



**The City of Liberty**  
**City Council**  
**Regular Meeting**  
**~ Minutes ~**

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

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Tuesday, April 14, 2015

6:00 PM

City Council Chambers

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**I. CALL TO ORDER**

| Attendee Name    | Title          | Status  | Arrived |
|------------------|----------------|---------|---------|
| Carl Pickett     | Mayor          | Present |         |
| Diane Huddleston | Mayor Pro Tem  | Present |         |
| Dennis Beasley   | Councilperson  | Present |         |
| Frank Jordan     | Councilperson  | Present |         |
| Louie Potetz     | Councilperson  | Present |         |
| Libby Simonson   | Councilperson  | Present |         |
| David Arnold     | Councilperson  | Present |         |
| Gary Broz        | City Manager   | Present |         |
| Dianne Tidwell   | City Secretary | Present |         |
| Randy Gunter     | City Attorney  | Present |         |

**II. INVOCATION**

There was no Invocation as the scheduled preacher had a last minute conflict.

**III. PLEDGE OF ALLEGIANCE**

The Pledge to the American and Texas flags was led by Fire Chief Fred Collins and Police Chief Tom Claunch, respectively.

**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. There were no comments from the audience.

Mayor Pickett commented on the upcoming Relay for Life and the recent presentation to the Liberty Rotary Club given by Police Chief Tom Claunch.

## **V. PRESENTATIONS / REPORTS**

### **A. Information Item (ID # 3235)**

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on various projects including the completion of new park restrooms, new tanker truck now in service, Texas Water Development Board proposed water and sewer projects, street project moving along well, installation of bike path signage, and numerous other projects. In addition, Mr. Broz reported on the recent 30th Annual Liberty Jubilee.

### **B. Information Item (ID # 3236)**

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next "Shred-It" Event will be held on Saturday, April 18th in the City Hall parking lot, from 9:00 a.m. until Noon.

### **C. Information Item (ID # 3237)**

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the monthly meeting of the Sam Rayburn Municipal Power Agency (SRMPA) will be held Tuesday, April 21st at the Livingston City Hall. Mayor Pickett further reported that the Board of Directors held discussion, at a recent meeting, regarding a project to replace old transformers in the three members cities; Liberty, Livingston and Jasper.

Mayor Pickett stated that SRMPA's business operation consists of two parts: the first is providing and selling electric service to the three member cities. The Cambridge Project is the Agency's second order of business as it relates to contracts for the buying and selling of electricity. This project has been profitable as the Agency has a surplus of funds which, as available, is disbursed amongst the member cities.

### **D. Information Item (ID # 3238)**

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that Chuck Wemple, Chief Operating Officer of the Houston-Galveston Area Council was present to congratulate Fire Chief Fred Collins on acquisition of a new tanker truck. This truck was acquired through a loan from the Gulf Coast Economic Development District, with this loan being the first of its kind. Councilperson Jordan continued by stating that this truck has a cab for eight individuals and holds 2500 gallons of water, making it a tremendous asset to the Fire Department's fleet.

**E. Information Item (ID # 3239)**

Planning & Zoning Commission Appointments - City Sec. D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Planning & Zoning Commission are made on or after May 1st of each year. Appointments are scheduled to be made at the May 12th Council Meeting. Those individuals whose terms expire are Kim Anderson and Bill Takach.

**F. Information Item (ID # 3240)**

Liberty Community Development Corporation Appointments - City Sec. D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Liberty Community Development Board of Directors are scheduled to be made at the May 12th Council Meeting. Four of the seven members shall be persons who are not employees, officers of the City, or members of City Council. Those individuals whose terms expire are David Arnold, Mark Campbell and Leslie Herndon.

**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. Minutes Approval**

1. Tuesday, March 10, 2015

**VII. REGULAR AGENDA****A. Regular Session****1. Ordinance 2015-5**

Consider an Ordinance suspending the rates proposed by Centerpoint Energy Resources Corporation d/b/a Centerpoint Energy Entex and Centerpoint Energy Texas Gas Company's Gas Reliability Infrastructure Program (GRIP).

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"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 31, 2015; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND

PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE."

City Manager Gary Broz reported that this ordinance relates to suspending the effective date of CenterPoint's proposed rate increase for 45 days beyond the proposed effective date, until July 15, 2015. This suspension will allow time for review of the Company's filing for compliance with the Gas Utility Regulatory Act.

After brief discussion, a motion was made to adopt the Ordinance as presented, delaying the effective date until July 15, 2015.

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                  |
| <b>SECONDER:</b> | David Arnold, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

## 2. Council Action 2015-23

Consider authorizing repairs to the air blowers at the Wastewater Treatment Plant, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on proposed repairs to the Wastewater Treatment Plant. Discussion was held regarding the these repairs and funding. The project consists of the following:

- Tear down and rebuild of blower
- New blower
- Clean Clarifier
- Repair Claiifier
- 2 New Pumps-Beaumont Lift Station

Project funding will consist of using remaining Texas Water Development Board Funds (\$79,999), close out of #2 SRMPA funds (\$35,000) and \$67,380 from the Water/Wastewater Fund Balance. After further dialogue, a motion was made to approve the repairs, and funding, as discussed.

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                  |
| <b>SECONDER:</b> | Louie Potetz, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

## 3. Resolution 2015-4

Consider a Resolution in opposition to a revenue cap and legislative interference with local services.

## COMMENTS - Current Meeting:

City Attorney Randy Gunter explained that the numerous cities are testifying against a revenue cap bill in the Texas Legislature. Mr. Gunter continued by stating that this bill would lower the property tax rollback rate from 8% to 4% and provide that a city must hold a ratification election to adopt a tax rate that exceeds the 4% rollback rate. This bill would punish cities for building and maintaining infrastructure which would create a large impact on city services, robbing cities of the ability to meet local needs.

After further discussion, a motion was made to approve the Resolution opposing a revenue cap and interference with local services.

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Frank Jordan, Councilperson                                    |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                                  |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

**4. Council Action 2015-24**

Consider approval of a bid for Tax Resale Property described as Richardson, Lot 21 SEC 1 (Duff Street).

## COMMENTS - Current Meeting:

City Attorney Randy Gunter stated that this tax sale property has a Central Appraisal District value of \$7,730.00. Ms. Rebekah Allen has made an offer of \$10,000.00 for this property. \$9,017.00 would be divided amongst the taxing entities, specifically \$2,458.04 to the City of Liberty.

A motion was made to accept the bid of \$10,000.00 for the tax resale property described as Richardson, Lot 21 SEC 1 (Duff Street).

## ATTACHMENTS:

- Tax Resale Property-Richardson (PDF)

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                                  |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                  |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

**5. Council Action 2015-25**

Consider approval of a bid for Tax Resale Property described as Liberty Inner Blocks, Block 120, Lot PT 1 (1302 Lamar Street).

## COMMENTS - Current Meeting:

City Attorney Randy Gunter stated that this tax sale property has a Central Appraisal District value of \$8,590.00. Mr. Michael Ray Orand has made an offer of \$4,000.00 for this property, which has been off the tax roll since 2012. Until 2005, there was a structure located on this property. \$3,038.00 would be divided amongst the taxing entities, specifically \$706.64 to the City of Liberty.

A motion was made to accept the bid of \$4,000.00 for the tax resale property described as Liberty Inner Blocks, Block 120, Lot PT 1 (1302 Lamar St.).

**ATTACHMENTS:**

- Tax Resale Property-Liberty Inner Blocks (PDF)

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Louie Potetz, Councilperson                                    |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                  |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

**B. Executive Session**

Government Code §551.071

Private Consultation with Attorney on all subjects or matters authorized by law:

1. Contemplated/Pending Litigation - Humphreys Cultural Center

Government Code §551.087

Deliberation Regarding Economic Development Negotiation.

2. To deliberate the offer of a financial or other incentive to a business prospect.

At 7:13 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

**C. Reconvene into Regular Session**

At 7:39 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

**1. Council Action 2015-26**

Consider and take action, if any on contemplated/pending litigation regarding the Humphreys Cultural Center, as discussed in the Executive Session.

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|----------------|------------------------|
| <b>RESULT:</b> | <b>NO ACTION TAKEN</b> |
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**2. Council Action 2015-27**

Consider and take action, if any, on deliberation regarding an economic development negotiation, as discussed in the Executive Session.

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|---------------------------------------|
| <b>RESULT:</b> <b>NO ACTION TAKEN</b> |
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## VIII. ADJOURNMENT

**A. Motion To:**      Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:40 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary