to waive the requirement for readings on two separate days and move to adopt Ordinance No. 2020-22 approving the CenterPoint proposed settlement of the Centerpoint proposed rate increase in the Beaumont/East Texas Division; the motion was seconded by Councilmember Loll. The motion was adopted, 8-0.

- c. **Consider Ordinance 2020-23 amending Chapter 42 "Taxation" to temporarily modify the Hotel Occupancy Tax (HOT) reporting and payment schedule. [Aron Kulhavy, City Manager]**

Councilmember Loll moved to approve Ordinance 2020-23 amending Chapter 42 "Taxation" to temporarily modify the Hotel Occupancy Tax (HOT) reporting and payment schedule; the motion was seconded by Councilmember Beebe. The motion was adopted, 8-0.

- d. **Discussion, consideration and possible action on Coronavirus (COVID-19) and to authorize the Mayor to extend any Declaration of Disaster past the period determined by City Council on March 17, 2020 by adoption of Ordinance 2020-21. [Andy Brauninger, Mayor]**

Councilmember Humphrey moved to approve Ordinance 2020-21 extending the Disaster Declaration issued by Mayoral proclamation on March 13, 2020 in response to COVID-19 and suspending utility disconnects for non-payment and a waiver of late fees and penalties; the motion was seconded by Councilmember Irving. Montgomery made a statement about testing in regard to COVID-19 response in the community, county, state, and around the nation. The item was postponed while the City Attorney reviewed the Charter, including Emergency Management authority. Councilmember returned to this item following item 7. The motion was adopted, 8-0.

5. REQUESTS FOR CITIZEN PARTICIPATION

An opportunity for citizens to be heard on any topic and for the City Council to participate in the discussion. No action will be taken.

Judith Zeigler was unable to attend the meeting.

6. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

7. ITEMS OF COMMUNITY INTEREST

(Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff, for which no action will be discussed or taken.)

Mayor Pro Tem Rodriquez said the City of Huntsville is continuing to follow Governor Greg Abbott's directives to increase social distancing and avoid large groups gathering. The Governor ordered the closure of State Parks at the close of business Tuesday, April 7th. The City of Huntsville will also limit access to its Parks facilities beginning at 5 p.m. today. Playground equipment, sports courts, restrooms, workout stations, and pavilions will be temporarily closed to the public until the Governor's order is lifted and the public safety conditions improve. The remainder of the park will be open for walking, hiking, and other outdoor activities. This directive only applies to city-owned parks and does not apply to golf courses, privately-owned parks, or property owned by Sam Houston State University. Follow updates, pay bills and conduct business online at HuntsvilleTX.gov and all social media – Facebook, Instagram, Twitter, and Nextdoor.

8. EXECUTIVE SESSION

- a. **City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, 551.071 to receive legal advice on the annexation of Area E and the annexation of areas "A" thru "G" and lawsuits filed in Cause No. 1929442, Billingsley, et al v City of Huntsville, regarding said annexation. [Leonard Schneider, City Attorney]**

The Council adjourned to Executive Session at 7:25 p.m.

9. RECONVENE

The Council reconvened at 7:58 p.m.

ADJOURNMENT

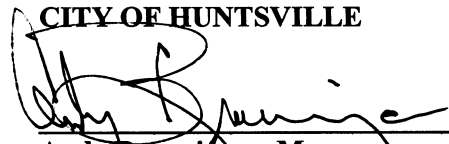
Mayor Pro Tem Rodriquez adjourned the meeting without objection at 7:59 p.m.

Brenda Poe, City Secretary

ATTEST:



Brenda Poe, City Secretary

CITY OF HUNTSVILLE


Andy Brauning, Mayor