



The City of Liberty
City Council
Regular Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 8, 2015

6:00 PM

City Council Chambers

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	6:13 PM
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Gary Broz	City Manager	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Father Ted Smith, St. Stephens Episcopal Church.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Liberty High School Seniors Jessie Rose and Sara Reiss.

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 reported on the retirement of Fire Chief Fred Collins and the upcoming Texas

Municipal League Annual Conference to be held in San Antonio.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3349)

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the numerous ongoing City projects and the status of each.

B. Information Item (ID # 3350)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that she is working on a Shred It event for the month of October.

C. Information Item (ID # 3351)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the next meeting of the Sam Rayburn Municipal Power Agency will be held in order to approve the Agency budget for Fiscal Year ending September 30, 2016.

D. Information Item (ID # 3352)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that there is no current activity to report at this time.

E. Information Item (ID # 3365)

Liberty County CAD - Appraisal Review Board

COMMENTS - Current Meeting:

City Manager Gary Broz reported that an appointment to the Liberty County CAD Appraisal Review Board will need to be made at the October 13th meeting.

ATTACHMENTS:

- CAD-ARB Info (PDF)

F. Information Item (ID # 3366)

Liberty County CAD-Board of Directors

COMMENTS - Current Meeting:

City Manager Gary Broz reported on requirements for appointment to the CAD Board of Directors. This item will be placed on the agenda for nominations at the October 13th meeting.

ATTACHMENTS:

- CAD Board of Directors Info (PDF)

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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval

1. Tuesday, August 11, 2015

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2015-71

Consider appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier reported on recommended appointments to the Liberty Municipal Library Board. Ms. Abshier further reported on the nine-member advisory board, each member serving two-year terms, and recommending the re-appointment of Dr. Cody Abshier, Beverly Davis, Tinya Griffin and Bruce Wright.

A motion was made to re-appoint Dr. Cody Abshier, Beverly Davis, Tinya Griffin and Bruce Wright for another term on the Liberty Municipal Library Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

2. Resolution 2015-6

Consider a Resolution appointing a representative to the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

Mayor Pickett recommended the reappointment of City Manager Gary Broz to the Sam Rayburn Municipal Power Agency (SRMPA) Board of Directors.

A motion was made to reappoint the City Manager for another term on the SRMPA Board of Directors.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

3. Council Action 2015-72

Consider ratification of the property tax revenue increase reflected in the Fiscal Year 2015-2016 Budget.

COMMENTS - Current Meeting:

Discussion of this item included that a budget that raises more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. This separate vote is in addition to the vote to adopt the budget and the vote to set the tax rate.

A motion was made to ratify the property tax revenue increase reflected in the Fiscal Year 2015-2016 Budget.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	David Arnold, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

4. Ordinance 2015-7

Consider an Ordinance adopting the budget for Fiscal Year 2015-2016.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

After brief discussion of the proposed budget in the amount of \$33,405,000, a motion was made to approve the Ordinance adopting the budget for Fiscal Year 2015-2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

5. Ordinance 2015-8

Consider an Ordinance adopting the tax rate for Fiscal Year 2015-2016.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING AN AD VALOREM TAX RATE FOR FISCAL YEAR 2015-2016, AT A RATE OF \$0.5900 PER ONE HUNDRED DOLLAR (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

After brief discussion, a motion was made as follows: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.5900, which is effectively a 6.52 percent increase in the tax rate."

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	David Arnold, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

6. Ordinance 2015-9

Consider adoption of an Ordinance amending the Master Fee Schedule to include water, wastewater and solid waste rate increases.

COMMENTS - Current Meeting:

This amendment to the Master Fee Schedule includes an increase in the base rate for water and sewer services and an increase in solid waste fees. The caption of the Ordinance reads as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR AN INCREASE IN THE BASE RATE FOR WATER AND SEWER SERVICES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; AND AN INCREASE IN SOLID WASTE FEES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt the Ordinance amending the Master Fee Schedule as presented.

ATTACHMENTS:

- Master Fee Schedule 9-8-2015 FINAL (XLSX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

7. Council Action 2015-73

Consider a Fire Protection Services Agreement between Liberty County and the City of Liberty Fire Department.

COMMENTS - Current Meeting:

Lengthy discussion was held with Fire Chief Fred Collins regarding the Fire Protection Services Agreement with Liberty County, actual services provided, rates, and other related topics. After further dialogue, a motion was made to extend the agreement with Liberty County for one additional year.

ATTACHMENTS:

- Fire Protection Svs Agreement (DOCX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

8. Council Action 2015-74

Consider an Interlocal Agreement with Liberty County Precincts 1 & 2 for the maintenance of streets, roads, ditches and recreational areas, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the County has assisted the City with spraying for mosquitoes, maintaining Candelier Road, and recommends approval of the Interlocal Agreement.

A motion was made to approve the Interlocal Agreement with Liberty County Precincts 1 & 2 for the maintenance of streets, roads, ditches and recreational areas.

ATTACHMENTS:

- Interlocal with County Prec 1 & 2 (DOCX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Arnold, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

9. Council Action 2015-75

Consider approval of a bid for Tax Resale Property described as 0.8816 acres, Richardson, Lot 21, Sec 1 (Duff Street).

COMMENTS - Current Meeting:

A motion was made to accept the bid of \$4,000.00 for the tax resale property described as 0.8816 acres, Richardson, Lot 21, Sec 1 (Duff St.). This property is located in the South Liberty Oilfield and an offer has been submitted by Ms. Mary Jane Leonard in the amount of \$4000.

A motion was made to accept the offer from Ms. Leonard, in the amount of \$4000 for the above-described property.

ATTACHMENTS:

- Tax Resale Property-Duff St. (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

10. Council Action 2015-76

Consider award of proposal for Employee Life Insurance, Accidental Death and Dismemberment, and Dependent Life Insurance.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City provides a life insurance benefit to the City employees. The City requested proposals for this insurance and four proposals were received. The City currently uses Standard Life, which submitted proposal for a cost of seventeen cents per thousand dollars. This being the lowest proposal received and the City satisfied with their services, a motion was made to accept the proposal and stay with Standard Life.

ATTACHMENTS:

- Life Insurance Tabulation (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

11. Resolution 2015-7

Consider a Resolution requesting financial assistance from the Texas Water Development Board, authorizing the filing of an application for financial assistance, and making certain findings in connection therewith.

COMMENTS - Current Meeting:

Mr. J. Rice, Public Management, Inc., was present to address the Council regarding the filing of an application for financial assistance from the Texas Water Development Board. Mr. Rice reported that his firm serves as the project manager and this resolution pertains to the Drinking Water State Revolving Fund (drinking water projects). The original resolution approved on January 13, 2015 requested assistance in an amount not to exceed \$667,000. However, it is determined that it is necessary to request an increase in financial assistance from \$667,000 to \$915,000 for planning, acquisition and design funds related to the projects.

After brief discussion, a motion made to approve the Resolution as presented.

ATTACHMENTS:

- TWDB-Affidavit re Application - 2015 Liberty WWSS Rev Bond-2 (DOC)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	David Arnold, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

12. Council Action 2015-77

Consider acceptance of the 2016 Routine Airport Maintenance Program (RAMP) Grant Agreement.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that this agenda item refers to the 2016 Routine Airport Maintenance Program (RAMP) Grants. For every dollar spent on maintenance, the City will be reimbursed fifty cents, as the local government match is 50% of actual costs. The City has requested a grant in the amount of \$50,000.

A motion was made to accept the 2016 Routine Airport Maintenance Program Grant Agreement.

ATTACHMENTS:

- Ramp Grant Agreement (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

B. Executive Session

Gov. Code §551.087 - Deliberation Regarding Economic Development Negotiation.

At 7:25 p.m., Mayor Pickett closed the Open Meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:50 p.m., Mayor Pickett closed the Executive Session and reconvened the Open Meeting.

1. Council Action 2015-78

Consider and take action, if any, on the items as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:53 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary