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, August 28, 2018 | **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	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Larry Shaw	Interim City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	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.

III. REGULAR AGENDA

A. Executive Session

, Gov. Code §551.071 - Consultation with Attorney.

Contemplated / Pending Litigation.

Discussion related to wastewater litigation with the Cities of Hardin and Ames.

This Executive Session was held following the Regular Session Agenda Item, VII.A.1, regarding the Grace Initiative.

At 6:32 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

B. Reconvene into Regular Session

At 7:09 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2018-70

Consider and take action, if any, on litigation related to the Cities of Hardin and Ames wastewater issues, as discussed in the Executive Session.

RESULT:	**NO ACTION TAKEN**

IV. PRESENTATIONS / REPORTS

1. Information Item (ID # 4206)

Project Updates - Interim City Mgr. L. Shaw

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported on various City related items including:

- looking into new vendor to design and host website
- new payroll system to be in place approximately Oct 1
- Water/Wastewater/Electric Rate Study is behind schedule
- Levee work continues
- HVAC issues at the Cultural Center
- Other City topics.

2. Information Item (ID # 4207)

CAD Agricultural Advisory Board

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported on a nomination to be made, and related requirements for a position on the Central Appraisal District, Agricultural Advisory Board. This item will be placed on the September 11th Council Agenda for consideration.

ATTACHMENTS:

- CAD-Ag Board Info (PDF)

3. Information Item (ID # 4208)

CAD Appraisal Review Board

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported on a nomination to be made, and related requirements for a position on the Central Appraisal District, Appraisal Review Board. This item will be placed on the September 11th Council Agenda for consideration.

ATTACHMENTS:

- CAD-ARB Info (PDF)

4. Information Item (ID # 4209)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

There were no comments.

V. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

1. Ordinance 2018-19

CONSIDER ADOPTION OF AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS (“CITY”) DENYING THE RATE INCREASE REQUEST OF ENTERGY TEXAS, INC. FILED ON MAY 15, 2018; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

2. Council Action 2018-71

Consider approval of extending the Bank Depository Agreements, with Prosperity Bank, for the City of Liberty and the Liberty Community Development Corporation, for an additional one year.

ATTACHMENTS:

- Bank Depository Information (PDF)

3. Ordinance (ID # 4212)

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3, CREATING SECTION 3.08.132, REGULATING RECREATIONAL VEHICLES ON COMMERCIAL PROPERTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

Councilperson Beasley requested that this agenda item regarding recreational vehicles be removed from the Consent Agenda and postponed to a future meeting.

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2018-72

Presentation by the GRACE Initiative regarding program services and support methods, and take any action deemed necessary.

COMMENTS - Current Meeting:

Glennda Hardin, President of the G.R.A.C.E. Initiative, addressed Council regarding the Meals on Wheels Program, the benefits to those that receive assistance, and the program history. Following brief discussion, Mayor Pickett moved to the Executive Session.

Following the Executive Session, Mayor Pickett reopened this agenda item for further discussion and consideration.

Following discussion, a motion was made by Councilperson Simonson, seconded by Councilperson Glazener to expend funds in the amount of $3000 to the G.R.A.C.E. Initiative and finding that it serves the public purpose by aiding the elderly. The motion failed 2-5.

After further discussion, a motion was made to expend funds in the amount of $5000 to the G.R.A.C.E. Initiative, and finding that it serves the public purpose by aiding the elderly through the Meals on Wheels Program.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

2. Public Hearing (ID # 4214)

Public Hearing on the proposed Tax Rate for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

At 7:10 p.m., Mayor Pickett opened the Public Hearing on the Proposed Tax Rate for Fiscal Year 2018-2019. Interim City Manager Larry Shaw reported that this item affords discussion on the proposed rate. Mr. Shaw reported that the rate is changing from $0.6110 to $0.5851, for a 4.85% increase in the effective tax rate. Also mentioned was the effective and rollback rates.

With no further comments, and none from the public, Mayor Pickett closed the Public

Hearing at 7:13 p.m.

3. Information Item (ID # 4215)

Discussion regarding the Proposed Budget for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported that there are no changes to the proposed budget, other than the $5000 to G.R.A.C.E. Inititative, approved earlier in this meeting. Mr. Shaw reported that this expenditure will be paid from the General Fund.

4. Information Item (ID # 4216)

Legal Training Presentation by City Attorney, Brandon Davis.

COMMENTS - Current Meeting:

City Attorney Brandon Davis addressed the Council regarding the topic of abstention.

5. Council Action 2018-73

Consider authorizing the City Manager to execute an agreement for a HVAC and Lighting Renovation Project.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported that in April, 2018, an energy assessment study was completed of the City Hall, Public Works Service Center and Fire and Police buildings. This study was financed by the State Energy Conservation Office (SECO) and found that significant decreases in annual energy costs, as well as maintenance costs, could be achieved through replacement of lights and HVAC systems at these buildings. ESA Consulting Engineers submitted a proposal to prepare the plans and specifications for these projects. Cost for ESA is 10% of construction costs, with an estimated construction cost of $235,000.00.

A motion was made to execute an agreement with ESA for the HVAC and Lighting Renovation Project, with the cost to be expended from Cambridge Project Funds.

ATTACHMENTS:

- Proposal-HVAC & Lighting Project (PDF)
- Agenda Form- HVAC Lighting Engineering Agreement (DOCX)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

6. Information Item (ID # 4218)

Receive Electric Utility Project Update and discussion of same.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported on electrical system reconstruction to include those areas that have been completed, those that are ongoing and future areas to be rehabilitated. These areas include various subdivisions and electric feeders. Mr. Shaw stated that $4 million dollars, in Cambridge Funds, had been dedicated to this reconstruction.

7. Council Action 2018-74

Discuss and consider approval of the City's Electric System Capital Improvement Plan.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported that the proposed Electric System Capital Improvement Plan will assist to identify, evaluate and prioritize future electrical projects, establishing guidelines and principles.

A motion was made to approve the Electric System Capital Improvement Plan.

ATTACHMENTS:

- Electric Service Capital Improvement Plan (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

8. Council Action 2018-75

Discuss and consider approval of an Electric System Vegetative Management Program.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported that the proposed Electric System Vegetative Management Program addresses criteria for consistent execution of vegetative management practices, providing safety for the public and enhancing electric service delivery.

A motion was made to approve the Electric System Vegetative Management Program.

ATTACHMENTS:

- Electric System Vegetation Management Program (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

9. Council Action 2018-76

Discuss and consider approval of a City Electric Service Requirements Manual.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw that the Electric Service Requirements Manual provides guidelines and criteria to assist customers, builders and developers in securing new or modifying existing electric service facilities.

A motion was made to approve the Electric Service Requirements Manual.

ATTACHMENTS:

- Electric Service Requirements Manual (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Glazener, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

10. Council Action 2018-77

Discuss and consider approval of a Municipal Lighting Design and Installation Manual.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported that the Municipal Lighting Design and Installation Manual will provide a uniform process to identify locations, spacing and types of lights required for roadways, private streets, subdivisions and other applications, assisting customers, developers and builders with the City's required construction standards.

A motion was made to approve the Municipal Lighting Design and Installation Manual.

ATTACHMENTS:

- Municipal Light Design and Installation Manual (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Glazener, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

11. Council Action 2018-78

Discuss and consider discontinuing garbage service in the Country Club Subdivision.

COMMENTS - Current Meeting:

Discussion was held regarding garbage service within the Country Club Subdivision, not being located in the city limits or Liberty's extra-territorial jurisdiction, customers that do not pay, and the City having no recourse for collection of outstanding bills as there is no other fees charged to the subdivision by the City. Further discussion included discontinuing this service, with proper notice given to the residents.

A motion was made to discontinue garbage service to the Country Club Subdivision, effective October 15, 2018.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

12. Council Action 2018-79

Consider designating a Representative and Alternate to the Houston-Galveston Area Council 2019 General Assembly.

COMMENTS - Current Meeting:

A motion was made to designate Mayor Pickett and Councilperson Beasley as the

representative and alternate, respectively, to the Houston-Galveston Area Council 2019 General Assembly.

ATTACHMENTS:

- HGAC General Assembly (PDF)
- HGAC Designation Form (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

B. Executive Session

Gov. Code §551.074 - Personnel Matters.

Discussion related to the City Manager Candidates and Interview Process.

At 8:05 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:45 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:46 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary