

The City Council of the City of Willis, Texas convened in regular session via teleconference on the date and time aforesaid, with the following members present:

Leonard Reed, Mayor  
Tom Luster, Mayor Pro-Tem  
Teresa Herod, Council Member  
Barney Stone, Council Member  
William Brown, Council Member  
Thomas Belinoski, Council Member  
Robert Evans, City Manager  
Larry Foerster, City Attorney  
Marissa Quintanilla, City Secretary  
James Nowak, Chief of Police  
Taylor Whichard, Director of Public Works  
Steven Hill, Director of Community Development  
Rachel Kulhavy, Finance Director  
Derek Wind, Bleyl Engineering

And the following members absent: none, constituting a quorum at which time the following business was transacted to-wit:

1. Call to order the regular meeting.  
Mayor called the meeting to order at 5:30 p.m.
2. Roll Call, Pledge of Allegiance, and Invocation  
I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Honor the Texas Flag. I pledge allegiance to thee Texas; one state under God, one and indivisible.  
Mayor called roll.  
Pledges were recited.  
William Brown gave the invocation.
3. CITIZENS INQUIRY
  - a. Public Comments  
No public comments
4. CONSENT AGENDA
  - a. Consider the minutes of the previous meetings: April 21, 2020
  - b. Approval of accounts payable
  - c. Approval of financial statements and tax collection reports  
Mayor asked for questions or comments on the consent agenda. None were received. Mayor and Council approved the consent agenda by unanimous consent.
5. ORDINANCES
  - First Reading
    - a. An ordinance by the City of Willis continuing the Juvenile Curfew Ordinance  
Mayor asked for questions. None were received. Mayor stated this was the first reading no action to be taken.
  - Second Reading
    - a. An ordinance denying the distribution cost recovery factor rate increase request of Entergy Texas, Inc.  
Mayor Reed recused himself and handed the meeting over to Mayor Pro-Tem Tom Luster. Mayor Pro-Tem read the following caption: "AN ORDINANCE BY THE CITY OF WILLIS, TEXAS ("CITY") DENYING THE DISTRIBUTION COST RECOVERY FACTOR RATE INCREASE REQUEST OF

ENTERGY TEXAS, INC. FILED ON MARCH 31, 2020; SETTING JUST AND REASONABLE RATES FOR ENTERGY TEXAS, INC. FOR SERVICE WITHIN THE MUNICIPAL LIMITS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS”

Mr. Foerster stated that periodically various utilities that serve the City of Willis will go to the PUC and make a request for an increase in their rate. Mr. Foerster stated this was not unusual, and Entergy was making a request for distribution rate increase. Mr. Foerster stated that the City of Willis, and most other cities have what is called original jurisdiction, meaning that Entergy has to come to the City first to get the City’s approval or rejection for the proposed rate increase. Mr. Foerster stated that most of the cities that are served by Entergy have joined a City Steering Committee, that has hired the Lawton Law Firm to represent them, when these Entergy rate increases are proposed. Mr. Foerster stated that this ordinance would deny the rate increase. Mr. Forester stated that this necessarily does not mean that it won’t go into effect, but it means when the City and other cities reject the increase, it then goes by appeal to the PUC, who will make a final determination as to what reasonable rate increase would be. Motion was made by Thomas Belinoski to approve an ordinance denying the distribution cost recovery factor rate increase request of Entergy Texas, Inc. Barney Stone seconded the motion. Motion passed unanimously.

## 6. NEW BUSINESS

- a. Consider approval of a resolution by the City of Willis, Texas, adopting and incorporating by reference the Texas governor’s executive order GA-18 issued on April 27 2020.

Mr. Foerster stated that the Texas Municipal League has suggested that in order to make sure that a city would qualify for FEMA funding, if there was a need, there probably needed to a reference, or report that shows the City, under chapter 418 of the Texas Government Code, is adopting a disaster declaration that is consistence with the Governor of Texas. Mayor asked for questions. None were received. Motion was made by Thomas Belinoski to approve a resolution by the City of Willis, Texas, adopting and incorporating by reference the Texas governor’s executive order GA-16 issued on April 27, 2020. Tom Luster seconded the motion. Motion passed unanimously.

- b. Presentation and discussion on options for replacing 250 registers/meters.

Taylor Whichard stated that he’d provided a memo of the cost of replacing registers. Mr. Whichard stated that currently there are 220 failed registers, and he has already authorized the purchase of 70 new registers at an average cost of \$90 each. Mr. Whichard stated this left about 150 registers that needed to be replaced at a cost of \$13,500. Mr. Whichard stated that based on the total number of residential meters and the amount of water sales, he estimated the average water and sewer bill to be approximately \$70. Mr. Whichard stated the minimum water and sewer bill is \$42.50 the difference between and average bill and minimum bill is \$27.50 which is what the City is losing in revenue per register. The total estimated monthly revenue lost per month is \$6,050. Mr. Whichard stated that assuming if all registers were installed on the same day, it would take four months for the registers to pay for themselves. Mr. Whichard stated that staff recommended pursuing the replacement of the failed registers and to pay for them for the public works operation and maintenance budget. Mr. Whichard stated this was just a discussion item, to get feed back from the Council.

Mayor stated that he would like to move forward. Mr. Belinoski stated that he also agreed.

## 7. REPORTS

Input from Council related to issues for possible inclusion on future agendas; related to issues such as (but not limited to) municipal projects, personnel, public property, development, and other city/public business.

- a. Engineer’s report

1. WWTP rehabilitation and expansion

Mr. Wind stated the contractor is working on the MCC building and chemical building, looking to bring new units back online by end of June. Mr. Wind stated we are experiencing some delays from equipment trying to be ordered and delivered due to COVID-19 and is expecting to get notice from the contractor asking for additional time due to those circumstances that are out of their control. Mr. Wind stated they will review and make sure that they are ordering equipment at the right time and not just using it as an excuse, but is anticipating that this project was originally was scheduled to be done by August, and can see with weather delays, and COVID-19 may be pushing towards September/October for final completion.

2. Utility Extension on SH 75 North  
Mr. Wind stated that the lift station pumps will be arriving in May, and will have a final walk through in June.
  3. 2016 CDBG Drainage Culvert Lining  
Mr. Wind stated that contracts have been signed. Will start construction on May 26, 2020. Mr. Wind stated that this was just a one-month project and by the end of June should be some final inspections.
  4. Martin Luther King Park Improvements  
Mr. Wind stated substantial completion already took place, we are in the punch list items. Mr. Wind stated that he received and update saying everything has been addressed except for the final seeding of the disturbed areas to plant the grass. Mr. Wind stated there is one piece of the playground equipment that we are waiting on. Mr. Wind stated that they are planning to close out the contract except for the amount of the piece of equipment we are waiting on.
- b. City Manager's report
1. Updated budget calendar  
Mr. Evans stated that TML has issued their yearly budget calendar, and city staff has adjusted ours accordingly. Mr. Evans stated that staff plans to have a budget workshop with Council on June 30<sup>th</sup>.
  2. Sales tax update  
Mr. Evans stated that COVID-19 has caused a lot of business to go down, and there is concern about how that will affect the sales tax. Mr. Evans stated that the May sales tax numbers which are March's results. Mr. Evans stated that we were ahead in March and ended up 7.8% higher than projected. Mr. Evans stated that the June number will be from April, those number will probably reflect the closing of business due to COVID-19.

## 8. EXECUTIVE SESSION

- a. Convene into closed executive session under the Texas Open Meetings Act to confer with city attorney on confidential matters (Texas Government Code Section 551.071) and to deliberate on economic development negotiations (Texas Government Code Section 551.087).
  1. Conroe rate request for historical incorrect billing.
  2. Conroe sewer capacity agreement
  3. Development Agreement with MRSS Partners, Ltd.

Mayor closed open session at 6:09 p.m. and stated they would reconvene in closed executive session at 6:15 p.m.
- b. Reconvene into open session and take action if necessary, on items discussed in executive session.  
Mayor and Council reconvened into open session at 6:58 p.m. No action was taken from executive session.

## 9. ADJOURN

Motion was made by Thomas Belinoski to adjourn. Tom Luster seconded the motion. Motion passed unanimously. The meeting adjourned at 7:00 p.m.

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Leonard Reed, Mayor

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Marissa Quintanilla, City Secretary