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, August 12, 2025 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

This meeting was called to order on August 12, 2025, in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 p.m. by Mayor John Hebert.

A.

Attendee Name	Present	Absent	Late	Arrived
Mayor John Hebert, Jr.	X			
Mayor Pro Tem Tommy Brents	X			
Council Member Ed Seymour	X			
Council Member Ross Ward	X			
Council Member Debbie Dugger	X			
Council Member Bruce Bell	X			
Council Member Nick Dennis	X			

II. INVOCATION

Invocation was given by Reverend Calvin R. Nichols, Jr. pastor of Mt. Rose Missionary Baptist Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag and the pledge to the Texas Flag were led by Council Member Tommy Brents.

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 Hebert welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. Mr. Matthew Cooper requested to speak to the Council regarding upcoming VFW Events. Dr. Tyra Hodge requested to speak to the Council regarding a new program, Resilience Leadership Academy, being created to help support under-privileged children in Liberty County.

V. PRESENTATIONS / REPORTS

A. City Manager's Report - City Manager Bryan Kendrick - Includes various updates of interest to our community.

City Manager Bryan Kendrick reported on the following updates:

- Recloser Installation Update
- Water System Maintenance
- Forest Hills Water Line Improvements
- Roadway Asset Services Street Survey
- Budget Timeline
- Airport

B. 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. No comments were made.

C. Sam Rayburn Municipal Power Agency - Mayor Hebert

Mayor Hebert, Board Member of the Sam Rayburn Municipal Power Agency, stated that the meeting for SRMPA was not held in July so there was nothing to report. The next meeting will be held on August 19, 2025, in Livingston.

D. Mayor, Council and Staff Comments

Mayor Hebert stated his appreciation to the water department for keeping up with water leaks around the city.

VI. CONSENT AGENDA

All consent items listed are 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 Brents to approve all items on the consent agenda and seconded by Council Member Ward. The motion passed 7 to 0 with all present voting yes.

A. Minutes Approval

1. July 8, 2025

2. July 22, 2025

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE SUBDIVISION PARTICIPATION AND RELEASE FORMS FOR THE PURDUE PHARMA AND SACKLER FAMILY SETTLEMENT AND THE ALVOGEN, AMNEAL, APOTEX, HIKMA, INDIVIOR, MYLAN, SUN, AND ZYDUS SETTLEMENTS.

VII. REGULAR AGENDA

A. Regular Session

C. 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, AWARDING THE FY 2025-2026 EMPLOYEE HEALTH INSURANCE TO UNITED HEALTHCARE AND THE DENTAL, VISION, AND LIFE INSURANCE TO MUTUAL OF OMAHA.

On July 31, 2025, the City received proposals for Employee Health, Vision, Dental and Life Insurance for FY 2025-2026. The City of Liberty currently offers health insurance through United Health Care and dental, vision and life insurance through Mutual of Omaha. The following is a summary of the current coverage with final, negotiated renewals from the current carriers:

Medical Plans:

- United Health Care (UHC) is offering to renew the current coverage at a 7.7% increase with an annual estimated cost of $71,662.
- BCBS submitted a proposal at a 20% increase over the current UHC rates.
- Aetna submitted a proposal at a 28% increase over the current UHC rates.
- Allstate submitted a proposal at a 9% increase over the current UHC rates.
- Angle Health submitted a proposal at a 64% increase over the current UHC rates.
- Curative submitted a proposal at a 13% increase over the current UHC rates.

The following quotes were received for dental, vision, and life insurance from the following carriers:

- Mutual of Omaha - current carrier renewal
- Guardian
- Principal
- United HealthCare

Dental Plans:

- Mutual of Omaha dental renewal keeps the plan design the same and is priced at a 5% increase.
- Principal matched the current plan design and offered an annual savings of $2,059 for the entire group.
- None of the other dental carriers offered competitive pricing.

Vision Plans:

- Mutual of Omaha renewal maintains the same plan design and there is no change in premium.
- Principal matched the Mutual of Omaha rates and plan design.
- None of the other vision offers are competitive with Principal.

Group Term Life Plans:

- The current Mutual of Omaha plan was renewed at a flat renewal
- None of the competitive offers provided life savings.

Overall Analysis:
Keeping UHC and Mutual of Omaha as the current carriers would increase overall annual costs by $74,479 for the entire group for all benefits. We recommend keeping the current plans and carriers as there are no competitive offers that provide better savings or benefits.

A motion was made by Council Member Brents to approve the resolution awarding the FY 2025-2026 Employee Health Insurance to United Health Care and the Dental, Vision and Life Insurance to Mutual of Omaha and seconded by Council Member Seymour. The motion passed 7 to 0 with all present voting yes.

1. PUBLIC HEARING ON THE PROPOSED ANNEXATION OF A 5.624 ACRE TRACT OF LAND, LOCATED WITHIN THE B.W. HARDIN SURVEY, ABSTRACT NO. 47 BEING A PORTION OF A CALLED 51.007 ACRE TRACT, AS RECORDED IN COUNTY CLERK'S FILE NO. 2021048312 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS.

At 6:29 p.m., Mayor Hebert opened the Public Hearing regarding the proposed annexation of a 5.624 acre tract of land, located within the B.W. Hardin Survey, Abstract no. 47 being a portion of a called 51.007 Acre Tract, as recorded in County Clerk's file no 2021048312 of the official public records of Liberty County, Texas, also known as Liberty Ranch Subdivision. No comments were made. Mayor Hebert closed the Public Hearing at 6:30 p.m.

2. AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING THE HEREINAFTER DESCRIBED 5.624 ACRE TRACT OF LAND TO THE CITY OF LIBERTY, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS; PROVIDING THAT ANNEXED TERRITORY BEARS PRO RATA PART OF TAXES; GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABIT ANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; ADOPTING A SERVICE PLAN AGREEMENT FOR THE ANNEXED PROPERTIES; AND PROVIDING A SAVINGS CLAUSE.

A public hearing was held on August 12, 2025, where all interested persons were provided with an opportunity to bear on the proposed annexation of a 5.624 acre tract of land, located within the B.W. Hardin Survey, Abstract no. 47 being a portion of a called 51.007 Acre Tract, as recorded in County Clerk's file no 2021048312 of the official public records of Liberty County, Texas, also known as Liberty Ranch Subdivision. The owner of the property petitioned the City of Liberty for the annexation where the property owner and the city approved a development agreement regarding the property and a service plan agreement.

A motion was made by Council Member Ward to adopt the ordinance annexing the 5.624 acre tract of land, located within the B.W. Hardin Survey, Abstract no. 47 being a portion of a called 51.007 Acre Tract, as recorded in County Clerk's file no 2021048312 of the official public records of Liberty County, Texas, also known as Liberty Ranch Subdivision and seconded by Council Member Bell. The motion passed 7 to 0 with all present voting yes.

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 AN AMENDMENT TO THE JOINT OPERATING AGREEMENT WITH THE CHAMBERS LIBERTY COUNTIES NAVIGATION DISTRICT FOR THE PORT OF LIBERTY.

The Port of Liberty Board is currently a three (3) member board. The board is requesting an amendment to change the board to a five (5) member board. This amendment will allow the board appointments to be as followed - 2 members appointed by the Chambers-Liberty Counties Navigation District, 2 members appointed by the City of Liberty, and the City shall nominate three qualified citizens for the fifth position that the District shall appoint one of the three nominees to the board.

A motion was made by Council Member Bell to approve the resolution approving an amendment to the joint operating agreement with the Chambers Liberty Counties Navigation District for the Port of Liberty and seconded by Council Member Dennis. 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, APPROVING AN INTERLOCAL AGREEMENT WITH THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5 FOR A HAZARD MITIGATION GRANT PROGRAM (HMGP) CONTRACT

The Water Control Improvement District #5 (WCID #5) and the City are responsible for regulating drainage within the City and the City's Extraterritorial Jurisdiction (ETJ). During the February Winter Weather, Pump Stations A & B sustained significant damage. As WCID #5 could not apply for the TDEM-HMGP grant themselves, the City of Liberty filed for the grant with the help of Traylor and Associates procured by WCID #5.

A motion was made by Council Member Dennis to approve the resolution approving an interlocal agreement with the Liberty County Water Control and Improvement District #5 for a Hazard Mitigation Grant Program (HMGP) Contract and seconded by Council Member Seymour. 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, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TRAYLOR & ASSOCIATES, INC FOR THE HAZARD MITIGATION GRANT PROGRAM (HMGP) ADMINISTERED BY THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM)

The DR-4586 February Winter Weather Texas Division of Emergency Management (TDEM) Hazard Mitigation Grant Program (HMGP) was applied for by WCID #5 through the City of Liberty for Pump Station A & B Rehab Project. With the grant in the award process the enclosed Administration/Professional Services Agreement needs to be executed by the City.

A motion was made by Council Member Seymour to approve the resolution authorizing the Mayor to execute an agreement with Traylor & Associates, Inc. for the Hazard Mitigation Grant Program (HMGP) administered by the Texas Division of Emergency Management (TDEM) and seconded by Council Member Dennis. The motion passed 7 to 0 with all present voting yes.

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, APPROVING AN AGREEMENT WITH HR GREEN TO PERFORM ENGINEERING SERVICES RELATED TO THE LIBERTY FORGE LIFT STATION IMPROVEMENTS

A motion was made by Council Member Dugger to approve the resolution approving an agreement with HR Green to perform engineering services related to the Liberty Forge Lift Station Improvements and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

7. CONSIDERATION AND APPROVAL OF 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 ENGAGEMENT AGREEMENT FOR BOND COUNSEL LEGAL SERVICES WITH NORTON ROSE FULBRIGHT US LLP; AND OTHER MATTERS IN CONNECTION THEREWITH

FINDINGS OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS RELATING TO THE RESOLUTION APPROVING AN ENGAGEMENT AGREEMENT FOR BOND COUNSEL LEGAL SERVICES WITH NORTON ROSE FULBRIGHT US LLP; AND OTHER MATTERS IN CONNECTION THEREWITH, TO BE CONSIDERED FOR ADOPTION BY THE CITY COUNCIL ON AUGUST 12, 2025

1. The Governing Body of the City intends to engage Norton Rose Fulbright US LLP to provide the City with bond counsel legal services pertaining to the City's issuance of public securities on the public or private market, including advising the City on any "official statement" to potential investors pursuant to federal securities laws and issuing a legal opinion as to the foregoing;
2. Norton Rose Fulbright US LLP has consistently demonstrated its competence, qualifications, and experience as an industry leader in public finance matters through the provision of bond counsel legal services, the representation of local governments on federal income tax matters, the publication of disclosure policies and the representation of state agencies and political subdivisions within the State of Texas on public finance matters.
3. Accessing the public or private markets through the issuance of public securities and providing an "official statement" of the City to potential investors is governed by State and federal securities and federal tax laws and requires the advice of legal advisors that specialize in public finance matters that are well versed in public finance legal matters;
4. Engaging an attorney in private practice who specializes in public finance matters and is well versed in State and federal securities and federal tax laws pursuant to an hourly fee arrangement would likely result in higher fees to be paid by the City, and such fees incurred would be payable by the City by amounts on deposit in the City's General Fund, whether or not the public securities are issued;
5. Fees for legal services in public finance matters, including bond counsel and disclosure counsel legal services, have traditionally been paid pursuant to a contingent fee contract, where such fees become payable only upon the successful issuance of the public securities and are payable solely out of the proceeds of the public securities;
6. Entering into a contract for bond counsel and disclosure counsel legal services with Norton Rose Fulbright US LLP (a firm that specializes in public finance matters and is well versed in State and federal securities and federal tax laws) payment of which is contingent on the City's successful issuance of public securities and payable out of public securities proceeds provides the City a superior level of bond counsel and disclosure counsel legal services and fee(s) payable under the contract are reasonable in the public finance market and would likely be less than if such services were conducted pursuant to an hourly rate contract with an attorney specializing in public finance matters;
7. For each of the reasons stated above, the execution of contingent fee engagement contracts with Norton Rose Fulbright US LLP is in the best interest of the residents of the City.

A motion was made by Council Member Bell to approve the resolution approving an engagement agreement for bond counsel legal services with Norton Rose Fulbright US LLP and seconded by Council Member Dennis. 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, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH EMPACT ENGINEERING LLC

A motion was made by Council Member ward to approve the resolution authorizing the City Manager to negotiate and execute an agreement with Empact Engineering LLC and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

9. AN ORDINANCE AMENDING CHAPTER 13, ELECTRICITY, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY CREATING SECTION 13.05.001 REGARDING THE REPLACEMENT, REMOVAL, RELOCATION, OR ABANDONMENT OF CITY OF LIBERTY'S ELECTRIC FACILITIES AND ESTABLISHING AN EFFECTIVE DATE.

A motion was made by Council Member Brents to adopt the ordinance amending chapter 13, electricity of the code of ordinances by creating section 13.05.001 regarding the replacement, removal, relocation or abandonment of electric facilities and seconded by Council Member Dennis. The motion passed 7 to 0 with all present voting yes.

B. Executive Session

At 7:18 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.

- Appointment to Airport Advisory Board

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

Discussion regarding economic development negotiations.

C. Reconvene into Regular Session

At 9:41 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

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

No action was taken

2. Consider and take possible action on real estate matters discussed in the executive session.

A motion was made by Council Member Bell to approve the purchase of property near the airport as discussed in the executive session and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

3. Consider and take possible action on personnel matters discussed in the executive session.

- Appointment to Airport Advisory Board

No action was taken.

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

No action was taken.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Hebert adjourned the meeting at 9:43 p.m.

John Hebert, Jr., Mayor

ATTEST:

April Gilliland, City Secretary