

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LIVE OAK
WILL BE HELD AT THE LIVE OAK COUNCIL CHAMBERS
8001 SHIN OAK DRIVE
TUESDAY, JULY 28, 2020 AT 7:00 P.M. (NO EARLIER)
VIDEO AND TELECONFERENCE

In accordance with order of the Office of the Governor issued **March 16 2020**, and all updates therewith the City of Live Oak, City Council will conduct a Regular Meeting as a telephonic and videoconference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The public may participate in this meeting by dialing in to the following toll-free number:

1-877-853-5247 (US Toll-free) or 1-888-788-0099 (US Toll-free)

Click link for videoconference participation: <https://us02web.zoom.us/j/83776727646>

Meeting ID: 837 7672 7646

The public will be permitted to offer public comments telephonically or via video stream as provided by the agenda and as permitted by the presiding officer during the meeting.

Written questions or comments may be submitted up to two hours before the meeting to Debby Goza, City Secretary at dgoza@liveoaktx.net

A recording of the telephonic and video meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.

Citizens to be Heard Portal is available on the front page of City Website:

<https://www.liveoaktx.net/>

1. CALL TO ORDER
2. INVOCATION/PLEDGE OF ALLEGIANCE
3. ROLL CALL t
4. CITIZENS TO BE HEARD
5. CONSENT AGENDA
 - A. Approval of Minutes
 1. July 14, 2020
 2. July 14, 2020 (Budget Workshop)
 - B. City Council to approve the Quarterly Code Enforcement Report – Mr. Hornes
 - C. City Council to approve a Resolution and authorizing execution of an updated Interlocal Agreement with Judson ISD for Telecommunication Services – Chief Pue
6. NEW BUSINESS
 - A. Presentation, discussion and possible action for employee related benefits, including medical, dental, vision, group life, AD & D, voluntary life, and voluntary short-term disability for employees for FY 2020-2021 – Mr. Wayman, Mr. Kowalik and Representative from HUB Consulting
 - B. Discussion and possible action to vote on a proposal to consider a property tax increase or a proposal to not exceed the lower of the “No-New-Revenue” rate or the “Voter-Approval” rate- Mr. Kowalik
 - C. Discussion, presentation and possible action to approve a Resolution regarding the update

to the Live Oak Personnel Policy and Procedures Manual- Mr. Hornes

- D. Discussion and possible action to look at funding an additional Building Official Position to overlap the current building official in order to continue the high-quality customer service – Councilman Cimics –

7. CITY COUNCIL REPORT

- A. City Council Members report regarding discussion of City issues with citizens.

8. GENERAL ANNOUNCEMENTS FOR CITY COUNCIL AND STAFF

- A. City Council
- B. Staff

9. ADJOURNMENT

I certify that the above notice of meeting was posted on the bulletin board of the City Hall, 8001 Shin Oak Drive, City of Live Oak, Texas, on July 22, 2020 by 5:00 p.m.


Deborah L. Goza
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office, for concerns or requests, at (210) 653-9140, Ext. 213 or FAX (210) 653-2766.

The City Council for the City of Live Oak reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

REQUEST ALL PAGERS AND PHONES BE TURNED OFF, WITH THE EXCEPTION OF EMERGENCY ON-CALL PERSONNEL

It is possible that a quorum of the Live Oak Economic Development Corporation, Parks and Recreation Commission, Planning and Zoning Commission and Board of Adjustment Commission could attend this meeting. The individual members will not engage in any discussion or deliberation on any matters presented by the agenda.

MINUTES
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1. CALL TO ORDER

Mayor Mary M. Dennis called the July 28, 2020 Regular meeting to order at 7:00 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

Completed

3. ROLL CALL

All City Council Members were present and on the Video and Teleconference Meeting

Mayor Mary M. Dennis (Remote)
Councilman Mendell D. Morgan Jr. (On-site & remote)
Councilman/Mayor Pro Tem Bob Tullgren (Remote)
Councilman Ramon Norris Jr. (Remote)
Councilman Ed Cimics (Remote)
Councilman Aaron Dahl (Remote)

Staff – All staff members unless cited were present at City Hall

Scott Wayman, City Manager
Michael Hornes, Assistant City Manager
Leroy Kowalik, Finance Director
Chief Dan Pue, Police Department
Chief Linc Surber, Fire Department
Mark Wagster, Director of PW
Donna Lowder, EDC Assistant
Clarissa Rodriguez, City Attorney (Remote)

Deborah Goza, City Secretary

4. CITIZENS TO BE HEARD

None

5. CONSENT AGENDA

A. Approval of Minutes

1. July 14, 2020

2. July 14, 2020 (Budget Workshop)

B. City Council to approve the Quarterly Code Enforcement Report – Mr. Hornes

C. City Council to approve a Resolution and authorizing execution of an updated Interlocal Agreement with Judson ISD for Telecommunication Services – Chief Pue

Councilman Tullgren made motion to approve the Consent Agenda; seconded by Councilman Morgan

Vote FOR: Councilmembers Morgan, Tullgren, Norris, Cimics and Dahl – passed 5/0

6. NEW BUSINESS

Mayor Dennis moved item 6D to 6B with the consensus of City Council. However the Minutes will reflect how the Agenda was posted.

A. Presentation, discussion and possible action for employee related benefits, including medical, dental, vision, group life, AD & D, voluntary life, and voluntary short-term disability for employees for FY 2020-2021 – Mr. Wayman, Mr. Kowalik and Representative from HUB Consulting

Mr. Kowalik came before City Council to provide information regarding this item and to introduce Brent Bower, HUB representative. City staff communicated several times this year to go over the current plans, strategies for this next year's plan. After the June claims report came out, our current health care provider submitted their final renewal rate at around a 35%-38% increase which was substantially higher than the initial renewal rate increase in April. HUB leveraged the possibility of packaging our dental with the medical and our rate now appears to be in the 17%-20% level.

Mr. Bowers had a short four page presentation that included Claims vs. Premium – Year End Total and Year to Date, 2020 Inforce Vendors – Medical + Dental Renewal, and 2020 Inforce Vendors – Ancillary.

Councilman Dahl made a motion to approval of the City's benefit package in accordance with the recommendations of IPS Consulting for the plan year 2020-2021; seconded by Councilman Tullgren

Vote FOR: Councilmembers Morgan, Tullgren, Norris, Cimics and Dahl- passed 5/0

B. Discussion and possible action to vote on a proposal to consider a property tax increase or a proposal to not exceed the lower of the "No-New-Revenue" rate or the "Voter-

Approval” rate- Mr. Kowalik

Mr. Kowalik came before City Council to provide information and answer any questions regarding this item. This is a formalized process required by Truth-in-Taxation laws. The governing body must either submit and vote on a proposal for no tax increase reflective of a tax rate that does not exceed the lower of the calculated “No-New-Revenue” (NNR) rate or “Voter-Approval” (VAR) rate. In addition, Mr. Kowalik stated that is not to adopt a tax rate but rather to vote on a proposal for a possible tax increase. The action tonight sets the stage for the completion of the draft budget and initiates any required public hearings on a tax increase.

Councilman Tullgren made a motion is to approve a proposal to consider a property tax rate that will not exceed the lower of “No-New-Revenue” tax rate or the “Voter-Approval” rate which, by definition, would generate approximately the same amount of tax revenue from properties tax in the preceding year; seconded by Councilman Morgan

Vote FOR: Councilmembers Morgan, Tullgren, Norris, Cimics and Dahl – passed 5/0

Mr. Kowalik thanked City Council and proceeded to give a timeline for the budget process moving forward: Advertise the property rate, no public hearing will be required, the website will have all current information, August 25th will be a Joint Public Hearing with EDC and City Council and September 8th (first meeting in September) the Budget can be approved. A copy of the proposed Budget will be in the City Secretary’s Office for review of any citizen.

C. Discussion, presentation and possible action to approve a Resolution regarding the update to the Live Oak Personnel Policy and Procedures Manual- Mr. Hornes

Richard Foley, Intern, came before City Council regarding the update to the Personnel Policy. Items identified Housekeeping updates to sections: 1.05, 1.08, 1.11, 1.13, 2.14, 3.13, 3.20, 5.1, 6.2, 6.5, 6.6, 6.9, 6.10, 8.3, 8.4, 8.6, 8.10, 10.4, 11.3, 11.4, 12.2, and 16.5. In addition, newly proposed items: Amended Medical Statement for Fire & EMS and Post-Accident Testing. Other items:

Section: 8.00 (Leave Time)

8.3 Vacation Leave (updated charts)**

Years of Service	Hours Accrued Per Pay Period		Vacation Days Per Year	
	Regular Employees	Fire Department Employees	Regular Employees	Fire Department Employees
0 months - 7 years	4	5.3	13	13
At least 7 years, less than 15 years	5.231	6.93	17	17
15 years and more	6.154	8.15	20	20

8.4 Sick Leave – Accrual per pay period (4.0 regular employees & 5.3 Fire Shift employees)**

- Medical Statement updated – amended to include- Fire Department employees shall present a medical note, any time that sick leave benefits are requested for a continuous

48-hour period of scheduled work. All medical notes must be submitted to the Human Resource Department.

8.6 Military Leave *

8.10 Other Leave of Absence without Pay

10.04 On the Job Injuries- Amended new policy

- **Post-Accident Testing.** The City of Live Oak’s Post-Accident Drug and Alcohol Testing (here on known as “Post-Accident Testing”) policy requires that employees involved in a vehicle or non-vehicle related accident during the course of the workday must report the incident to their supervisor as soon as possible. Once the accident is reported, it is the supervisor’s duty to complete the Decision Questionnaire Form to determine whether post-accident testing is required. If the questionnaire results show that the accident does not meet the post-accident testing criteria and the employee is not sent for testing, the supervisor shall give a written explanation of their reasoning for not testing their employee. Any employee who refuses screening for the presence of drugs and/or alcohol will be subject to discipline, including immediate termination. Tests will be paid for by the City and testing will typically be done during normal work hours.

*Councilman Tullgren wanted to ensure Section 8.6 Military Leave was fully vetted, as many are full time employees in the National Guard. In addition, he asked if the policy would include a COVID section. Ms. Rodriguez, indicated that it was not, as this issue might be temporary and the policy is permanent. There is a policy for COVID related processes and guidelines for employees to follow.

Councilman Norris asked about FSLA and that everything was current in the policy.

Councilman Tullgren made a motion to approve a Resolution regarding the update to the Live Oak Personnel Policy and Procedures Manual; seconded by Councilman Dahl

Vote FOR: Councilmembers Morgan, Tullgren, Norris, Cimics and Dahl – passed 5/0Zx c

- D. Discussion and possible action to look at funding an additional Building Official Position to overlap the current building official in order to continue the high-quality customer service – Councilman Cimics

Councilman Cimics requested that this item be placed on the agenda for discussion. He explained that the currently building inspector would be retiring in December and believed that an overlap of this position would be beneficial to the city. Mayor Dennis indicated that she would not support funding of positions, due to COVID and the economy. Councilman Morgan did not support the funding, as did Councilmen Tullgren, Norris and Dahl. Although Councilmen Tullgren, Norris and Dahl thought that this request might be reviewed later. There was no other action on this item.

7. CITY COUNCIL REPORT

- A. City Council Members report regarding discussion of City issues with citizens.

Councilman Morgan announced that he had noticed some cut brush had piled up in the drainage ditch against bridge supports on Shin Oak by the Club House. I notified Mark

Wagster by email and he submitted a work order (copied to me) and the brush was very promptly removed. Thank you, Mark. Another resident contacted me as she wanted to offer assistance to those in our community who are in need. I contacted both Mayor Dennis and Chief Surber and they responded to the resident to offer some specific suggestions and she was satisfied".

8. GENERAL ANNOUNCEMENTS FOR CITY COUNCIL AND STAFF

A. City Council

Councilman Cimics thanked Mr. Wayman for attempting to assist with an opt-out for the Herald Newspaper for some residents.

Mayor Dennis wanted to wish a Happy Birthday to EDC President Joe Painter (July 28th), EDC Director Rachel Clark (July 29) and Clarissa Rodriquez, City Attorney (July 29).

B. Staff

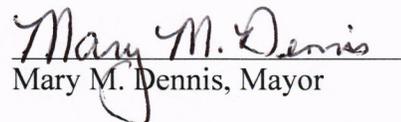
Mr. Wayman - acknowledged the opt-out option for the Herald Newspaper and he noted that the Herald was the City's official paper for all notices, elections etc. In addition, he thanked Richard Foley (Intern) for all his assistance and hard work. Mr. Wayman provided information regarding upcoming City Events: Movie in the Park was canceled, Halloween, October 31st will continue as a drive through event (candy, t-shirts, coins and other Halloween gifts will be handed out.) The Ho Ho Event in Decembers is still too far out to make a determination. Lastly, he mentioned that Ikea had received its certificate for reusable materials, charging stations and the use of solar.

Ms. Lowder: July 30 is National hot dog day and August 10th will have their grand opening at 10 am.

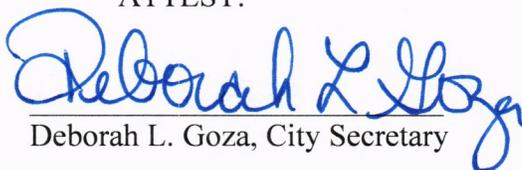
9. ADJOURNMENT

As there was no further business, Councilman Cimics made a motion to adjourn; seconded by Councilman Dahl at 8:10 p.m.

APPROVED:


Mary M. Dennis, Mayor

ATTEST:


Deborah L. Goza, City Secretary