

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD TELEPHONICALLY ON THE 5th DAY OF MAY 2020, AT 6:00 P.M.

The Council met in a telephonic session with the following:

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

COUNCILMEMBERS ABSENT: None

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

MAIN SESSION [6:00 P.M.]

CALL TO ORDER – Mayor Brauning 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 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. 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 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.”

The City Secretary 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.*

Councilmember Davidhizar gave the invocation and the pledges.

1. 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 April 21, 2020. [Brenda Poe, City Secretary]**
- b. **SECOND READING - Consider adopting Ordinance 2020-24 in denying the Distribution Cost Recovery Factor rate increase by Entergy Texas Inc., second reading. [Leonard Schneider, City Attorney]**
- c. **SECOND READING - Consider authorizing the City Manager to award the purchase of Street Milling/Overlay/Rehab Services, to Larry Young Paving in the amount of \$1,168,288.76, second reading. [Brent S. Sherrod, P.E., Director of Public Works]**
- d. **Consider authorizing the City Manager to award the purchase of Street Pressure Pave Services to Donelson Construction, LLC, in the amount of \$88,850.50. [Brent S. Sherrod, P.E., Director of Public Works]**
- e. **Consider the approval of Buyboard Contract # 555-18 with Southern Trenchless Solutions, LLC to repair an existing sewer line and associated components in the 100 block of Smith Hill Road. [Brent S. Sherrod, P.E., Director of Public Works]**
- f. **Consider adoption of Ordinance 2020-26 to amend the budget for FY 19-20 and/or CIP Project budgets. [Steve Ritter, Finance Director]**

- g. Consider a motion authorizing the City Manager to approve a purchasing agreement with Office Depot for office supplies as needed for City departmental operations. [Steve Ritter, Finance Director]**
- h. Consider authorizing the City Manager to amend an agreement with Freese and Nichols, Inc. for professional engineering services for Bond Proposition #3 – Water Infrastructure Projects (#17-01-01). [Y.S. “Ram” Ramachandra, City Engineer]**
- i. Consider authorizing the City Manager to apply for the 2020 Coronavirus Emergency Supplemental Funding (CESF) Program and adopt Resolution 2020-21. [Kristie Hadnot, Grants Manager]**

City Manager Aron Kulhavy requested to pull Item 1f from the consent agenda. Councilmember Rodriquez made a motion to approve the consent agenda with the correction to the minutes; the motion was seconded by Councilmember Davidhizar. City Secretary Poe reported a correction to item 1a in the minutes to change 3a vote from 8-0 to 9-0. The motion was adopted, 9-0.

2. STATUTORY AGENDA

- a. Consider authorizing the City Manager to award the construction contract for 12th Street Sidewalk and Lighting Improvement CDBG Project #18-10-10. [Y.S. “Ram” Ramachandra, City Engineer]**

Councilmember Davidhizar made a motion to authorize the City Manager to award the construction contract to Solid Bridge Construction in the amount of \$279,958 for the construction of 12th Street Sidewalk and Lighting Improvement CDBG Project #18-10-10; the motion was seconded by Councilmember Rodriquez. The motion was adopted, 9-0.

- b. Consider authorizing the City Manager to apply for the FY 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the U.S. Department of Homeland Security for \$768,600, which includes matching funds of \$297,171, and adopting Resolution 2020-20. [Greg Mathis, Fire Chief]**

Councilmember Loll made a motion to authorize the City Manager to apply for the FY 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the U.S. Department of Homeland Security for \$768,600, including matching funds of \$297,171, and adopting Resolution 2020-20; the motion was seconded by Councilmember Montgomery. The motion was adopted, 9-0.

3. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY

- a. Consider Ordinance 2020-27 extending the Disaster Declaration issued by Mayoral proclamation on March 13, 2020 in response to COVID-19. [Aron Kulhavy, City Manager]**

Councilmember Rodriquez made a motion to approve Ordinance 2020-27 extending the Disaster Declaration issued by Mayoral proclamation on March 13, 2020 in response to COVID-19; the motion was seconded by Councilmember Humphrey. Councilmember Montgomery made a statement about COVID-19 in the community. The motion was adopted, 9-0.

- b. Consider action to accept Councilmember Davidhizar’s resignation from City Council. [Andy Brauning, Mayor]**

Councilmember Loll made a motion to accept At-large Position 1 Councilmember Davidhizar's resignation, amending the motion to become effective May 6 under the advisement of City Attorney; the motion and amendment were seconded by Councilmember Rodriguez. The motion was adopted, 9-0.

- c. **Consider action to appoint a member to City Council for the At-Large Position 1 unexpired term. [Andy Brauning, Mayor]**

Councilmember David made a motion to nominate Bert Lyle At-large Position 1 Councilmember Davidhizar's resignation to become effective May 7; the motion was seconded by Councilmember Montgomery. City Attorney LS asked for another councilmember to make the motion. Councilmember Montgomery made a motion to nominate Bert Lyle At-large Position 1 Councilmember Davidhizar's resignation to become effective May 7; the motion was seconded by Councilmember Beebe. The motion was adopted, 6-2 with Councilmember Humphrey and Irving voting against. City Attorney advised that Mr. Davidhizar was excluded from voting per the City Charter 4.17 wording of "remaining members of the City Council".

4. 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.

No requests were submitted by the deadline.

5. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

6. 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.)

The City Secretary announce the next COVID-19 mobile testing site would take place from 9 am to 6 pm Sunday, May 10, 2020 at the Walker County Fairgrounds, located at 3925 State Highway 30. Everyone will be tested, whether they are symptomatic or not, at no cost. Citizens are required to preregister for the test at www.TxCOVIDtest.org or by calling 512-883-2400. Tests are conducted by appointment only. This effort is a project of the Texas Department of Health Services, with collaboration from the Walker County Office of Emergency Management and the City of Huntsville. Follow updates, pay bills and conduct business online at HuntsvilleTX.gov and all social media – Facebook, Instagram, Twitter, and Nextdoor.

7. 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 7:09 p.m.

8. RECONVENE

The Council reconvened at 8:20 p.m.

ADJOURNMENT

Mayor Brauninger adjourned the meeting without objection at 8:20 p.m.

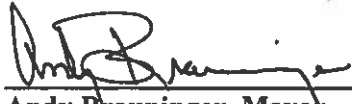
Brenda Poe, City Secretary

ATTEST:



Brenda Poe, City Secretary

CITY OF HUNTSVILLE



Andy Brauninger, Mayor