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 3, 2013 **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	☐	☐	☐	
Councilperson Diane Huddleston	☐	☐	☐	
Councilperson Dennis Beasley	☐	☐	☐	
Councilperson Frank Jordan	☐	☐	☐	
Councilperson Louie Potetz	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

III. PUBLIC HEARINGS

1. Public Hearing (ID # 2804)

Proposed Tax Rate for Fiscal Year 2013-2014.

IV. REGULAR AGENDA

A. Regular Session

1. Work Session (ID # 2805)

Discussion of the Proposed Budget for Fiscal Year 2013-2014.

2. Resolution (ID # 2806)

Consider a Resolution to Request Compensation for Services Rendered by the City of Liberty to Liberty County.

V. 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 30th day of August, 2013 at 3:00 p.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 _____, 2013.

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/03/13 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 2804)

DOC ID: 2804

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/03/13 06:00 PM

Department: Administration
Category: Budget

WORK SESSION (ID # 2805)

DOC ID: 2805

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/03/13 06:00 PM

Department: Administration
Category: Miscellaneous Issues

RESOLUTION (ID # 2806)

DOC ID: 2806 A

A RESOLUTION BY THE CITY COUNCIL OF LIBERTY, TEXAS SEEKING PAYMENT FROM LIBERTY COUNTY FOR SERVICES RENDERED BY THE CITY OF LIBERTY FIRE DEPARTMENT TO LIBERTY COUNTY

WHEREAS, the City of Liberty maintains and staffs Fire Department 24 hours per day and 7 days per week; and

WHEREAS, Liberty County requests mutual aid assistance from the City of Liberty Fire Department from time to time; and

WHEREAS, the City of Liberty has been reimbursed by Liberty County for providing said fire services to Liberty County for many years; and

WHEREAS, the City Council of the City of Liberty caused to be executed, an agreement with Liberty County on July 23, 2013 wherein the City would be reimbursed by Liberty County for fire services rendered in the County by the City; and

WHEREAS, the previous agreement for fire services expired in October 2012; and

WHEREAS, the City of Liberty continued to provide fire services in good faith upon request of Liberty County throughout 2012 and 2013; and

WHEREAS, the City of Liberty reasonably expected to be reimbursed by Liberty County for the fire services provided during 2012 and 2013; and

WHEREAS, the City of Liberty provided mutual aid to Liberty County at Liberty County's request at five (5) structure fires, seven (7) grass fires, one (1) rescue, and one (1) landing zone; and

WHEREAS, the expected rate of reimbursement from Liberty County for the services provided is $5,200.00 based on a schedule promulgated by Liberty County; and

WHEREAS, Liberty County has failed to pay the City of Liberty for the services provided; and

WHEREAS, the City of Liberty has a reasonable expectation of reimbursement under various legal theories including but not limited to promissory estoppel, quantum meruit, and/or

unjust enrichment; and

WHEREAS, Liberty County requested and received the benefits of using the City of Liberty Fire Department without paying for the services or giving any indication that it would not pay for services as it had in the past; and

WHEREAS, the City Council seeks reimbursement from Liberty County for fire services provided.

NOW, THEREFORE, Be It Resolved by the City Council of Liberty, Texas that:

The City of Liberty provided Fire Services to Liberty County with the reasonable expectation of being reimbursed by the County for services. Liberty County requested that the City provide mutual aid fourteen (14) times between October 2012 and July 2013. The City of Liberty hereby makes a claim for and demands payment of $5,200.00, a number based on a fee schedule promulgated by Liberty County, within thirty (30) days.

PASSED AND APPROVED this the _____ day of _____, 2013

City of Liberty, Texas

_____

Carl Pickett, Mayor

ATTEST:

_____

Dianne Tidwell, City Secretary