



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, October 22, 2024

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on October 22, 2024 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 p.m. by Mayor John Hebert.

Attendee Name	Present	Absent	Late	Arrived
Mayor John Hebert, Jr.	X			
Mayor Pro Tem Libby Simonson	X			
Council Member Dennis Beasley		X		
Council Member Tommy Brents	X			
Council Member Ed Seymour	X			
Council Member Ross Ward	X			
Council Member Debbie Dugger	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 Hebert welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments.

III. REGULAR AGENDA

A. Regular Session

- City Council to hold a public hearing on the condemnation of four (4) hazardous and unsafe structures to determine if the structure should be repaired or demolished: 708 Lamar, 713 Lamar, 1203 Lamar and 3812 Oilfield Road.**

At 6:01 p.m., Mayor Hebert opened the Public Hearing on the condemnation of four (4) hazardous and unsafe structures to determine if the structures should be repaired or demolished. The Code of Ordinances requires the City Council to hold a public hearing to determine if a structure complies with the City's Hazardous Building Ordinance and, if not, to

determine if the structure should be (1) repaired (2) vacated and repaired or (3) demolished. The Code of Ordinances specifies that if a structure is fifty (50) percent damaged, decayed, or deteriorated, it shall be demolished or if the cost of repairs exceeds fifty (50) percent of the value of the structure, it shall be demolished. The public hearing will consider the following structures:

1. 708 Lamar
2. 713 Lamar
3. 1203 Lamar
4. 3812 Oilfield Road

City Attorney Brandon Davis questioned Code Enforcement Officer, Daryl Marek, regarding the condition of each structure. It was asked if the structures met building code requirements and whether the properties posed a safety and health hazard to the public. Mr. Marek answered that the structures do not meet building code requirements and that each of the properties are a safety and health hazard to the public. The condition of each property was shown in photos attached to the agenda packet. Property representatives for 708 Lamar and 1203 Lamar spoke with the council about the future intentions of their properties. At 6:30 p.m., Mayor Hebert closed the Public Hearing.

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 MAYOR TO SIGN ORDERS OF ABATEMENT FOR THE SUBSTANDARD STRUCTURES SUBJECT TO THE PUBLIC HEARING HELD ON OCTOBER 22, 2024.

The following structures have been inspected by City Staff and found to be unsafe structures as defined by the City of Liberty's Code of Ordinances, Article 3.05, Hazardous Structures and by the 2021 International Property Maintenance Code. Additionally, these structures have deteriorated to a condition that they are no longer considered suitable for repair.

1. 708 Lamar
2. 713 Lamar
3. 1203 Lamar
4. 3812 Oilfield

If not demolished by the owner, demolition funds are available in the Inspections & Permits operating budget.

A motion was made by Council Member Brents within sixty (60) days from the date of the public hearing held on October 22, 2024, that the property located at 708 Lamar is a public nuisance and public necessity requires the demolition and removal of the identified structure all the way to the dirt and seconded by Council Member Ward. The motion passed 6 to 0 with all present voting yes.

The 713 Lamar structure has been taken care of by the property owner and a motion was passed as the structure has been leveled.

A motion was made by Council Member Simonson within sixty (60) days from the date of the public hearing held on October 22, 2024, that the property located at 1203 Lamar is a public nuisance and public necessity requires the demolition and removal of the identified structure and seconded by Council Member Dugger. The motion passed 6 to 0 with all present voting yes.

A motion was made by Council Member Seymour within thirty (30) days from the date of the public hearing held on October 22, 2024, that the property located at 3812 Oilfield is a public nuisance and public necessity requires the demolition and removal of the identified structure and seconded by Council Member Dugger. The motion passed 6 to 0 with all present voting yes.

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, SELECTING A GRANT ADMINISTRATION FIRM TO ASSIST THE CITY WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING AND ADMINISTRATION OF A CONTRACT, IF AWARDED, FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR THE 2025/2026 TEXAS COMMUNITY BLOCK GRANT PROGRAM – COMMUNITY DEVELOPMENT FUND (TxCDBG-CD).

The goal of the Texas Community Development Block Grant (TxCDBG) Program is to develop viable communities by providing decent housing and a suitable living environment, as well as by expanding economic opportunities, principally for persons of low-to-moderate income. In awarding funding pursuant to Texas Government Code, Section 487.351(c), the Texas Department of Agriculture (TDA) shall give priority to eligible activities in the areas of economic development, community development, and rural health to support workforce development. The objectives of the TxCDBG Program are: 1. To improve public facilities to meet basic human needs, principally for low- to moderate-income persons; 2. To improve housing conditions, principally for persons of low-to-moderate income; 3. To expand economic opportunities by creating or retaining jobs, principally for low-to-moderate income persons; and 4. To provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature. Although most funds are used for public facilities (water/wastewater infrastructure, streets and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

The grant administrator will be responsible for preparing and filing the grant application and administering the grant through the various stages including construction. The maximum amount available under this grant is \$750,000.00 with a 10% local match. The grant administrator will be paid out of the grant proceeds.

The City received three proposals from grant administrator firms. The three firms were Grant Works, Public Management and Traylor and Associates. Each firm was evaluated by the Mayor and two staff members based on Experience (30 points), Work Performance (30 points), Capacity to Perform (20 points), and Proposed Cost (20 points). The firms were ranked by the highest total score, with Traylor and Associates ranked first with 284 points, Grant Works with 264 points and Public Management with 236 points.

A motion was made by Council Member Brents to approve the resolution selecting Traylor and Associates as Grant Administrator for the 2025/2026 Texas Community Block Grant Program - Community Development Fund through the Texas Department of Agriculture and seconded by Council Member Ward. The motion passed 6 to 0 with all present voting yes.

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.

The goal of the Texas Community Development Block Grant (TxCDBG) Program is to develop viable communities by providing decent housing and a suitable living environment, as well as by expanding economic opportunities, principally for persons of low-to-moderate income. In awarding funding pursuant to Texas Government Code, Section 487.351(c), the Texas

Department of Agriculture (TDA) shall give priority to eligible activities in the areas of economic development, community development, and rural health to support workforce development. The objectives of the TxCDBG Program are: 1. To improve public facilities to meet basic human needs, principally for low- to moderate-income persons; 2. To improve housing conditions, principally for persons of low-to-moderate income; 3. To expand economic opportunities by creating or retaining jobs, principally for low-to-moderate income persons; and 4. To provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature. Although most funds are used for public facilities (water/wastewater infrastructure, streets and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

The grant administrator Traylor and Associates will prepare and will submit the grant on behalf of the City.

A motion was made by Council Member Brents to approve the resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund and seconded by Council Member Simonson. The motion passed 6 to 0 with all present voting yes.

5. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ESTABLISHING A CONSTRUCTION SPEED ZONE OF 45 MPH ON A PORTION OF STATE HIGHWAY 146 TO ENHANCE SAFETY DURING CONSTRUCTION FOR THE STATE HIGHWAY 146 WIDENING PROJECT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

TxDOT has submitted for review a proposed construction speed zone limit for the SH 146 (which goes from the intersection of FM 1011 to 0.348 MI N. of FM 1011) Widening Project. The speed limit would be reduced from 50 MPH to 45 MPH within the limits of the project from mile point 27.718 to 28.066, CCSJ: 0388-03-083, ETC. The reduction of the speed limit is intended to enhance the safety of the public as well as those working in the construction zone. This ordinance must include the survey date (October 22, 2024, to December 2025).

A motion was made by Council Member Simonson to adopt the ordinance establishing a construction speed zone of 45 mph on a portion of state highway 146 to enhance safety during construction for the state highway 146 widening project and seconded by Council Member Ward. The motion passed 6 to 0 with all present voting yes.

B. Work Session

1. Presentation and discussion regarding Public Improvement Districts (PIDs) and Tax Increment Finance Zones (TIRZs).

City Attorney Brandon Davis presented a slide show to Council to discuss the differences between Public Improvement Districts (PIDs) and Tax Increment Finance Zones (TIRZs). Mr. Davis also explained why developers are currently asking for incentives from the cities and also gave the Council several examples of current PIDs and TIRZs in neighboring cities.

2. Discussion regarding Website Design.

Madi Key presented to the council a slide show on the website redesign. She went over the current website hosted by CivicPlus and showed options from CivicPlus on how the upgrade and migration to the new CivicPlus website platform would help in giving the website a different look and helping the city staff with easier updates to the website in the future. Ms. Key also mentioned with the addition of AudioEye will ensure the city is in compliance with ADA

Standards. Several different websites were reviewed and used as examples to show what the redesign would look like. The website redesign with AudioEye will cost \$7,447.77 with a yearly service fee of \$3,750.

C. Executive Session

At 7:51 p.m., Mayor Hebert 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 attorney/client privilege.
2. **Texas Government Code §551.072 - Deliberation Regarding Real Property**
Discussion regarding real property.
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.
4. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.

D. Reconvene into Regular Session

At 8:21 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on legal matters discussed in executive session.
No action was taken.
2. Consider and take action on real estate matters discussed in executive session.
No action was taken.
3. Consider and take possible action on personnel matters discussed in the executive session.
No action was taken.
4. Consider and take possible action on economic development matters discussed in executive session.
No action was taken.
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 A MUTUAL NONDISCLOSURE AGREEMENT WITH BLUE GROUP INTERNATIONAL, LLC.**

A motion was made by Council Member Simonson to approve a resolution authorizing the City Manager to execute a mutual nondisclosure agreement with Blue Group International, LLC and seconded by Council Member Brents. The motion passed 6 to 0 with all present voting yes.

IV. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Hebert adjourned the meeting at 8:22 p.m.

John Hebert, Jr., Mayor

ATTEST:

April Gilliland, City Secretary