

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, APRIL 28, 2020 7:00 P.M. (NO EARLIER)
FOLLOWING THE
THE ECONOMIC DEVELOPMENT CORPORATION MEETING
VIDEO AND TELECONFERENCE MEETING

In accordance with order of the Office of the Governor issued March 16, 2020, 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:

1-888-788-0099.

Click link for videoconference participation:

https://zoom.us/webinar/register/WN_JGn9wMqDTIO5LUdTwwSS-Q

Meeting ID: 946-7929-0489

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.

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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.

1. CALL TO ORDER
2. INVOCATION/PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CITIZENS TO BE HEARD
5. CONSENT AGENDA
 - A. Approval of Minutes
 1. April 14, 2020
6. SPECIAL CONSIDERATION
 - A. Proclamation for National Drinking Water Week, May 3 through May 9, 2020 – Mr. Wagster
 - B. Proclamation for National Water Safety Month, May 2020– Mr. Wagster
 - C. Proclamation for National Bike Month, May 2020 - Mr. Wayman

- D. Proclamation for National Nurses Week, May 6 through May 12, 2020 – Mayor Dennis
- E. Proclamation for Trauma Awareness Month presented/mailed to, NE Methodist Hospital – Mayor Dennis
- F. Proclamation for the month of May as National Lupus Awareness Month and May 10th, as “Put on Purple Day” – Mayor Dennis

7. NEW BUSINESS

- A. Discussion and possible action to approve the Quarterly Investment Report ending March 31, 2020 – Mr. Kowalik
- B. Discussion and possible action for City Council to accept and approve the Monthly Financial Report ending February 29, 2020 – Mr. Kowalik
- C. Discussion and possible action to fill three vacancies on the Economic Development Board with one term ending June 30, 2020 and two terms ending June 30, 2021- Mr. Hornes
- D. Discussion and possible action regarding regulations of “basketball goals over streets,” per the City’s Property Maintenance Code, Amendments-Section 18-2, Section 302.11– Mr. Hornes
- E. Discussion and possible action regarding the first reading of a Resolution to establish a project and business assistance grant program to provide financial assistance for Live Oak businesses impacted by the COVID-19 pandemic– Mr. Hornes

8. CITY COUNCIL REPORT

- A. City Council Member’s report regarding discussion of City issues with citizens.

9. GENERAL ANNOUNCEMENTS FOR CITY COUNCIL AND STAFF

- A. City Council
- B. Staff

10. 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 April 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

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1. CALL TO ORDER

Mayor Mary M. Dennis called the April 28, 2020 Regular (Video/Teleconference) to order at 7:07 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

Completed

Mayor Dennis honored and acknowledged both Councilman Anthony A. Brooks and Economic Development Director Phillip Tsai-Brooks for their service to the City of Live Oak and its citizens.

3. ROLL CALL

All City Council were on remote platform

Mayor Mary M. Dennis
Councilman Mendell D. Morgan Jr.
Councilman Bob Tullgren
Councilman Ed Cimics

Councilman/Mayor Pro Tem Aaron Dahl

Staff

Scott Wayman, City Manager

Michael Hornes, Assistant City Manager

Leroy Kowalik, Finance Director

Chief Dan Pue, Police Department (Remote)

Chief Linc Surber, Fire Department (Remote)

Clarissa Rodriguez, City Attorney (Remote)

Donna Lowder, EDC Executive Assistant

Deborah Goza, City Secretary

4. CITIZENS TO BE HEARD

5. CONSENT AGENDA

A. Approval of Minutes

1. April 14, 2020

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

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

6. SPECIAL CONSIDERATION

Mayor Dennis ask for a motion to accept and approve the Special Consideration items:

Councilman Tullgren made a motion to accept the Special Consideration items; seconded by Councilman Dahl

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

A. Proclamation for National Drinking Water Week, May 3 through May 9, 2020 – Mr. Wagster

B. Proclamation for National Water Safety Month, May 2020– Mr. Wagster

C. Proclamation for National Bike Month, May 2020 - Mr. Wayman

D. Proclamation for National Nurses Week, May 6 through May 12, 2020 – Mayor Dennis

E. Proclamation for Trauma Awareness Month presented/mailed to, NE Methodist Hospital – Mayor Dennis

F. Proclamation for the month of May as National Lupus Awareness Month and May 10th, as “Put on Purple Day” – Mayor Dennis

7. NEW BUSINESS

A. Discussion and possible action to approve the Quarterly Investment Report ending March 31, 2020 – Mr. Kowalik

Mr. Kowalik came before City Council to provide an overview of this item. He spoke about the history of the Public Funds Investment Act, economic and market conditions, TexPool, interest rates (range from 1.6104% and 0.5514%), CD's, and the City's portfolio. The weighted average maturity for investments outside of TexPool was 345.50 days or 0.96 years with yields ranging from 1.6715% to 2.8500%.

Councilman Cimics made a motion to accept and approve the Quarterly Investment Report ending March 31, 2020; seconded by Councilman Tullgren

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl- passed 4/0

B. Discussion and possible action for City Council to accept and approve the Monthly Financial Report ending February 29, 2020 – Mr. Kowalik

Mr. Kowalik came before City Council to provide information on the monthly Financial Report. The report represents five months into the fiscal year; revenues and expenditures should be targeted at around the 41.7% of budget. Other items discussed: General Fund (overall revenues are at 50%); overall expenditures on target at 39% of budget; Capital Project Funds for the City are Woodcrest Park Fund (memo is forthcoming from Mr. Wagster, Director of Public Works), Capital Project Fund; The Utility operating funds are slightly below target on revenue collections (38%) and expenditures (43%); the annual water lease payment and EAA management fees were paid earlier in the Fiscal Year and The Storm Water Utility Fund is standing firmly at 40%.

Councilman Dahl made a motion to accept and approve the Monthly Financial Report ending February 29, 2020; seconded by Councilman Morgan

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

C. Discussion and possible action to fill three vacancies on the Economic Development Board with one term ending June 30, 2020 and two terms ending June 30, 2021- Mr. Hornes

Mr. Hornes came before City Council and presented them the staff and Economic Development Corporation's (EDC) recommendations for filling the two vacant positions within this Board. Recommending Henry O. Edwards III to fill the vacant position of Scott Feldmeier, with an expiration date of June 30, 2020 and Elizabeth Kuhlmann, RBFCU to fill the vacant position of Director Phillip Tsai-Brooks, with expiration date of June 30, 2021.

City Council accepted the recommendation of staff and EDC Board:

Councilman Dahl made a motion to approve the two vacancies of Henry O. Edwards III to fill the vacant position of Scott Feldmeier, with an expiration date of June 30, 2020 and Elizabeth Kuhlmann, RBFCU to fill the vacant position of Director Phillip Tsai-Brooks, with expiration date of June 30, 2021; seconded by Councilman Morgan

Vote FOR: Morgan, Tullgren, Cimics and Dahl – passed 4/0

Mayor Dennis asked for a volunteer to fill the unexpired term of Councilman Brooks EDC Board position. Councilman Cimics volunteered to fill the unexpired term of June 30, 2020.

Councilman Dahl made a motion to appoint Councilman Cimics to fill the EDC Council position, with a term expiring June 30, 2021; seconded by Councilman Morgan

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

D. Discussion and possible action regarding regulations of “basketball goals over streets,” per the City’s Property Maintenance Code, Amendments-Section 18-2, Section 302.11– Mr. Hornes

Mr. Hornes came before City Council to provide an overview of this item that was brought forward by Councilman Cimics. Ordinance 1483, page 8 reads as follows:“302.11 (Add): Portable Basketball goals shall be removed from city streets when not in use and at night. When removed it shall be placed away from the curb and outside the limits of the dedicated

right of way. No portable recreational equipment shall be allowed on or over the paved portion of the city's streets when not in use."

(For the purposed of this section the following definitions shall apply.)

Permanent pole like structures mean any type of pole such as a flagpole, permanent basketball goal, or vertical piping/pole consisting of wood, metal, plastic, or other manufactured materials.

Sec. 302.11

Portable basketball goals shall be removed from the city streets when not in use and at night. When removed, it shall be placed away from the curb (Add) "at least fifteen (15) feet" outside the limits of the dedicated right of way.

(Add): All permanent pole like structures within five feet of the dedicated right of way, curb, or street, must be removed. Removal of all permanent pole like structures must be done within one-hundred eighty (180) days of the adoption of this amendment. Permanent pole like structures that are exempt

The following was discussed by City Council: notification timeframe, number of residents not in compliance (10-15), and volunteer compliance.

Ms. Rodriguez indicated that the ordinance would be amended and would be placed on the May 12th Consent Agenda if this item was approved tonight.

Councilman Cimics made a motion to amend Section 302.11 to add all permanent pole like structures within five feet of the dedicated right of way, curb, or street, must be removed. Removal of all permanent pole like structures must be done within one-hundred eighty (180) days of the adoption of this amendment. Permanent pole like structures that are exempt; seconded by Councilman Tullgren

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

E. Discussion and possible action regarding the first reading of a Resolution to establish a project and business assistance grant program to provide financial assistance for Live Oak businesses impacted by the COVID-19 pandemic– Mr. Hornes

Mr. Hornes came before City Council to provide an overview of the first reading of a Resolution to establish a project and business assistance grant program to provide financial assistance for Live Oak businesses impacted by the COVID-19 pandemic. Prior to the Council Meeting the Economic Development Corporation met and made recommendations for an option to provide a stimulus grant program. The Business Assistance Grant (BAG) would assist with payroll, mortgage, rent, and most business related expenses that could be experienced by small to medium sized businesses. Staff provide them their recommendation to awards of \$5,000, \$7,500 or \$10,000 to applicable businesses, with a primary deciding factor by staff of businesses who will use this funding for the purpose of: Lease/Mortgage Assistance and/or Payroll Assistance. The EDC recommended \$5,000 and to go forward with the BAG application process.

City Council decision will require a decision regarding the total amount you want for the EDC to allocate for the program. Currently there is \$300,000 available for water purchases for the city for this fiscal year and \$100,000 for EDC programs. The Mayor asked that staff consider \$300,000 for this program. The additional money will be used for future programs or to add to next year's reserves to increase the amount we have available for the purchase of water rights. Lastly, establishment of a committee to oversee the BAG Process, as currently

Mr. Wayman, Mr. Hornes, Ms. Lowder, Ms. Mindy Paxton (Tri-County Director) and Councilman Tullgren should Council approve of his appointment.

Discussion items: Concerned with amount (too low), General Fund, beginning timeframe, application process, notification to businesses and perhaps a two payment process.

Councilman Dahl made a motion to approve the first reading of the Resolution to establish a project and business assistance grant program to provide financial assistance for Live Oak businesses impacted by the COVID-19 pandemic; seconded by Councilman Tullgren

There was also a consensus to appoint Councilman Tullgren to the BAG Committee

Vote FOR: Councilmembers Morgan, Tullgren, Cimics and Dahl – passed 4/0

8. CITY COUNCIL REPORT

A. City Council Member's report regarding discussion of City issues with citizens.

All City Council thanked staff for keeping t

9. GENERAL ANNOUNCEMENTS FOR CITY COUNCIL AND STAFF

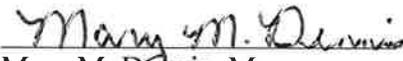
A. City Council

B. Staff

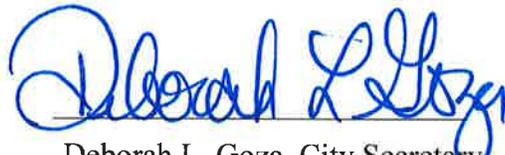
10. ADJOURNMENT

As there was no further business, Councilman Cimics made a motion to adjourn; seconded by Mayor Pro-Tem Dahl at 8:00 p.m.

APPROVED:


Mary M. Dennis, Mayor

ATTEST:


Deborah L. Goza, City Secretary