



Richard Boyett, Mayor  
Carolyn McWaters, Position 1  
Marilyn Clay, Position 2, Mayor Pro-Tem  
Eddie Lowery, Position 3,

Desiree David, Position 4  
Fred Terrell, Position 5  
Scott Swigert, City Manager  
Terralyn J. May, City Secretary

1. Roll Call
2. Invocation and Pledge
3. Public Comments  
*Any person with City related business may speak to Council. In compliance with the Texas Open Meetings Act, the City Council may not discuss, or vote on any matter raised in public comments unless it is specifically on the agenda. To speak during a council meeting, you must be recognized by the Presiding Officer. PUBLIC COMMENTS WILL BE LIMITED TO THREE MINUTES PER PERSON.*
4. Reports by City Staff and members of Council to which no action will be taken.

### **Consent Items**

*All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.*

#### **Consideration and possible action on:**

5. Consideration and possible action on Special Meeting Minutes for August 9, 2022.
6. Consideration and possible action on Special Meeting Minutes for August 16, 2022.
7. Consideration and possible action on Meeting Minutes for August 16, 2022.
8. Consideration and possible action on Meeting Minutes for August 30, 2022.
9. Consideration and possible action on annual Liberty County and Cleveland Fire Department Agreement.
10. Consideration and possible action on annual Old Republic Insurance Policy for Municipal Airport.
11. Consideration and possible action on RESOLUTION 2022-221003-01 Road Closure for Repair the Breach Ministries Annual Community Fall Festival.

### **Discussion and Action Items**

12. Consideration and possible action on encroachment by Liberty Church-Pastor Bostwick.
13. Consideration and possible action on selecting the Scoring Committee for the 2022 CDBG Regional Mitigation Program Method of Distribution Development (MIT-MOD).
14. Consideration and possible action on agreement modification with LGI Homes/Pape-Dawson.
15. Consideration and possible action on the Airport Advisory Board.
16. Consideration and possible action on the approval of the preliminary plat for Section 9 of Grand Oaks Reserve Development.
17. Discussion on any other board or committee to address.

18. Discussion on Plat Submittal by META Planning and Design-Colin Davidson and Russ Walker.

### **Executive Session**

*The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code.*

19. Closed Executive Session under Texas Local Government Code 551.071 – Real Property
  - a. Discussion on Behan Lease.
20. Closed Executive Session under Texas Local Government Code 551.072 – Consultation with Attorney.
  - a. Discussion on legal options for partnering with PDC LLC regarding city utility services.
  - b. Discussion on legal options regarding a First Supplement to Development Agreement with BNSF Railway Company.
21. Closed Executive Session under Texas Local Government Code 551.074 – Personnel matters
  - a. City Manager

### **Return to Open Session**

22. Take action on any items from Executive Session as needed.

### **Adjournment**

### **Certification**

I, the undersigned authority, do hereby certify that the above Notice of Agenda of the governing body of the City of Cleveland is a true and correct copy of said Notice and said Notice was posted at City Hall, 907 East Houston Street, Cleveland, Texas 77327 (a place convenient and readily accessible to the general public at all times); said notice was posted by Friday, October 14, 2022 by 6:00PM and remained so posted continuously for at least 72 hours preceding the scheduled time for said meeting. The Notice of Agenda was also posted on the City's website at <http://www.clevelandtexas.com>.

Dated this, the 14<sup>th</sup> day of October 2022.

*Jennifer Jeude*

Jennifer Jeude  
Deputy City Secretary

*\*Attendance of other Elected or Appointed Officials, including members of the Cleveland Economic Development Corporation Board (EDC), may be attending and participating. If a quorum of EDC is present, then this meeting of the Cleveland City Council shall also be a meeting of the Cleveland Economic Development Corporation.*

*\*The meeting will be shown on the City's YouTube account at <https://www.youtube.com/channel/UCTeUTiB4DWP7AjbC-i6qR8Q>. Closed captions are provided as auto generated through YouTube. You must turn on the closed caption (CC) option on your viewing device.*

*\*Persons with disabilities that wish to attend this meeting should contact the City Hall – City Secretary's office at (281) 592-2667 to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the City at least two days before the meeting so that appropriate arrangements can be made.*