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April Gilliland
City Secretary
936-336-3684

The City of Liberty
City Council
Regular Meeting
~ Minutes ~

Tuesday, October 13, 2020 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Driggers	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Naomi Herrington	Assistant City Manager / CFO	Present	
Chris Jarmon	Assistant City Manager	Present	
Brandon Davis	City Attorney	Present	
April Gilliland	City Secretary	Present	

II. INVOCATION

No invocation was given.

III. PLEDGE OF ALLEGIANCE

Police Chief Gary Martin presented the United States Flag Pledge of Allegiance and Fire Chief Brian Hurst presented the Texas State Flag Pledge.

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 all visitors and guest in attendance, opening the floor for public comments to those individuals wishing to address the Council. No public comments were given.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4926)

City Manager's Report - City Manager Tom Warner - Topics include COVID-19, Sales Tax, Golf Course and Airport.

COMMENTS - Current Meeting:

City Manager Tom Warner offered the following updates:

- COVID-19 and the opening of City Facilities
- Sales and Use Tax
- Golf Cart Lease
- Golf Course activities
- Airport Runway Rehabilitation
- Current Electric Projects

ATTACHMENTS:

- City Manager's Report October 13 2020 (DOCX)

B. Information Item (ID # 4927)

Finance Report - Assistant City Manager / CFO - Naomi Herrington

COMMENTS - Current Meeting:

Assistant City Manager / CFO Naomi Herrington reviewed the budget reports through the end of August 2020.

C. Information Item (ID # 4928)

Department Reports

COMMENTS - Current Meeting:

Department Heads gave a brief overview of the reports listed in the agenda packet.

ATTACHMENTS:

- Sept 2020 Building Report (PDF)
- Code Enforcement - September 2020 (DOCX)
- Fire Department Monthly Report (XLS)
- Library Report (PDF)
- Police Department Monthly Report (XLS)
- Monthly Report-Public WorksSep20 (DOCX)

D. Information Item (ID # 4929)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the next meeting would be held on Tuesday, October 20 at 1:00 pm in Livingston. He also stated that the Industrial Customers in Lake Charles are buying Electricity even after being hit by Hurricane Laura and Hurricane Delta.

E. Information Item (ID # 4930)

Mayor, Council and Staff Comments - Country Christmas (December 1, 2020), Employee Appreciation Dinner, Jubilee (March 26 and 27, 2021)

COMMENTS - Current Meeting:

City Manager Tom Warner asked Council for consent on Country Christmas. Everyone agreed to do outside events and restrict indoor events. Jubilee dates were set for March 26 & 27, 2021. CDBG-MIT Public Comment for grant application expires October 19, 2020. Chief Hurst gave an update on the BBQ Sandwich Fundraiser - the department sold 400 Sandwiches which allows them to purchase one set of Fire Gear.

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:	Dennis Beasley, Council Member
SECONDER:	Diane Driggers, Mayor ProTem
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

B. Tuesday, September 08, 2020

C. Tuesday, September 22, 2020

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 4937)

Mr. Tom James will address the Council regarding Frontier Waste Services schedule, pick up dates and major issues with the schedule

COMMENTS - Current Meeting:

Mr. Tom James addressed Council regarding Frontier Waste solid waste collection services. He was concerned that Frontier Waste had changed the pickup procedures without notification to the City.

He mentioned that he had been receiving bulk trash pickup on Wednesdays, but now is being told he has to call when he has trash out on Wednesdays for Pickup. City Manager Tom Warner also mentioned that when we started the new service of once a week household service that COVID-19 had hit and everyone was staying home and producing more trash that usual and Frontier was trying to pick up everything they could at the time. The City will get with Frontier to create a Public Relations Campaign to layout what services are and are not provided by Frontier Waste.

ATTACHMENTS:

- Tom James request form (PDF)

2. Resolution 2020-63

Consider authorizing the purchase of a replacement generator for the Fire Station in the amount of $64,446.00 from Waukesha-Pearce Industries (WPI) through Buy Board.

COMMENTS - Current Meeting:

Recently, the generator at the Fire Station failed to start during a weekly test. An inspection conducted by the service company revealed the wiring harness had burned due to a hole in the manifold. Additionally, it was determined the engine had locked up and could not be turned over. Due to the age and potential cost to repair the motor, if it could be repaired, a quote was requested to replace the generator. The cost to replace the generator by WPI through Buy Board is $64,446.00. WPI currently performs the preventative maintenance service on all the City's generators. Buy Board is a purchasing cooperative that was created to support and serve public schools, municipalities, county government, and all types of local government agencies and nonprofits. The funding for the new generator for the Fire Station will be provided from Cambridge Funds.

A motion was made to approve the Resolution authorizing the purchase of a generator from WPI through Buy Board and providing Cambridge Funds in the amount of $64,446.00.

ATTACHMENTS:

- Fire Station Generator (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

3. Ordinance 2020-31

CONSIDER AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF LIBERTY, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

COMMENTS - Current Meeting:

On October 8, 2002, the City of Liberty granted a franchise to Reliant Energy Entex, now Centerpoint Energy Texas Gas Operations. The franchise grants Centerpoint, the right and privilege to construct, maintain and operate natural gas lines along any of the present and future public rights-of-ways within the City. In consideration for this franchise, Centerpoint agreed to pay 3% of the gross receipts from the sale of natural gas delivered to residential and commercial customers within the corporate city limits. The initial term of the franchise was for seven (7) years with automatic renewal every five (5) years unless notice was provided to the contrary to either party within ninety (90) days prior to the expiration of a five year term. The proposed franchise would retain the payment to the City at 3% of the gross receipts. The proposed agreement would also include a Transport Volume Rate of $0.07/MCF. The franchise and transport volume fees will generate approximately $57,200 in revenue to the City. Additionally, the franchise agreement will include an initial term of five (5) years with four (4) five (5) year renewal terms for a total term of twenty-five (25) years. The City of Liberty Charter states that no franchise term may exceed twenty-five (25) years.

A motion was made to adopt the ordinance for the Centerpoint Energy Resources Corporation Franchise Agreement as presented during the first reading on September 8, 2020 and the second reading on October 13, 2020 meetings.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Diane Driggers, Mayor ProTem
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

4. Ordinance 2020-32

Ordinance Authorizing the Issuance of Up to $8,350,000 in Principal Amount of City of Liberty, Texas General Obligation Refunding Bonds, Series 2020, Authorizing the Execution of an Escrow Agreement, a Paying Agent/Registrar Agreement, a Purchase Contract and Other Instruments and Procedures Related Thereto, Delegating Authority to Certain City Officials to Select Outstanding Obligations to Be Refunded and Approve All Final Terms of the Bonds, Approving an Official Statement, and Calling Certain Obligations for Redemption

COMMENTS - Current Meeting:

During the January 28, 2020 City Council Meeting the City's Financial Advisor presented and City Council approved a Plan of Finance. Included in the Plan of Finance was a recommendation to refund Certificates of Obligation Series 2010A. Also, during this meeting, City Council authorized the issuance up to $3,000,000 in principal amount of the City of Liberty Texas General Obligation Refunding Bonds, Series 2020. Prior to the issuance of these bonds the Covid-19 impacted the country and made the bond market somewhat unstable. The anticipated gross dollar and net present savings from the refunding was estimated to be approximately $313,372 and $286,107, respectively. Since January 2020, the Series 2007 Certificates are now callable, and the Series 2012 Certificates will become callable on March 1, 2021. The tax-exempt refunding bonds can be delivered up to ninety (90) days prior to the March 1, 2021 date. The City's Financial advisor is now recommending the refunding of the Series 2007, 2010A and 2012 Certificates. The anticipated gross dollar and net present savings from the refunding of all three series is anticipated to be $700,176 and $658,408, respectively.

Motion was made to approve the Ordinance authorizing the issuance up to $8,350,000 in Principal Amount of General Obligation Refunding Bonds, Series 2020.

ATTACHMENTS:

- Ordinance - 2020 Liberty GO Ref Bonds-3 (PDF)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

B. Work Session

1. Work Session (ID # 4940)

Golf Course - Master Plan of Improvements and Renovations

COMMENTS - Current Meeting:

Mr. Jeff Blume from Jeffrey D. Blume, Limited gave a presentation on the breakdown of the Master Plan of Improvements and Renovations for the Liberty Municipal Golf Course. The goals are to create a rewarding 9 hole golf experience, introduce first class practice facilities and provide acreage for other recreational uses. Mr. Blume also presented Council with the cost breakdown and construction schedule for the proposed improvements and provided a list of possible future additions for the Golf Course. After a lengthy discussion, Mayor Pickett thanked Mr. Blume for his presentation and proposal for Council to review.

ATTACHMENTS:

- Liberty Renovation Concept II Presentation 10-08-20 (002)(PPTX)

2. Work Session (ID # 4939)

Drainage Guidelines

COMMENTS - Current Meeting:

Public Works Director Damon Jones addressed Council in regards to the City of Liberty's Drainage Guidelines. Mr. Jones presented the Public Works Drainage Mission Statement, Ditching Procedures, Inspections, Drainage Zones, Maintenance Schedules, Storm Sewer Maintenance, Outfalls Levees and Pump Stations, and Preventative Maintenance.

ATTACHMENTS:

- City of Liberty Drainage Program1 (DOCX)

3. Work Session (ID # 4931)

City Council to conduct a work session regarding the City’s Flood Damage Prevention Ordinance

COMMENTS - Current Meeting:

The City is nearing completion of a community assistance visit (CAV) from the Federal Emergency Management Agency (FEMA). During the CAV, FEMA met with city staff and reviewed the City’s processes and procedures regarding the City’s Flood Damage Prevention Ordinance. Assistant City Manager Chris Jarmon addressed the Council during the work session to review and discuss proposed changes to the City’s Flood Damage Prevention

Ordinance.

ATTACHMENTS:

- Flood Damage Prevention Ordinance (PPTM)

C. Executive Session

EXECUTIVE SESSION:

Tx. Gov. Code §551.074 - Personnel Matters.

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

  1. Police Department

  2. Municipal Court Prosecutor

At 9:02 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

D. Reconvene into Regular Session

At 9:39 p.m., Mayor Picket closed the Executive Session and reconvened the open meeting.

1. Council Action 2020-34

Consider and Take Action on the Police Department as discussed in Executive Session.

COMMENTS - Current Meeting:

Motion was made to adjust the police department salaries as discussed in executive session.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Council Member
SECONDER:	Chipper Smith, Council Member
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

2. Council Action 2020-35

Consider and Take Action on the Appointment of a Municipal Court Prosecutor.

COMMENTS - Current Meeting:

Motion was made to retain Fielder and Davis Attorneys at Law for one year for Municipal Court Prosecutor as presented in executive session.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Neal Thornton, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Driggers, Beasley, Arnold, Smith, Thornton
NAYS:	Libby Simonson

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

With no further business to discuss Carl Pickett adjourned the meeting at 9:42 pm.

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Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary