



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, June 14, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on June 14, 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 Chipper Smith	X			
Council Member Tommy Brents	X			
Council Member Ed Seymour		X		

II. INVOCATION

Invocation was given by Pastor Chris Contreras, New Work Family Worship Center, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Public Works Director, Damon Jones, and the pledge to the Texas Flag was led by Police Chief, Gary Martin.

IV. 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. Mrs. Martha Goodwin spoke before Council regarding creating a City of Liberty Historical Commission and Museum. Mr. Tommy Tousha spoke to the Council regarding the Liberty VFW Hall events.

V. PRESENTATIONS / REPORTS

A. City Manager's Report - City Manager Tom Warner - Topics Include Splash Pad, Police Department, Wastewater Treatment Plant Clarifier Repairs, Entergy, Golf Course, Code Enforcement, Liberty Municipal Airport, Street Rehabilitation Program and Electrical Projects.

City Manager Tom Warner reported on the following updates:

- Liberty Municipal Park Splash Pad
- Liberty Police Department RU OK? Program
- Wastewater Treatment Plant
- Entergy Texas Inc Public Utilities Commission filings
- Liberty Municipal Golf Course
- Rise in fuel prices
- Street Rehabilitation Program
- Capital Improvement Program Electrical Projects

After going over the Report, Council Member Smith asked about the Golf Course Gate being moved and Council Member Driggers asked why the contractor did not seed grass in the month of April and what actions have been taken to keep people off the Golf Course during this time.

B. Finance Report - Assistant City Manager / CFO Naomi Herrington

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of April 30, 2022. Council Member Brents asked about the EMS Billing Bid being rescinded and Mayor Pickett asked about the Moss Bluff Tax History and Council Budget.

C. Department Reports

Monthly reports are submitted by departments and are attached to the agenda for the council to review and to comment on or ask questions that they may have. Council Member Brents asked Chief Martin about Active Shooter Training for the School District and Police Department. He also asked about the Library AC Problems. Council Member Driggers complemented the street department for the mowing of the ditches around Oak Forest Subdivision. Mayor Pickett thanked Assistant Fire Chief Grimm for attending meeting in Fire Chief Hurst absence.

D. Sam Rayburn Municipal Power Agency - Mayor Pickett

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, stated that the meeting for SRMPA is held on the third Tuesday of each month in Livingston. The Agency is still working towards the goal of transferring assets to the member cities. Mayor Pickett also explained that the Agency is on the MISO Electric Grid along with 10% of the State of Texas, while the rest of the state is on the ERCOT Grid.

E. Mayor, Council and Staff Comments - PTC Liberty Tubulars Health & Safety Fair

City Manager Tom Warner mentioned that Council has been invited to attend the PTC Liberty Tubulars Health and Safety Fair being held on August 8, 2022 at PTC Tubulars. Mayor Pickett

thanked Assistant City Manager Chris Jarmon for putting together the Shred Event On June 4th. The shred event went well and all the volunteers were thanked for their help and support in a successful event. Mayor Pickett informed Council to put a special meeting called for June 28, 2022 on their calendar. Mayor Pickett also congratulated the Liberty High School's Back to Back State Softball Champs.

VI. 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.

A motion was made by Council Member Beasley to approve all items on the consent agenda and seconded by Council Member Simonson. The motion passed 6 to 0 with all present voting yes and Council Member Seymour being absent.

A. Minutes Approval

1. May 10, 2022

VII. REGULAR AGENDA

A. Regular Session

1. Conduct a Public Hearing on the 2021 Drinking Water Consumer Confidence Report (CCR).

At 7:10 p.m., Mayor Pickett opened the Public Hearing on the 2021 Drinking Water Quality Report. City Manager Tom Warner reported that this report is required to be provided to the City's water system customers on an annual basis as part of the Safe Drinking Water Act monitored by the Texas Commission on Environmental Quality. The report summarizes data regarding legal limits of contaminants in the water, compliance issues and other information. The report shows that the city meets or exceeds all Federal drinking water requirements.

Mayor Pickett closed the Public Hearing at 7:12 p.m.

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 THE SALE OF A 2010 F750 DUMP TRUCK TO LIBERTY COUNTY.**

On February 8, 2022, the City Council approved a resolution authorizing the sale of surplus city equipment. Included in the sale was a Street Department 2010 Ford F750 Dump Truck. The Commissioner for Liberty County Precinct No. 1, Commissioner Bruce Karbowski, has indicated that the County is interested in purchasing the truck from the City. After reviewing the sale prices of similar vehicles on the internet, the county and city tentatively agreed on a sale price of \$35,000. The purchase of the vehicle was approved by Liberty County Commissioners Court on May 24, 2022. A motion was made by Council Member Simonson to approve the resolution authorizing the sale of a 2010 F750 dump truck to Liberty County and seconded by Council Member Brents. The motion passed 6 to 0, with Council Member Seymour being absent.

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, APPROVING ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH THE LIBERTY COUNTY JAIL.**

The Liberty County Jail is requesting a Memorandum of Understanding (MOU) with the City of Liberty for assistance from the Fire Department to control any fire or other emergency support in the case of a natural disaster, major disturbance or physical, partial or full, plant loss at the Liberty County Jail. The above-mentioned assistance would be utilized for the sole purpose of providing fire services and emergency medical services. For liability purposes, the Liberty County Jail and the City of Liberty shall not be considered agents of one another. A motion was made by Council Member Brents to approve the resolution entering into memorandum of understanding with the Liberty County Jail and seconded by Council Member Simonson. The motion passed 6 to 0, with Council Member Seymour being absent.

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, AWARDED THE CONTRACT FOR AUDITING SERVICES TO BROOKSWATSON & CO., PLLC.

The Texas Government Code, Section 2102, requires a municipality to conduct internal audits annually to insure compliance with all accounting controls and principles. The annual audit plan is prepared using risk assessment techniques that identify major system controls, including:

1. accounting systems;
2. administrative systems;
3. electronic data processing systems and controls;
4. compliance with contract processes and controls and for monitoring agency contracts.

In April, the City received four responses to a Request for Proposals (RFP) for Auditing Services. The four proposals were scored and ranked by the Mayor, City Manager and Assistant Director for Finance/CFO based on the rating criteria that was outlined in the RFP. After tabulating the scores, the firm with the highest overall score was Brookswatson & Co. PLLC. The proposed contract would be for five years with a total estimated cost for each year as follows:

Year 1: \$47,500
Year 2: \$48,925
Year 3: \$50,400
Year 4: \$51,900
Year 5: \$53,450

Although the City has used our current auditor for the last eighteen years, it is good business practice to change auditors to have the benefit of a new perspective on the City's financial operations. The cost of the FY 2021 annual audit was \$77,100. A motion was made by Council Member Simonson to approve the resolution awarding the contract for auditing services to Brookswatson & Co., PLLC. and seconded by Council Member Smith. The motion passed 6 to 0, with Council Member Seymour being absent.

5. 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 AN AGREEMENT WITH PUBLIC MANAGEMENT FOR THE TEXAS GENERAL LAND OFFICE 2019 INFRASTRUCTURE GRANT.

On April 16, 2022, City Council authorized the submittal of an application to the Texas General Land Office (GLO) for the 2019 Infrastructure Grant Competition. The City received a \$1,000,000 grant, which is the maximum allowed under the grant program. The grant is to provide disaster relief, long-term recovery and restoration of infrastructure for local

communities. The City will use the grant proceeds to partially fund improvements to the water and sanitary sewer system in the Minglewood area. The water and sanitary sewer improvements in this area are anticipated to cost approximately \$2.7 million. To assist in the administration of the grant, the city solicited Request for Proposals (RFP's) from qualified firms. Two firms submitted RFPs, Grant Works and Public Management. The proposals were reviewed by the Public Works Director, Assistant City Manager Community Development and the City Manager, based on criteria established by the GLO. The company with the highest rating was Public Management. A motion was made by Council Member Driggers to approve the resolution authorizing the City Manager to execute an agreement with Public Management for the Texas General Land Office 2019 Infrastructure Grant and seconded by Council Member Brents. The motion passed 6 to 0, with Council Member Seymour being absent.

B. Executive Session

At 7:22 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 §551.087 - Deliberation Regarding Economic Development Negotiations.

Discussion regarding economic development negotiations.

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

Discussion with attorney regarding contemplated/pending litigation and/or regarding matters protected by the attorney/client privilege.

3. Texas Government Code §551.074 - Personnel Matters.

Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public office or employee.

LCDRC Board Members

Planning & Zoning Commission Board Members

C. Reconvene into Regular Session

At 9:40 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take action on economic development matters discussed in the executive session.

No Action taken

2. Consider and take possible action on matters related to the appointment of Liberty Community Development Corporation Board members.

A motion was made by Council Member Smith to appoint Barbara Norwood, Michael Dorsett, Marsha LaFour and Betty Runkle to the 2022-2024 Liberty Community Development Corporation and seconded by Council Member Brents. The motion passed 5 to 1, with Council Member Driggers voting No and Council Member Seymour being absent.

3. Consider and take possible action on matters related to the appointment of Planning & Zoning Commission Board members.

A motion was made by Council Member Brents to appoint Tyler Jackson and Janet Pavlock to the Planning and Zoning Commission and seconded by Council Member Driggers. The motion passed 6 to 0, with Council Member Seymour being absent.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 9.44 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary