



The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, February 28, 2017

12:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Present	
Dennis Beasley	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

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.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the audience.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 3726)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported:

- 1) keep employee Terri Lunceford in your prayers due to the passing of her new grandbaby,
- 2) the Express Feeder has been approved for construction by the Sam Rayburn Municipal Power Agency, and

3) Entergy has been working on their transmission lines, causing the City to be put on a single feed from Dayton on March 6, 7, and 8.

2. Information Item (ID # 3727)

Finance Report - Finance Dir. N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financials from October 1, 2016 thru January 31, 2017. Ms. Herrington stated that revenues and expenditures in the General Fund are both \$2.7 million, sales tax and property tax collections are down, however, cash in bank for the General Fund is \$3.1 million. Ms. Herrington further reviewed the revenues and expenditures for the various remaining funds.

IV. REGULAR AGENDA

A. Regular Session

1. Ordinance 2017-6

Consider adoption of an Ordinance of the City of Liberty, Texas annexing a 224 acre (0.35 square miles) tract of land, providing for the extension of certain boundary limits of the City to include certain territory described by Liberty County Appraisal District Records as Property ID #13399 and #13305; providing that annexed territory bears pro rata part of taxes; adopting a Service Plan for the annexed properties; authorizing the Mayor to execute a Development Agreement for property identified by Liberty County Appraisal District Records as Property ID #13567 for the property to remain in the extraterritorial jurisdiction of the City; providing a savings clause; and dispensing with the requirement of Section 3.10 of the Home Rule Charter that all ordinances be read on two separate days.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 224 ACRE (0.35 SQUARE MILES) TRACT OF LAND, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY TO INCLUDE CERTAIN TERRITORY DESCRIBED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID #13399 AND #13305; PROVIDING THAT ANNEXED TERRITORY BEARS PRO RATA PART OF TAXES; ADOPTING A SERVICE PLAN FOR THE ANNEXED PROPERTIES; AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT FOR PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID #13567 FOR THE PROPERTY TO REMAIN IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY; PROVIDING A SAVINGS CLAUSE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Mr. Art Pertile, Olson & Olson, LLP was present to report on the annexation process to include notification of the property owners, agreements, public hearings, and other related

issues. Mr. Pertile described the property to be annexed, none of which include any residences.

A motion was made to adopt the Ordinance providing for the extension of certain boundaries of the City of Liberty, described as a 224 acre (0.35 square miles) tract of land, to include certain territory described by Liberty County Appraisal District Records as Property ID #13399 and #13305.

ATTACHMENTS:

- Ord Phase III-Exhibit 1-Prop Annexed (PDF)
- Ord Phase III-Exhibit 2-Service Plan (PDF)
- Ord-Phase III-Exhibit 3-Ag Dev Agrmnt (PDF)
- Ord-Phase III-Exhibit 4-Map Annexed & Not Annexed (PDF)

RESULT:	ADOPTED [5 TO 1]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold
NAYS:	Louie Potetz
ABSENT:	Paul Glazener

2. Resolution 2017-3

Consider a Resolution declaring the intention of the City of Liberty, Texas, to annex certain territory described as .8 square miles beginning at southeast corner of the Baylor University Tract recorded in the Official Public Records, Liberty County, Texas having coordinates of N:9988894.72, E:4053081.60; setting the dates, times, and places for two public hearings at which all interested parties shall have an opportunity to be heard; providing for publication of notices of such public hearings; and directing preparation of a Municipal Service Plan for the territory proposed to be annexed.

COMMENTS - Current Meeting:

Mr. Art Pertile, Olson & Olson LLP was present to discuss the proposed Phase IVa Annexation. Mr. Pertile described the proposed annexation as five (5) properties, three (3) being ag exempt properties. Mr. Pertile further reviewed the process to include notification of property owners, annexation packets, agreements, and public hearing dates. This property is described as .8 square miles (512 acres) beginning at the Southeast Corner of the Baylor University Tract recorded in the Official Public Records, Liberty County, Texas having coordinates of N:9988894.72, E:4053081.60.

Public Hearings on the Phase IVa annexation are scheduled for Tuesday, April 11, 2017 at 6:00 p.m., and Tuesday, April 18, 2017 at 12:00 p.m.

A motion was made to approve the Resolution of Intent to annex the above-mentioned property.

ATTACHMENTS:

- Resolution of Intent-Exhibit A (PDF)

RESULT:	APPROVED [5 TO 1]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold
NAYS:	Louie Potetz
ABSENT:	Paul Glazener

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:25 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary