



The City of Liberty City Council

Special Called Meeting

~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 27, 2011

6:00 PM

City Council Chambers

THE City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrival
Mayor Carl Pickett	..	..	..	
Mayor Pro-Tem Mike McCarty	..	..	..	
Councilperson Dennis Beasley	..	..	..	
Councilperson Diane Huddleston	..	..	..	
Councilperson Frank Jordan	..	..	..	
Councilperson Louie Potetz	..	..	..	
Councilperson Libby Simonson	..	..	..	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 2190)

Various Project Updates

B. Information Item (ID # 2191)

Financial Report

C. Information Item (ID # 2192)

National Night Out Update

IV. REGULAR AGENDA

A. Regular Session

1. Resolution (ID # 2194)

Consider a Nomination to the Central Appraisal District Board of Directors.

- CAD Board of Dir Info 2011 (PDF)

2. Council Action (ID # 2195)

Consider a Nomination to the Central Appraisal District Appraisal Review Board.

- CAD Appr Rev Brd Info 2011 (PDF)

3. Council Action (ID # 2196)

Consider Acceptance of Bid for Electrical Work at the Monta Street Well Location.

V. WORK SESSION

1. Work Session (ID # 2193)

Discussion of Code Book Codification and Related Issues.

VI. ADJOURNMENT

Motion To: Adjourn

CERTIFICATION

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 23rd day of September, 2011 at 11:00 a.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2011.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

3.A

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Project Updates

INFORMATION ITEM (ID # 2190)

DOC ID: 2190



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

3.B

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2191)

DOC ID: 2191



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

3.C

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2192)

DOC ID: 2192



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.1

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Board Appointments

RESOLUTION (ID # 2194)

DOC ID: 2194 C

EXPLANATION:

Members of the CAD Board of Directors serve two-year terms and must reside in the Appraisal District for at least two years prior to taking office. A person may serve on the governing body of a taxing unit in the District and also serve as a Director of the CAD.

Each voting taxing unit may nominate one to five candidates for each of the five positions on the Board. A candidate must receive 834 votes, out of 5000, to guarantee election. In September 2009, the Council nominated Michael Van Etta who was elected to the board. Mr. Van Etta has declined to serve again.

Nominations must be submitted by October 17, 2011

Whereas, the City of Liberty is a voting taxing unit in the Liberty County Central Appraisal District; and

Whereas, each voting taxing unit in Liberty County is entitled to nominate one candidate for each of the district's five Board of Directors positions; and

Whereas, these nominations must be submitted to the Chief Appraiser by October 17, 2011 to be eligible to be placed on the ballot for the 2012-2013 term; and

THEREFORE BE IT RESOLVED, that the City Council of the City of Liberty, Texas nominates the following candidate(s) for the Liberty County Appraisal District Board of Directors:

Approved this the 27th day of September, 2011.

Carl Pickett, Mayor

Resolution (ID # 2194)
Page 2

City Council Meeting

September 27, 2011

ATTEST:

Dianne Tidwell, City Secretary

Liberty County Central Appraisal District

P. O. Box 10016 -- 2030 Sam Houston -- Liberty, TX 77575-2916
Phone -- (936) 336-5722 -- Fax -- (936) 336-8390

APPRAISAL REVIEW BOARD

Curtis Laird -- Chm.
Winn Skidmore
Bill Braçken
Kenneth Riggs
Walt Saucier
Joe Bazar
Cordella Kirkham



CHIEF ADMINISTRATOR

Alan D. Conner

MEMBERS OF THE BOARD

Ronnie Danner -- Chm.
Bob Pickle
Mike Van Etta
Frank Barnett
Bob Edwards
Mark McClelland -- Ex-Officio

August 11, 2011

City of Liberty
Attn: Carl Pickett
1829 Sam Houston
Liberty, Texas 77575

Re: Nomination of Directors for the Liberty County Central Appraisal District

Dear Sir:

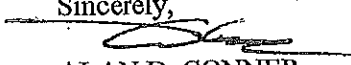
It is time again for the voting taxing units within the Liberty County Central Appraisal District to select Appraisal District directors. These directors will serve two year terms beginning January 1, 2012.

An Appraisal District director must reside in the Appraisal District for at least two years immediately preceding the date he or she takes office. A person may serve on the governing body of a taxing unit in the Appraisal District (i.e. City Councilman, School board trustees, County Commissioner, etc.) and still be eligible to serve as director. An employee of a taxing unit is not eligible to serve as a director unless he is also an elected official. Property Tax Code Section 6.035, prohibits a Board Member from serving if the member is related within the second degree of consanguinity or affinity to a person who is in the business of Appraising property or represents property owners in proceedings in the Appraisal District. Under Section 6.036, a person is also ineligible if he, or a business that he has a substantial interest in, enters into a contract with the Appraisal District or a taxing unit in the district. Also, Section 6.035 of the Texas Property Tax Code may prohibit a person from serving if they owe delinquent taxes.

Each voting taxing unit is entitled to nominate one candidate for each of the five positions on the board. Thus, your taxing unit may nominate one to five candidates. To **guarantee election**, a director must receive at least 834 votes out of 5,000 total votes.

Attached for your study is a timetable for election of directors and a list of all voting taxing units and their voting entitlements. Please submit the names of your nominees by written Resolution to my office by October 17, 2011. **Only the names of the nominees received by the deadline of October 17, 2011 will be included on the official ballot which will be mailed to each voting taxing unit by October 30, 2011.** If I can answer any questions concerning this election, please contact me at the number listed above.

Sincerely,


ALAN D. CONNER
CHIEF ADMINISTRATOR

ADC/lan

Attachment: CAD Board of Dir Info 2011 (2194 : CAD Board of Directors)

LIBERTY COUNTY APPRAISAL DISTRICT**2010-2011 BOARD OF DIRECTORS**

<u>CHAIRMAN</u>	J. RONNIE DANNER 100 EAST CROCKETT CLEVELAND, TX 77327 jdanner@farmersagent.com	281-592-1541(W) 281-592-6392(H)
<u>V. CHAIRMAN</u>	BOB PICKLE 479 COUNTY ROAD 427 LOOP. DAYTON, TX 77535 rrpi@lubrizol.com	281-814-8169(CELL)
<u>SECRETARY</u>	MICHAEL VAN ETTA 1522 SAM HOUSTON AVE.. LIBERTY, TX. 77575 mikevanetta@hotmail.com	936-336-5694
<u>DIRECTOR</u>	FRANKIE BARNETT 454 COUNTY ROAD 2271 CLEVELAND, TX. 77327	281-592-7821(H) 832-401-4021(CELL)
<u>DIRECTOR</u>	ROBERT S. EDWARDS P.O. BOX 785 102 W. CLAYTON AVE. DAYTON, TX 77535 bedwards@bobedwards.com	258-8051(W) 258-2797 (H) 713-898-2506(CELL)
<u>EX-OFFICIO</u>	RICHARD BROWN TAX A/C P.O. BOX 1810 LIBERTY, TEXAS 77575 richard.brown@co.liberty.tx.us	336-4633 (W)

RESOLUTION

Whereas, _____ is a voting taxing unit in the Liberty County Central Appraisal District; and

Whereas, each voting taxing unit in Liberty County is entitled to nominate one candidate for each of the district's five Board of Directors positions; and

Whereas, these nominations must be submitted to the Chief Appraiser by October 17, 2011 to be eligible to be placed on the ballot for the 2012-2013 term; and

Therefore be it resolved, that the _____ nominates the following candidates for the Liberty County Appraisal District Board of Directors:

Approved this the _____ day of _____, 2011.

TITLE

ATTEST:

TITLE

Attachment: CAD Board of Dir Info 2011 (2194 : CAD Board of Directors)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.2

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2195)

DOC ID: 2195 A

EXPLANATION:

The CAD is requesting a nomination from each taxing entity, from their respective county precinct, to the Appraisal Review Board. To serve on this Board, individuals must be a resident of the Appraisal District for 2 years, and cannot be an officer or employee of the Appraisal District or any Taxing Entity. Members serve two-year staggered terms, meeting once a month and twice weekly during May and June. Members are paid \$150 per day. Nomination(s) to be made are for the At Large positions. This nomination must be submitted by October 21.

FYI - The current Precinct 1 Representative is Bill Brackin.

**LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT
P.O. BOX 10016/2030 SAM HOUSTON
LIBERTY, TEXAS 77575
(936) 336-5722 FAX (936) 336-8390**

August 30, 2011

To: All Voting Taxing Units

Re: ARB Nominations

Dear Taxing Units:

The two (2) year term of the following three (3) positions on the Liberty County Appraisal Review Board (ARB) will expire December 31, 2011.

<u>County Pct.#</u>	<u>Board Member</u>
4	Curtis Laird
At Large	Kenneth Riggs
At Large	Winn Skidmore

The Board of Directors has requested you submit a nominee from your area to the district office by 5:00 P.M. on October 21, 2011. The Board will make appointments at their regularly scheduled meeting on Thursday, October 27, 2011 at 9:30 A.M. Please have your nominee **complete the enclosed application** unless they are currently serving on the ARB.

According to Sec. 6.41(c) of the Property Tax Code, to be eligible to serve on the Appraisal Review Board, an individual must be a resident of the Appraisal District for two (2) years, cannot be an officer or an employee of the Appraisal District or a Taxing Unit and can only serve three (3) consecutive terms. Additionally, the law also bars from service a person who contracts for any purpose with the Appraisal District or a Taxing Unit. In addition, all members will be required to attend an ARB training session.

Typically, the ARB meets at 9:00 A.M. once a month and at least twice a week during the months of May and June. ARB members are paid one hundred and fifty dollars per day.

If you should have any questions concerning these nominations, please give me a call.
If your nomination is someone currently on the Board, please do not require them to complete the attached application.

Sincerely,



Alan D. Conner
Chief Administrator

Attachment: CAD Appr Rev Brd Info 2011 (2195 : CAD Appraisal Review Board)

APPLICATION FOR APPRAISAL REVIEW BOARD APPOINTMENT

LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT

APPLICANT INFORMATION

LAST NAME	FIRST NAME	MIDDLE INITIAL
ADDRESS		
CITY		ZIP CODE
SOCIAL SECURITY NUMBER	TELEPHONE NUMBERS: DAYTIME ()	EVENING ()

APPRIASAL REVIEW BOARD QUALIFICATION STATEMENT

Please answer the following questions by checking "Yes" or "No"

1. Are you a resident of the Liberty County Central Appraisal District and have you resided within the District for the past two years? Yes _____ No _____

2. Are you currently employed by or are you an officer or director of the State Comptroller's Office, an appraisal district, or a taxing unit (i.e. county, school district, or special district) in any capacity? Yes _____ No _____
If you answered "Yes" please indicate in what capacity you are employed or serve below:

3. Have you even been employed by or been an officer or director of the Liberty County Central Appraisal District or any taxing unit (i.e. county, school district, city or special district) served by the Liberty County Central Appraisal District? Yes _____ No _____

4. Do you, or does any relative of yours within the second degree by either blood or marriage, do business in the Liberty County Central Appraisal District as a paid property tax agent or as an appraiser who performs appraisals for use in property tax proceedings? Yes _____ No _____

These are the degrees of relationship included:

1st Degree by Consanguinity (blood): Parents, children

1st Degree by Affinity (marriage): Spouse, spouses of relatives listed under consanguinity, stepparents, spouse's children, and stepchildren

2nd Degree by Consanguinity (blood): Grandparents, grandchildren, brothers, and sisters

2nd Degree by Affinity (marriage): Spouse's grandparents, spouse's brothers and sisters

5. Are you, or a business in which you hold substantial interest, a party to a contract with the Appraisal District or with a taxing unit in the District? A substantial interest means that you and your spouse together own at least 10% of the voting stock or shares in the business, or that either of you is a partner, limited partner, or officer of the business entity. Yes _____ No _____

6. Is any relative of either you or your spouse employed by the Liberty County Central Appraisal District?

Relative's Name: _____

Degree of Relationship: _____

7. Do you own property in Liberty County? Yes _____ No _____
If "Yes" are the property taxes current? Yes _____ No _____

PERSONAL BACKGROUND

1. Have you ever been convicted of a felony or of a misdemeanor involving moral turpitude, or are you presently under indictment or other legal accusation of theft or for any felony? If "Yes" explain below the nature of the offense, date, and location: Yes _____ No _____
- _____
- _____

2. Are you a U.S. citizen? Yes _____ No _____
If "No" are you eligible to be employed under a visa or entry permit? Yes _____ No _____

3. Use the space below to list professional society memberships, job related licenses registrations, certificates (with their numbers), and expiration dates. Provide additional comments or information that would be of assistance in considering you for this position.
- _____
- _____
- _____

EDUCATION AND TRAINING

Please indicate your level of education below:

Less than high school education _____ High school education _____ College education _____
Number of years attended college _____
Degree(s) attained _____

WORK HISTORY

(List most recent jobs first)

Include paid or verifiable non-paid experience including military service. If you have had more than one position with the same employer, please list each position separately.

Company Name _____	Address _____
Type of Business _____	Position Held _____ Yrs of Service _____
Company Name _____	Address _____
Type of Business _____	Position Held _____ Yrs of Service _____
Company Name _____	Address _____
Type of Business _____	Position Held _____ Yrs of Service _____
Company Name _____	Address _____
Type of Business _____	Position Held _____ Yrs of Service _____

In your own words, please explain why you would like to serve on the Appraisal Review Board:

I affirm that the information provided in this application is true and correct. I further affirm that to the best of my knowledge and belief, I am not disqualified by law from accepting an appointment to the Appraisal Review Board for the Liberty County Central Appraisal District.

Signature: _____ Date: _____

STATEMENT OF POLICY**131****RE: QUALIFICATIONS AND APPOINTMENT OF ARB MEMBERS****ELIGIBILITY**

TO BE ELIGIBLE TO SERVE ON THE APPRAISAL REVIEW BOARD AN INDIVIDUAL MUST BE A RESIDENT OF THE APPRAISAL DISTRICT FOR AT LEAST TWO (2) YEARS. A MEMBER OF THE BOARD OF DIRECTORS OR AN OFFICER OR EMPLOYEE OF THE COMPTROLLER'S OFFICE, THE APPRAISAL OFFICE, OR A TAXING UNIT IS INELIGIBLE TO SERVE.

AN INDIVIDUAL IS ALSO INELIGIBLE TO SERVE IF THE INDIVIDUAL IS RELATED WITHIN THE SECOND DEGREE OF CONSANGUINITY OR AFFINITY TO AN INDIVIDUAL WHO APPRAISES PROPERTY FOR COMPENSATION FOR USE IN A PROTEST HEARING OR OF REPRESENTING PROPERTY OWNERS FOR COMPENSATION IN A PROCEEDING IN LIBERTY COUNTY.

AN INDIVIDUAL IS ALSO INELIGIBLE TO BE APPOINTED TO OR TO SERVE ON THE APPRAISAL REVIEW BOARD IF THE INDIVIDUAL OR A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HAS A SUBSTANTIAL INTEREST IS A PARTY TO A CONTRACT WITH THE DISTRICT OR WITH A TAXING UNIT THAT PARTICIPATES IN THE DISTRICT. SUBSTANTIAL INTEREST SHALL BE DEFINED AS THE COMBINED OWNERSHIP OF THE INDIVIDUAL AND THE INDIVIDUAL'S SPOUSE OF AT LEAST 10 PERCENT OF THE VOTING STOCK OR SHARES OF THE BUSINESS ENTITY OR THE INDIVIDUAL'S SPOUSE IS A PARTNER, OR OFFICER OF THE BUSINESS ENTITY.

A PERSON WHO HAS SERVED FOR ALL OR PART OF THREE CONSECUTIVE TERMS AS A BOARD MEMBER IS INELIGIBLE TO SERVE ON THE APPRAISAL REVIEW BOARD DURING A TERM THAT BEGINS ON THE NEXT JANUARY 1 FOLLOWING THIRD OF THOSE CONSECUTIVE TERMS.

TERMS

THE LIBERTY COUNTY APPRAISAL REVIEW BOARD WILL CONSIST OF SEVEN (7) MEMBERS WHO SHALL SERVE TWO (2) YEAR, STAGGERED TERMS WITH TERMS OF AS CLOSE TO ONE-HALF (1/2) OF THE MEMBERS EXPIRING EACH YEAR. AN INDIVIDUAL WHO IS INELIGIBLE TO SERVE ON THE BOARD BECAUSE HE HAS SERVED FOR ALL OR PART OF THREE (3) PREVIOUS TERMS ON THE APPRAISAL REVIEW BOARD MAY BE REAPPOINTED TO THE BOARD AFTER THE EXPIRATION OF ONE (1) TWO YEAR TERM.

STATEMENT OF POLICY (CONTINUED)**131****METHOD OF SELECTION**

IT IS THE DESIRE OF THE BOARD OF DIRECTORS FOR THE APPRAISAL REVIEW BOARD MEMBERS TO REPRESENT THE DIFFERENT GEOGRAPHIC AREAS OF THE COUNTY. THEREFORE, THE DIRECTORS WILL STRIVE TO APPOINT ONE RESIDENT MEMBER FROM EACH OF THE FOUR COUNTY PRECINCTS AND AN ADDITIONAL THREE MEMBERS DESIGNATED AS AT LARGE MEMBERS. THE BOARD RESERVES THE RIGHT TO SELECT THE MOST QUALIFIED MEMBER REGARDLESS OF PRECINCT RESIDENCY.

THE BOARD OF DIRECTORS WILL SOLICIT NOMINATIONS FOR EACH ARB POSITION FROM THESE VOTING TAXING UNITS LOCATED IN THE PRECINCT IN WHICH THE POSITION IS LOCATED OR FROM THE LIBERTY COUNTY COMMISSIONERS COURT FOR THE AT-LARGE POSITIONS. THE DIRECTORS, UPON THEIR OWN INITIATIVE, MAY PLACE A NAME OR NAMES IN NOMINATION. A VACANCY ON THE APPRAISAL REVIEW BOARD IS FILLED IN THE SAME MANNER.

COMPENSATION

APPRAISAL REVIEW BOARD MEMBERS SHALL BE COMPENSATED AS PROVIDED BY THE APPRAISAL DISTRICT'S BUDGET. MEMBERS SHALL BE ENTITLED TO RECEIVE ONE HUNDRED (\$150.00) PER MEETING BEGINNING JUNE 26, 2008.

DUTIES AND RESPONSIBILITIES

THE APPRAISAL REVIEW BOARD IS STATUTORILY RESPONSIBLE FOR THE REVIEW OF THE APPRAISAL RECORDS FOR ACCURACY AND UNIFORMITY AND FOR THE HEARING OF TAXPAYER PROTEST AND TAXING UNIT CHALLENGES. THE APPRAISAL REVIEW BOARD SHALL ADOPT RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF THEIR MEETINGS.

IMPROPER COMMUNICATION

A MEMBER OF THE APPRAISAL REVIEW BOARD MAY NOT COMMUNICATE WITH ANOTHER PERSON CONCERNING A PROPERTY THAT IS SUBJECT OF A PROTEST EXCEPT DURING A HEARING ON ANOTHER PROTEST OR OTHER PROCEEDING BEFORE THE BOARD WHICH THE PROPERTY IS COMPARED TO OTHER PROPERTY OR USED IN A SAMPLE OF PROPERTIES. IF A BOARD MEMBER HAS COMMUNICATED WITH ANOTHER PERSON IN VIOLATION OF THIS PROVISION, THE MEMBER MUST BE EXCUSED FROM THE

STATEMENT OF POLICY (CONTINUED)**131**

PROCEEDING AND MAY NOT HEAR, DELIBERATE ON, OR VOTE ON THE DETERMINATION OF PROTEST. A BOARD MEMBER WHO IS EXCUSED MAY BE TEMPORARILY REPLACED BY ANY PERSON WHO HAS PREVIOUSLY SERVED ON THE APPRAISAL REVIEW BOARD, AND STILL MEETS THE OTHER ELIGIBILITY REQUIREMENTS. IF NO OTHER FORMER MEMBER IS AVAILABLE, THE CHAIRMAN OF THE APPRAISAL REVIEW BOARD MAY SELECT ANY PERSON WHO IS OTHERWISE QUALIFIED FOR MEMBERSHIP AS A TEMPORARY REPLACEMENT. AN ALTERNATE MEMBER WILL BE PAID THE SAME AS A REGULAR APPRAISAL REVIEW MEMBER.

REMOVAL OF ARB MEMBER

ACCORDING TO SEC. 6.41(F) OF THE PROPERTY TAX CODE, AN ARB MEMBER MAY BE REMOVED BY MAJORITY VOTE OF THE BOARD OF DIRECTORS GROUNDS FOR REMOVAL ARE:

1. A VIOLATION OF SECTION 6.412 OR 6.413;
2. GOOD CAUSE RELATING TO ATTENDANCE AT CALLED MEETINGS, MEMBERS ARE REQUIRED TO ATTEND AT LEAST 66 2/3 % OF CALLED MEETINGS.

TRAINING

A MEMBER OF THE APPRAISAL REVIEW BOARD MAY NOT PARTICIPATE IN A HEARING CONDUCTED BY THE BOARD UNLESS THE PERSON HAS COMPLETED AN ARB TRAINING COURSE AS PROVIDED BY SECTION 5.041 OF THE TEXAS PROPERTY TAX CODE.

REVISED 06/26/08
REVISED 07/22/10



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.3

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2196)

DOC ID: 2196



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.1

Meeting: 09/27/11 06:00 PM

Department: Administration
Category: Projects

WORK SESSION (ID # 2193)

DOC ID: 2193