



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, August 23, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on August 23, 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. 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. No comments were made.

III. REGULAR AGENDA

A. Executive Session

At 6:02 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

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

2. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.

Discussion regarding economic development negotiations.

3. Texas Government Code §551.074 - Personnel Matters.

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

B. Reconvene into Regular Session

At 6:36 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on legal matters discussed in executive session.

A motion was made by Council Member Simonson to file lawsuits against former employees for training expenses as discussed in the executive session and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

C. 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, AWARDED PROPOSALS FOR EMPLOYEE HEALTH, DENTAL, VISION, AND LIFE INSURANCE.

On August 3, 2022, proposals were received for employee health, dental vision, and life insurance for Fiscal Year 2023. Three insurance companies submitted a total of eight (8) quotes for health insurance and a total of nine (9) quotes were received from dental and vision insurance companies. The health insurance plans were submitted by National General, Cigna and BCBS-TML Health & BCBS. The proposals were reviewed by Naomi Herrington, Assistant City Manager/CFO, Jody Biehunko, Personnel Specialist, and Tom Warner, City Manager. The insurance plans submitted were the same as the current plan but with varying deductibles and copays. The cost of the health insurance plans was from 4% to 24% higher than the current plan. Based on the review of the employee health proposals received by the city, the Cigna Plan is considered the most advantageous to the employees and the City. The Cigna Plan will increase the health insurance costs by approximately 4%. The benefit changes from the current plan include:

- Deductible in Network: \$1,500/\$3,000 to \$3,000/\$6,000
- Office Visit Co-Pay: \$20 to \$30
- Specialist Visit Co-Pay: \$35 to \$60
- Emergency Room Co-Pay: \$250 to \$500

All other benefits will remain the same as our existing insurance plan. Due to the increase in health insurance costs, the employee's contribution for insurance will also increase. The employee's contribution for dependent health coverage will increase from 40% to 45% of the total cost of dependent coverage. The total monthly premium is provided below:

- Employee Only: Premium Paid by City
- Employee/Spouse: \$363.27/month to \$425.75/month
- Employee/Children: \$207.28/month to \$243.25/month
- Employee/Family: \$496.54/month to \$582.96/month

The dental and vision quotes included an increase in premiums of \$265.64 and \$264.09, respectively. The health insurance, dental and vision quotes from Cigna are the most beneficial

for the city. The premium for the life insurance plan submitted by Hartford will remain the same with no change in coverage or cost.

A motion was made by Council Member Simonson to award the proposal for Employee Health, Dental and Vision insurance to Cigna and Life insurance to Hartford and approve the increases in employee contributions as presented. This motion was seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

8. 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 CHANGE ORDER NO. 1 FOR THE GOLF COURSE PARKING LOT EXPANSION PROJECT.

The contractor for the Golf Course Parking Lot Expansion Project, while preparing the area around the cart barn, exposed 8 metal pipe supports that had significant rust issues up to and including several of the pipes completely rusted through and providing no structural support. The cost for the contractor to repair the posts is \$2,800.00

Change Order No. 1 will result in a cost increase of \$2,800.00 to repair the posts. The new contract amount would be \$182,434.94.

A motion was made by Council Member Simonson to approve change order number 1 for the golf course parking lot expansion project. This motion was seconded by Council Member Smith. The motion passed 6 to 1 with the Mayor and Council Members Simonson, Beasley, Driggers, Smith and Seymour voting yes and Council Member Brents voting No.

9. 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 CHANGE ORDER NO. 2 FOR THE GOLF COURSE PARKING LOT EXPANSION PROJECT.

During the construction of the Golf Course Parking Lot, the engineer was notified that the quantity of stabilized base removal, flexible base and lime treatment as indicated on the plans was greater than the quantities on the bid documents: The differences are noted below:

Item	Bid Quantity	Plan/Field Quantity	Difference
Removal Stabilized Base	560sy	686sy	136sy
8" Flexible Base	1,863sy	2,305sy	442sy
8" Lime Treatment	3,002sy	3,453sy	451sy

The engineer, during discussions regarding the discrepancies, indicated they had revised the quantities on the plans but failed to make the changes in the bid documents. The estimated cost for Change Order No.2 based on the above quantity increases is \$18,060.02 for a new estimated total project cost of \$200,723.36. This total includes Change Order No. 1 in the amount of \$2,800.00. The engineer's estimate of probable cost for this project was \$248,928.00 and the second low bid was \$216,746.00. Funding Source: Cambridge Funds will be used to pay for Change Order No. 2

A motion was made by Council Member Smith to approve change order number 2 for the golf course parking lot expansion project. This motion was seconded by Council Member Seymour. The motion passed 6 to 1 with the Mayor and Council Members Simonson, Beasley, Driggers, Smith and Seymour voting yes and Council Member Brents voting No.

2. Presentation of Proposed Fiscal Year 2022-2023 Budget

The City Manager, between 30-60 days prior to the beginning of each fiscal year, shall submit to the City Council a proposed budget. The proposed 2022-2023 Budget being presented meets all the legal requirements of the Civil Statutes of Texas and the Charter of the City of Liberty. City Manager Tom Warner reviewed the highlights of the following major operating funds:

- General Fund
- Debt Service Fund
- Enterprise Funds
- Water & Wastewater Fund
- Electric Fund
- Solid Waste Fund
- Capital Improvement Fund

City Manager Tom Warner also recognized and thanked Naomi Herrington, Jody Biehunko, April Gilliland and the City's Management Team for all their hard work and efforts in preparing the budget document and conducting the financial operations of the City in a responsible manner.

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, SETTING A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2022 – 2023 CITY BUDGET.

The governing body of a municipality is required to hold a public hearing on the proposed budget. The hearing must be at least fifteen days after the date the proposed budget is filed with the City Secretary and prior to the date that the Council passes the tax levy ordinance. The budget must be passed before the tax levy ordinance can be passed. (LGC §102.006). Any person may attend and/or participate in the hearing.

A motion was made by Council Member Brents to set a public hearing on the proposed fiscal year 2022-2023 City Budget for September 13, 2022 at 6:00 pm. This motion was seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

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, SETTING THE DATE, TIME AND LOCATION FOR A PUBLIC HEARING ON THE 2022 TAX RATE.

Tax payers must be provided the opportunity to express their views regarding the proposed tax rate. A public hearing on a tax rate may not be held before the 5th day after the date the notice of a public hearing is given. The public hearing on setting the proposed tax rate is scheduled for September 13, 2022.

A motion was made by Council Member Simonson to set the public hearing on the 2022 Tax Rate for September 13, 2022 at 6:00 pm. This motion was seconded by Council Member Driggers. The motion passed 7 to 0 with all present voting yes.

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, SETTING THE PROPOSED TAX RATE FOR FISCAL YEAR 2022 – 2023.

The City's current tax rate is \$0.6372 and staff is recommending a tax rate of \$0.6122 for Fiscal Year 2023. Truth in Taxation requires that we have one Public Hearing on the proposed tax rate.

A motion was made by Council Member Driggers to approve setting the proposed tax rate for fiscal year 2022- 2023 at \$0.6122. This motion was seconded by Council Member Simonson. The motion passed 6 to 1 with the Mayor and Council Members Simonson, Beasley, Driggers, Smith and Seymour voting yes and Council Member Brents voting No.

6. 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 FMSBONDS, INC., TO SERVE AS THE UNDERWRITER FOR THE LIBERTY RANCH BOND ISSUANCE.

During the May 10, 2022, City Council Meeting, City Council authorized the creation of the Liberty Ranch Public Improvement District (PID) and authorized the City Manager to negotiate and execute an agreement with p3works as the PID Administrator and negotiate and execute a Professional Service Agreement (PSA) with Waterstone Development Group. In preparation of issuing the bonds for the PID, the City will need to engage the services of a bond underwriter for the PID Special Assessment Bonds. As the underwriter, FMS may provide advice to the City on the structure, timing, terms and other similar matters concerning the bonds. Currently, FMSbonds underwrite approximately 90% to 95% of all PID Bonds issued in Texas. The firm is also recommended by the City's Financial Advisors, RBC Capital Markets.

A motion was made by Council Member Simonson to authorize the city manager to execute an agreement with FMSBONDS, INC., to serve as the underwriter for the Liberty Ranch Bond Issuance.. This motion was seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

7. 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 AN INTERLOCAL AGREEMENT WITH LIBERTY INDEPENDENT SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER.

The Liberty Independent School District (LISD) has requested the City of Liberty Police Department to provide a School Resource Officer (SRO), during the 2022-2023 school year, for the District. The SRO will spend approximately three quarters of the year working with LISD and related functions and one-quarter (summer and holidays) working at the Police Department. LISD will reimburse the City \$60,000 annually for the officer's work at the school. The LISD School Board approved the agreement during their August 16, 2022, meeting.

A motion was made by Council Member Beasley to approve the interlocal agreement with Liberty Independent School District for a school resource officer. This motion was seconded by Council Member Driggers. The motion passed 7 to 0 with all present voting yes.

D. Work Session

1. Discussion of Proposed Golf Course Fees

With the Golf Course Renovations almost complete, it was time to discuss the course fees for when the Course Reopens. City Manager Tom Warner and Assistant City Manager Chris Jarmon presented proposed Course Fees to the City Council. The proposed fees included Green Fees, Range Balls, Memberships, and Tournament Fees. Highlights of the presentation are as follows:

1. Added fees for Non-City Residents.
2. Raised weekday fees by \$4.00.
3. The weekend premium is \$1.00 for 9 holes and \$2.00 for 18 holes.
4. Reduced all discounts to \$4.00.
5. Raised the annual fee for residents by \$105.00.

6. Added Annual Fee for Non-City Residents.
7. Raised Family Plan Fees by \$500.00.
8. Range ball fees were raised to \$1.50 (small) and \$2.50 (large).
9. Raised tournament fees by \$12.50.
10. Raised cart shed rental by \$300.00.
11. All fees exclude tax.

Council was also given nearby Golf Course Fees as a comparison as to what is being proposed for the Liberty Golf Course. The Proposed Fees will be brought back to Council for approval on September 13, 2022.

IV. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:10 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary