



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 23, 2015

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Present	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Absent	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the audience. Mayor Pickett commented on the recent Fire Department Barbecue Fundraiser and expressed appreciation for the department and its community involvement.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 3282)

Project Updates - City Manager Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported the month of June was challenging due to recent power outages. Mr. Broz reviewed a list and related powerpoint presentation of these outages, along with reasons for, and length of, each outage. Mr. Broz further reported on a recent storm in

which lightning struck the Fire Station causing some damage. Mr. Broz commented on the upcoming Independence Day Celebration to be held on July 3rd at the Liberty Municipal Park.

2. Information Item (ID # 3283)

Finance Report - Finance Director Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the financial status of the City for the month ending May 31, 2015, stating that the General Fund balance is \$2.9 million. Ms. Herrington also reported that property tax and sales tax numbers are below budgeted amounts and behind on previous year's collections.

Ms. Herrington further reported on the various funds, their revenues, expenditures, cash in bank, and other related financial information.

IV. REGULAR AGENDA

A. Regular Session

1. Council Action 2015-38

Consider selection of the design for a flag to represent the City of Liberty, and take any action deemed necessary.

COMMENTS - Current Meeting:

There was no action taken on this agenda item, as there was brief discussion regarding flag etiquette and standards for municipal flags.

RESULT: NO ACTION TAKEN

2. Council Action 2015-39

Discussion of vacant City Attorney position, selection process and naming of an Interim City Attorney.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that with the recent resignation of City Attorney, Randy Gunter that the search must begin for his replacement. Mr. Broz suggested the release of a Request For Qualifications, followed by interviews at the Council Meeting of July 28th. Mr. Broz also recommended that the City use the firm of Fielder, Gunter and Davis, of which Mr. Gunter is a partner, during the interim period.

A motion was made to prepare and release the RFQ for City Attorney, in accordance with City Charter requirement that the City Attorney shall be a licensed attorney practicing law in Liberty County.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

3. Council Action 2015-40

Consider approval of the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form for Plan Year 2015-2016.

COMMENTS - Current Meeting:

City Manager Gary Broz explained that the City had received a Rerate Notice and Benefit Verification Form from the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool. Mr. Broz reported that this notice relates to the City's medical benefits for City employees, the rate which will increase by 3% for the 2015-2016 Plan Year, with the Dental Plan increasing by 7%. Mr. Broz reviewed the current and new rates.

A motion was made to approve and accept the rate increase with the TML MultiState Employee Benefits Pool, as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

4. Council Action 2015-41

Consider approval of a COBRA Continuation of Coverage Administrative Renewal Agreement with the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool for the 2015-2016 Plan Year.

COMMENTS - Current Meeting:

City Manager Gary Broz explained that the City had received a Rerate Notice and Benefit Verification Form from the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool, in regard to COBRA Coverage. Mr. Broz reported that this notice reflects a 2% rate increase for the 2015-2016 Plan Year. Mr. Broz reviewed the current and new rates.

A motion was made to approve and accept the rate increase with the TML MultiState Employee Benefits Pool for COBRA Coverage, as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

5. Council Action 2015-42

Consider the process for selection of an engineer for Texas Water Development Board prospective projects.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City had received seven (7) proposals for the design/planning of proposed Texas Water Development Board Projects. Mr. Broz reviewed the drinking water and clean water projects to include a water tower, water well, addressing inflow and infiltration and water reuse. Brief discussion was held regarding the scoring process for engineering firms for the process, with Council consensus that the scoring be completed by City Manager Gary Broz, Public Works Director/Engineer Tom Warner, and Electric Department Director Roy Trotter. Management will return to Council with a recommended choice.

No formal action was taken.

RESULT: NO ACTION TAKEN

6. Council Action 2015-43

Consider award of proposal for Electric Distribution System Maintenance.

COMMENTS - Current Meeting:

Mayor Pickett opened agenda items 6, 7, and 8 as they are all related. Discussion was held regarding the one proposal received from Bright Star, for maintenance of the electric distribution system. The first three areas of focus are the Forest Hills, Ridgewood and Treetop Subdivisions. Further discussion included the contractor rates, materials and contractor estimate for rehab of the Forest Hills Subdivision, and other pertinent information. City Manager Gary Broz reported that this project would begin with Forest Hills, with Ridgewood and Treetop following. Mr. Broz also requested that the contract with Trees Inc., for trimming, be increased by \$20,000 in order for trimming in the areas inaccessible by vehicle.

A motion was made to accept the proposal for Electric Distribution System Maintenance from Bright Star.

ATTACHMENTS:

- Elec Dist System Maint Cost (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Libby Simonson, Councilperson
SECONDER: Frank Jordan, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT: Louie Potetz

7. Council Action 2015-44

Consider expenditure for materials and contractor's estimate for the Forest Hills Subdivision Electric Distribution Reconstruction Project, and take any action deemed necessary.

COMMENTS - Current Meeting:

A motion was made to approve the materials and contractor's estimate for the Forest Hills Subdivision Electric Distribution Reconstruction Project as presented, with funds received from the Sam Rayburn Municipal Power Agency.

ATTACHMENTS:

- Forest Hills Elec Recon Project (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

8. Council Action 2015-45

Consider extension of the tree trimming contract with Trees, Inc., for additional work to be performed in the Forest Hills, Ridgewood and Tree Top Terrace Subdivisions.

COMMENTS - Current Meeting:

A motion was made to extend the contract with Trees Inc, in the amount of \$20,000, for additional work in the Forest Hills Subdivision, beyond the scope of the original contract.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

9. Council Action 2015-46

Consider approval of a Public Power Mutual Aid Agreement with the American Public Power Association.

COMMENTS - Current Meeting:

City Manager Gary Broz explained that the proposed agreement is through the American Public Power Association and provides assistance during times of disaster. There is no cost associated with the execution of this agreement. This mutual aid agreement will provide the City with assistance in mobilizing mutual aid for widespread power outages.

A motion was made to approve the Mutual Aid Agreement with the American Public Power Association, as presented.

ATTACHMENTS:

- Public Power Mutual Aid Agreement (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

B. Executive Session

Government code §551.071

Private Consultation with Attorney on all subjects/matters authorized by law.

Government Code §551.074

Personnel Matters.

1. Discussion of various personnel matters.

At 7:10 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:00 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2015-47

Consider and take action, if any, on the items as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:01 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary