



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, March 22, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on March 22, 2022 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 p.m. by Mayor Carl Pickett.

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	X			
Mayor Pro Tem Diane Driggers	X			
Council Member Dennis Beasley	X			
Council Member Libby Simonson	X			
Council Member David Arnold	X			
Council Member Chipper Smith	X			
Council Member Neal Thornton	X			

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. Attorney Brandon Davis reminded Council and the audience about the Liberty ISD Foundation Gala to be held on April 23, 2022 at 7 pm, stating that there are limited tickets left for the event. City Manager Tom Warner reminded the Council about Jubilee on Friday, March 25 & Saturday, March 26. The property at 1900 Kipling has been cleaned up and very few electrical outages occurred during the storm that came through that morning.

III. REGULAR AGENDA

A. Regular Session

1. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE

AGREEMENT WITH CLEARGOV FOR BUDGET SOFTWARE.

The preparation of the annual budget requires the Finance Department to prepare blank budget forms for each department, personnel, fixed asset, fleet and capital improvement program spreadsheets. There are approximately thirty-two funds that are budgeted for each year. These forms will be distributed to the various departments for inputting the appropriate budget amounts. The information provided by the departments is then assimilated and reviewed by the Assistant City Manager for Finance/CFO and the City Manager. Proposed budget changes, for example, insurance costs, require a change to the personnel budget spreadsheet for each employee. Additionally, any short or long term forecasting for personnel, fixed assets, fleet and capital improvements are also done on an individual basis. The ClearGov Budget software includes modules for the operational, personnel, fixed asset, fleet and capital improvement budgets. The budget module offers the Department Directors an opportunity to input the budgets directly, without having to submit forms to Finance. Also, departments or Finance may create unlimited budget scenarios, add notes and supporting materials, maintain an audit trail, build custom reports and forecast different scenarios. With each module, the City is able to prepare custom reports from inputted information for the various presentations to City Council and citizens rather than staff developing the reports on other software. The cost of the software includes a one-time setup fee of \$3,600.00 and a pro rata fee for the remainder of this fiscal year of \$8,250.00. The annual fee for the software is \$16,500.00. The purchase of the software will be through Buy Board, a purchasing cooperative, of which the City has been a member since 2010. A motion was made by Council Member Simonson to approve the resolution authorizing the City manager to execute a purchase agreement with ClearGov for budget software. The motion was seconded by Council Member Driggers. The motion passed 7 to 0.

2. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING A TRANSFER FROM THE CAMBRIDGE FUND TO THE ELECTRIC RECONSTRUCTION FUND IN THE AMOUNT OF \$338,921.62.

The estimated cost for the first twenty-seven (27) projects in the Electric Reconstruction Program was \$6,502,347.29. As of January 2022, all of the projects were 100% complete. The total expenditure for all of the projects was \$6,841,268.91, for an overrun of \$338,921.62. The cause of the over/under runs was due to extending or reducing the limits of each project, repairs more or less extensive than originally anticipated and the increased cost of materials. A motion was made by Council Member Simonson to approve the resolution authorizing a transfer from the Cambridge Fund to the Electric Reconstruction Fund in the amount of \$388,921.62. The motion was seconded by Council Member Beasley. The motion passed 7 to 0.

3. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE INDEPENDENCE DAY FIREWORKS DISPLAY.

The City of Liberty schedules an Independence Day Celebration each year at the Liberty Municipal Park with a fireworks display. The Fiscal Year 2022 General Fund Budget included \$12,000.00 for the fireworks display. Pyro Shows of Texas, the city's fireworks provider, recently notified the City of a 20% price increase for the same show as in 2021. The current cost of the show is \$14,300. A motion was made by Council Member Thornton to approve the resolution authorizing the expenditure of funds for the Independence Day fireworks display. The motion was seconded by Council Member Simonson. The motion passed 7 to 0.

4. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, RATIFYING THE EXPENDITURE OF FUNDS FOR AN EMERGENCY

REPAIR TO A 12" WATERLINE LOCATED WITHIN THE HIGHWAY 146 BYPASS RIGHT-OF-WAY.

Approximately one month ago, there was a slope failure along Hwy 146 Bypass near the Abbott's Creek crossing that resulted in the exposure of the City's 12" waterline. City crews repaired the slope failure to prevent the waterline from failing. After recent rains, the pipe has now been exposed at the bottom of the ditch. Due to the size and type of pipe, emergency repairs are necessary to permanently repair the issue and prevent the waterline pipe from failing. The loss of this waterline would result in numerous customers being without water and the City having to potentially issue a boil water notice. The proposed work includes the installation of two valves, one on each side of the ditch (beyond the slope failure) and boring a new waterline between the new valves and below the flowline of the ditch. The estimated cost of repairs is \$89,000. Normally, a project of this dollar amount would require the City to solicit formal bids. However, since this is an emergency situation, a contractor has been granted approval to start the work immediately. The lead time on the valves is approximately 7 to 10 ten days with work beginning immediately after their delivery. A motion was made by Council Member Simonson to approve the resolution ratifying the expenditure of funds for an emergency repair to a 12" waterline located within the Highway 146 Bypass Right-of-Way. The motion was seconded by Council Member Beasley. The motion passed 7 to 0.

5. AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 3, 2022; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE.

On March 3, 2022, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") filed a Gas Reliability Infrastructure Program ("GRIP") adjustment factor with each of the communities in the Beaumont/East Texas Division of the Company. The Company is authorized to make annual GRIP rate change requests pursuant to Texas law passed in 2003, Gas Utility Regulatory Act, Tex. Util. Code § 104.301 ("GRIP Statute") also see Section 7.7101 of the Railroad Commission of Texas ("Commission") Gas Services Division Rules. The GRIP Statute authorizes gas utility companies to request annual rate increases associated with year-to-year changes in incremental investment. The changes in investment are not subject to reasonableness review in the GRIP filing. Instead, all amounts collected under a GRIP filing are considered interim rates subject to review and refund in the Company's next base rate proceeding. The GRIP Statute provides that the proposed GRIP rate surcharge will become effective 60 days from the date of the Company's filing or May 2, 2022, unless suspended by the cities. Cities may suspend the GRIP rate increase for an additional 45 days beyond the Company's proposed effective date of May 2, 2022, while reviewing the GRIP application. This Rate Ordinance will suspend the GRIP rate effective date until June 16, 2022. If the city wishes to suspend the proposed rates, action must be taken by passing the Rate Ordinance prior to May 2, 2022. Otherwise, the Company's requested rates will go into effect on May 2, 2022. The review process of a GRIP filing is generally a ministerial review limited to ensuring that the GRIP filing complies with the GRIP Statute. During the suspension period, any issues related to whether the GRIP filing complies with the GRIP filing rules can be reviewed so cities may make a final decision on this GRIP proposal. A motion was made by Council Member Smith to adopt the ordinance suspending the rates proposed by CenterPoint Energy. The motion was seconded by Council Member Simonson. The motion passed 7 to 0.

B. Work Session

1. Proposed Development Related Infrastructure Improvements

Rebekkah Sandt, with HR Green, started the work session by discussing Wastewater System Updates for the City of Liberty. Mrs. Sandt went over the Wastewater System improvements that were completed in 2021 and reviewed the updated model and improvements with proposed developments. Mrs. Sandt explained how the city is divided into two (2) service areas that pump directly to the wastewater treatment plant and how new development and city growth is mostly on the east side of the city. She also discussed what system improvements would be needed to support future growth for the City of Liberty and the proposed cost of \$6.5 million. After Mrs. Sandt finished the wastewater system improvement presentation, City Manager Tom Warner concluded the proposed development related infrastructure improvement work session with comments relating to two other projects. Mr. Warner stated that electrical upgrades on Highway 146 North will need to be upgraded to serve development north of Ridgewood and the estimated cost of improvements would be \$800,000. Also, improvements are needed on the south and east sides of town along Highway 90 and FM 563 at an estimated cost of \$1.5 million.

C. Executive Session

At 7:06 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Title 5, Chapter 551 of the Texas Government Code.

1. Texas Government Code §551.071 - Private Consultation with Attorney.

- To seek advice regarding contemplated /pending litigation.

2. Texas Government Code §551.072 - Deliberation Regarding Real Property**3. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**

- To discuss or deliberate regarding commercial or financial information received from a business prospect.
 - Business Proposals

D. Reconvene into Regular Session

At 8:11 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

IV. ADJOURNMENT**A. Motion To: Adjourn**

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:14 p.m.

ATTEST:

Carl Pickett, Mayor

April Gilliland, City Secretary