The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 22, 2010 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on June 22, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council.

Police Chief Billy Tidwell presented a "Community Hero Award" to Mr. Joshua Childs. On June 9, 2010, a customer at Wal-Mart had her purse forcefully taken from her, was injured in the process, and the robber fled out the door. Mr. Childs had just driven up, realized what was happening, and without regard for his own health and safety, chased, apprehended and held the robber until the Police arrived. Mayor Pickett thanked Mr. Childs for being a good samaritan.

Mayor Pickett reported on the following:

- Independence Day Celebration sponsored by the City of Liberty to be held on Friday, July 2nd. A program will be held to include a speaker, patriotic music, and fireworks display.
- The TML Annual Conference will be held on October 26-29 in Corpus Christi.
- TML Region XVI Meeting in Dayton, Tx. on Thursday, July 15 at the Dayton Community Center.
- Thanked Fire Chief Fred Collins for the recent Hurricane Preparedness Training held at the City Hall. This event was sponsored by Liberty County Emergency Management and the cities of Liberty and Cleveland Emergency Management.

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 1710)

Financial Report - May 2010

COMMENTS - Current Meeting:

Finance Director Naomi Herrington presented the finance report for the month of May. Ms. Herrington reported that the General Fund revenues were at 65% of the total projected revenues, and expenditures at 67% of total projected expenditures for the year. Ms. Herrington further stated that sales tax collections were down, being at 62.23% of projected figures, and 12.74% below collections this time the previous year.

Ms. Herrington reported that the cash in bank for the General Fund is $100,450. At this time, Ms. Herrington reviewed with Council the various other funds to include, water, electric, and garbage.

Lengthy discussion was held regarding the electric fund, fuel surcharges, SRMPA rebate, regulation and deregulation of electric utilities, and other related topics.

B. Information Item (ID # 1712)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the most recent recycling event was a huge success, with the truck filling early. Due to the huge response, the city will sponsor another recycling event for sensitive documents in September, 2010.

Councilperson Potetz reminded the public that Potetz Home Center has a roll-off container for cardboard only. Citizens may bring their cardboard and it will be disposed of at no charge.

C. Information Item (ID # 1713)

Central Appraisal District Proposed Budget / FY 2010-2011

COMMENTS - Current Meeting:

City Manager Gary Broz reported that he had given Council information on proposed amendments to the Central Appraisal District's 09-10 operating budget. Mr. Broz further reported that the CAD will have a meeting on Thursday, June 24 at 9 a.m. to consider the use of a portion of their fund balance to reduce long term debt on their office building.

This item was for information purposes only.

ATTACHMENTS:

- CAD Proposed Budget FY 2010-2011 (PDF)

D. Information Item (ID # 1715)

Introduction of the Handicapped Parking Enforcement Program Volunteers.

COMMENTS - Current Meeting:

Police Chief Billy Tidwell reported that a number of years ago the legislature made it possible for citizens to get involved in enforcing handicapped/disabled parking violations.

Chief Tidwell stated that these citizens are able to perform their duties after a background check, have a clean criminal history, and have attended a specified training course. Training included instruction on laws pertaining to parking, how to write citations, testifying in court, confrontation avoidance, and other related topics. Chief Tidwell introduced the following members of the Handicapped Parking Enforcement Program:

Yevonne Farrar	Robert Kneisley	Josh Mitchell
Brenda Dillingham	Faye Cutsinger	Marlene Shane
Donald Leggett	David Edmonds	

Chief Tidwell thanked these volunteers for their service and expressed appreciation to Officer Hugh Bishop for putting together the lesson plan, getting IDs, and conducting the training.

IV. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-60

Consider Approval of a Request by Mike Riley to Hold a Car Show at the Liberty Municipal Park.

COMMENTS - Current Meeting:

Michael Riley was present to address the Council regarding a request for permission to hold a Classic Car Show in the Liberty Municipal Park. Mr. Riley reported that this event would bring in, at least, 200-220 vehicles and generate funds for the local economy. Mr. Riley further stated that the proposed plan is to use the southwest corner of the park, expanding into the park if additional vehicles register for participation. Further discussion included a proposed date of October 16 for the show, registration form to include a liability release, local food vendors, spectators being twice the number of vehicles, future car shows, and other related topics.

Consensus, by Council, was to allow this event to take place at the Liberty Municipal Park.

RESULT: NO ACTION TAKEN

2. Resolution 2010-11

Consider Approval of a Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation.

COMMENTS - Current Meeting:

Mr. Dusty Traylor, RCI, was present to discuss with Council an update of the plan of finance recently discussed by the City's financial advisor, Bob Henderson, RCI. The proposed resolution authorizes the publication of notice of intent to issue certificates of obligation. The Council intends to finance a list of projects from proceeds derived from the sale of Combination Tax and Revenue Certificates of Obligation, in an amount not to exceed $4,900,000. The City will provide for the payment of the certificates from the collection of ad valorem taxes and a pledge of surplus revenues of the City's water and wastewater system. Lengthy discussion was held regarding the following list of projects, financing, rates, and related issues.

The list of projects include:

Water and electric meter replacement

Park maintenance shed

Fleet purchases

Miscellaneous capital items to include:

Citywide technology upgrade

Incode Software / Police Dept.

Records Retention and Codebook legal review services

Miscellaneous Fire Dept. Equipment

Motion was made approve the Resolution.

ATTACHMENTS:

- Financing Timetable COs 2010 (PDF)
- Certificates of Obligation 2010 Work Sheet (XLS)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

3. Council Action 2010-61

Consider Approval of a Change Order for Costs Associated with the Humphreys Cultural Center Expansion Project.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on a change order for resurfacing of interior walls and beams due to asbestos removal in the lobby area, of the Humphreys Cultural Center. Finance Director Naomi Herrington gave a report on the status of the HCC Expansion Project reviewing the project budget to include the various line items. Ms. Herrington reported that to date, revenues are in the amount of $3,184,950, with the City receiving a $250,000 donation from the Humphreys Foundation upon completion of the project, which will bring total revenues to $3,434,950. Total expenditures, to date, are in the amount of $3,003,899.

Motion was made to approve the change order in the amount of $22 844.

ATTACHMENTS:

- CC Change Order 14 (PDF)
- CC Change Order 15 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

4. Council Action 2010-62

Consider Approval of Dates for Budget Work Sessions.

COMMENTS - Current Meeting:

After brief discussion, Council agreed to meet on July 12th and July 14th for budget work sessions.

ATTACHMENTS:

- Budget Calendar 2010-2011 (PDF)

RESULT:	**NO ACTION TAKEN**

5. Council Action 2010-63

Consider Approval of the Liberty Community Development Corporation's Proposal for Demolition of the Old Mercy Hospital, Located at 521 Travis Street.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Commissioner Court meeting scheduled for today's date was postponed. Mr. Broz stated that he had received a 10-day reprieve on the demolition of the building, and hoped that shortly the agreement between participating entities would be signed by the school district and the county.

RESULT:	**NO ACTION TAKEN**

6. Council Action 2010-66

Consider Approval of a Downtown Analysis and Strategy Program.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that Council had previously discussed making improvements to the downtown area and introduced Mr. Aaron Farmer with Retail Coach LLC. Mr. Farmer discussed the Downtown and Analysis Strategy Program proposal that will examine Liberty's downtown for physical and market issues and opportunities, and make recommendations to improve the downtown area.

Mr. Farmer further explained that the project consists of Phase I - Assessment which will consist of meeting with local businesses, Chamber of Commerce, etc regarding future potential of the area. Available property, city's land use plan, zoning, and other related issues will be reviewed. At the end of Phase I, a powerpoint presentation will be made summarizing the Retail Coach market assessment.

Phase II - Recommendations and objectives will be based on Retail Coach analysis and observations. Discussed will be physical improvements and a Facade Enhancement Program, land use and development, code modifications, marketing initiatives, incentives to assist with revitalization, organizational recommendations, and other related issues.

Mr. Farmer explained that this is a three month process at a cost of $12,000 with an option for sketches of physical improvements to the downtown area, or creation of a community gathering place, for an additional $2000. Mr. Broz recommended that if Council approves of the presentation, that he be allowed to make this same presentation to the Liberty Community Development Corporation Board of Directors and request funding for this project.

Council agreed that this is a worthy project and gave direction to Mr. Broz to approach LCDC to request funding for this project.

ATTACHMENTS:

- Downtown Analysis & Strategy (PDF)

RESULT:	**NO ACTION TAKEN**

7. Council Action 2010-64

Consider and Adopt an Agreement for Electrical Service to Boomerang Tube, LLC.

RESULT:	**NO ACTION TAKEN**

8. Ordinance (ID # 1724)

Consider and Adopt an Industrial Electric Rate Ordinance.

RESULT:	**NO ACTION TAKEN**

B. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087
Consultation With Attorney. Gov. Code §551.071
Meeting Concerning Municipally Owned Utility. 551.086

1. Discussion of industrial electric rate ordinance and electric service agreement with industrial customer.

The Executive Session as described above was not held. There was no Executive Session held as a part of this Council Meeting.

C. Reconvene into Regular Session

1. Ordinance (ID # 1722)

Consider Adoption of an Industrial Electric Rate Ordinance.

RESULT:	**NO ACTION TAKEN**

2. Council Action 2010-65

Consider an Electric Service Agreement with an Industrial Customer.

RESULT:	**NO ACTION TAKEN**

V. COUNCIL MEAL

Council shared an evening meal.

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:14 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary