

STATE OF TEXAS §
COUNTY OF POLK §
CITY OF LIVINGSTON §

MINUTES
REGULAR MEETING
CITY COUNCIL
March 10, 2020
5:00 P.M.

The City Council of the City of Livingston, Texas convened in regular session in Council Chambers at City Hall at 5:00 P.M., March 10, 2020, with the following members present:

Judy B. Cochran)	Mayor
Alan Cook)	Councilmembers
Raymond Luna)	
Elgin Davis)	
Marion 'Bid' Smith)	
Clarke Evans)	
Billy S. Wiggins)	City Manager
Ellie Monteaux)	City Secretary/Assistant City Manager
James Wright)	City Attorney

and the following others present:

Josh Mohler)	Fire Marshal/Code Enforcement Officer
Ricky Taylor)	Texas EMS
Valerie Reddell)	Polk County Enterprise

Mayor Cochran called the meeting to order at 5:00 P.M. and called on Alderman Smith to open the meeting with prayer and the pledges.

It was moved by Alderman Smith and seconded by Alderman Cook that the minutes of the regular meeting of February 11, 2020 and special called meeting of February 20, 2020 be approved. All present voted aye.

The City Manager presented a proposed resolution to deny the CenterPoint Energy Texas Beaumont/East Texas rate increase. Discussion ensued relative to rate increase, possible agreement for settlement, region covered by the proposed rate increase and legal fees to be paid by CenterPoint. It was moved by Alderman Evans and seconded by Alderman Cook that the resolution to deny CenterPoint Energy Texas Beaumont/East Texas rate increase be approved, as presented. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 582

RESOLUTION OF THE CITY OF LIVINGSTON DENYING CENTERPOINT ENERGY TEXAS BEAUMONT/EAST TEXAS DIVISION'S REQUESTED RATE INCREASE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL."

The City Manager presented a proposed ordinance amending the Code of Ordinances, Chapter 22 - Finance, Licenses and Taxation, Article V. - Hotel Occupancy Tax, Sec. 22-96. Use of Revenue for approval. Discussion ensued relative to two additional categories, current uses of funding by entities receiving funds, and the two-part test and state law in place for use of funds to promote tourism in Livingston. It was moved by Alderman Luna and seconded by Alderman Smith that the proposed ordinance, as presented, be approved and adopted. All present voted aye. The ordinance, as approved, is captioned as follows:

"ORDINANCE NO. A-819

AN ORDINANCE TO AMEND CHAPTER 22 - FINANCE, LICENSES AND TAXATION, ARTICLE V. - HOTEL OCCUPANCY TAX, SECTION 22.96 - USE OF REVENUE, OF THE CODE OF ORDINANCES OF THE CITY OF LIVINGSTON, TEXAS, BY ADDING ADDITIONAL USES OF HOTEL OCCUPANCY TAX FUNDS FOR EXPENSES RELATED TO SPORTING EVENTS AND FOR SIGNAGE DIRECTING THE PUBLIC TO SIGHTS AND ATTRACTIONS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR SEVERABILITY AND PROVIDING FOR CUMULATIVE EFFECT THEREOF."

The City Secretary furnished a Certification of Unopposed Candidates confirming that Mayor Judy Cochran for the office of Mayor and Alderman Alan Cook and Alderman Bid Smith for the office of Alderman are unopposed for election to office to be held on May 2, 2020. It was moved by Alderman Luna and seconded by Alderman Smith that the ordinance declaring the General Election of May 2, 2020 cancelled and the unopposed candidates elected, as introduced, be approved and adopted. All present voted aye. The ordinance, as adopted, is captioned as follows:

"ORDINANCE NO. A-820

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS, CANCELLING THE MAY 2, 2020 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE."

Based on the recommendation of the City Manager, it was moved by Alderman Luna and seconded by Alderman Davis that Mayor Cochran be authorized to sign the Order of Cancellation for the City's General Election to be held on May 2, 2020. All present voted aye. The Order of Cancellation, prescribed by the Secretary of State, Sections 2.051 - 20.053, Texas Election Code, shall be attached with Ordinance No. A-820.

It was moved by Alderman Cook and seconded by Alderman Davis that the accounts over \$500.00, as submitted, be approved for payment. All present voted aye.

The City Manager presented Pay Request No. 6 of Maguire Iron, Inc. in the amount of \$66,903.75. Kirk Bynum, Project Manager with the Brannon Corporation, has reviewed the pay request and recommended approval. This amount represents fabrication of the West Street Tower and delivery of steel to the Walnut Street Tower site. Based on the recommendation of the City Manager and Project Engineer, it was moved by Alderman Cook and seconded by Alderman Evans that Payment Request No. 6 in the amount of \$66,903.75 to Maguire Iron, Inc., payable from local funds, be approved as presented. All present voted aye.

Mayor Cochran called a Public Hearing for April 14, 2020 at 5:00 P.M. regarding the possible determination of a residential structure located at 204 Younger Street, in the City of Livingston, Texas, as an unsafe and/or dilapidated building, and for the ordering of the cleanup of the property due to the accumulation of weeds, rubbish and abandoned personal property, the property being described as: Lots Three (3) and Four (4), Block Seven (7) of the PINECREST ADDITION to the City of Livingston, as shown by the map or plat thereof recorded in Volume 1, Page 21 of the Plat Records of Polk County, Texas, as described in deed dated September 7, 2008 from Elissie B. John to Gregory Wayne John, recorded in Volume 1663, Page 256 of the Official Public Records of Polk County, Texas.

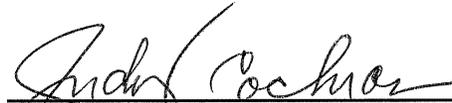
The City Manager reported on the following items:

- A) Amendment of Distributed Energy Resource Interconnection Guide Residential Only - 15 kW or Less - The City Manager advised Council that the liability insurance section of the solar policy has been amended to delete the language of "including contractual liability insurance" and such insurance will not be required of residential solar applicants.
- B) Update on Projects and Development - The City Manager provided the Council with an update of current projects and development.
- C) Upcoming Events
 - ▶ Livingston Trade Days - Saturday March 14th and Sunday March 15th
 - ▶ 19th Annual Spring Outdoor Expo - Saturday March 14th from 9:00 AM to 5:00 PM at Trade Days. The band 'Satisfied Drive' will perform on Saturday from 1:00 PM to 4:00 PM.
 - ▶ 75th Annual Trinity-Neches Livestock Show & Rodeo - March 23-27, 2020 at the Barney Wiggins Memorial Arena and Fairgrounds
 - ▶ Easter Eggstravaganza - Saturday, April 4, 2020 at Pedigo Park

- D) Coronavirus Disease 2019 (COVID-19) - The City Manager advised Council that he has spoke with Dr. Kanaan, the City's Local Health Authority, regarding the coronavirus and will continue to monitor the situation and provide updates as requested. Informational flyers from the Texas Department of State Health Services have been added to the City's website. Links have also been provide on the City's website for citizens to access the Polk County Office of Emergency Management and the Texas Department of Health and Human Services.
- E) Census 2020 - The City Manager advised Council of the efforts being made and the importance of a complete count of all the citizens in our community for the 2020 Census that will take place on April 1, 2020.

There being no further business to come before the City Council, it was moved by Alderman Cook and seconded by Alderman Luna that the meeting be adjourned at 5:36 P.M. All present voted aye.

SIGNED:



Judy B. Cochran, Mayor

ATTEST:



Ellie Monteaux, TRMC, CMC
City Secretary/Assistant City Manager