



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, June 5, 2018

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	Arrived
Mayor Carl Pickett	☐	☐	☐	
Mayor Pro Tem Diane Huddleston	☐	☐	☐	
Councilperson Dennis Beasley	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	
Councilperson Paul Glazener	☐	☐	☐	
Councilperson Chipper Smith	☐	☐	☐	

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. PRESENTATIONS / REPORTS

1. Information Item (ID # 4132)

Project Updates - City Mgr. G. Broz

2. Information Item (ID # 4133)

Mayor, Council & Staff Comments

IV. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 4135)

Presentation by, and discussion with, Boomerang Tube, LLC on possible expansion.

2. Ordinance (ID # 4134)

CONSIDER ADOPTION OF AN ORDINANCE, PURSUANT TO A VOLUNTARY REQUEST BY THE PROPERTY OWNER, ANNEXING THE HEREINAFTER DESCRIBED 120.5 ACRE TRACT OF ADDITIONAL TERRITORY TO THE CITY OF LIBERTY, LIBERTY COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITH SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

- Annexation Ordinance-Exhibit A (PDF)
- Annexation Ordinance-Exhibit B (PDF)

3. Information Item (ID # 4136)

Discussion of various proposed fees for the Liberty Municipal Golf Course.

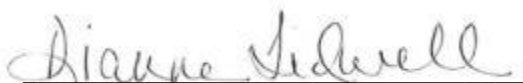
4. Ordinance (ID # 4137)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

V. ADJOURNMENT

Motion To: Adjourn

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 1st day of June, 2018 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 _____, 2018.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

3.1

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4132)

DOC ID: 4132



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

3.2

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Comments

INFORMATION ITEM (ID # 4133)

DOC ID: 4133



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.1

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Miscellaneous Issues

INFORMATION ITEM (ID # 4135)

DOC ID: 4135



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.2

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Annexation

ORDINANCE (ID # 4134)

DOC ID: 4134

AN ORDINANCE, PURSUANT TO A VOLUNTARY REQUEST BY THE PROPERTY OWNER, ANNEXING THE HEREINAFTER DESCRIBED 120.5 ACRE TRACT OF ADDITIONAL TERRITORY TO THE CITY OF LIBERTY, LIBERTY COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITH SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the owner of a 120.5 acre tract of land located in the James Martin survey of Liberty County, Texas, commonly known as the Magnolia Ridge Country Club, has submitted a written request for the City of Liberty to annex that tract; and

WHEREAS, the Texas Local Government Code and/or Section 1.03 of the Charter of the City of Liberty, Texas, an incorporated home rule municipality, authorizes the annexation of territory subject to the laws of this state; and

WHEREAS, an offer of a development agreement pursuant to the Texas Local Government Code has been rejected; and

WHEREAS, the procedures prescribed by Section 1.03 of the Charter of the City of Liberty, Texas and the laws of this state have been duly followed with respect to the territory described in Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

Section 1: That the 120.5 acre tract of property located in the James Martin Survey, Abstract No. 73, said property being more fully described in Exhibit A, is hereby annexed to the City of Liberty, Liberty County, Texas, and that the boundary limits of the City of Liberty be and the same are hereby extended to include the above described territory within the city limits of the City of Liberty, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Liberty and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

A service plan for the area is hereby adopted and attached as Exhibit B.

The City Secretary is hereby directed to file with the County Clerk of Liberty County, Texas, a certified copy of this ordinance.

Section 2: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a special meeting of the City Council of the City of
Liberty, this 5th day of June, 2018.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

EXHIBIT A

STATE OF TEXAS)
COUNTY OF LIBERTY)

FIELD NOTES of a 120.5 acre tract of land situated in the James Martin Survey, Abstract No. 73, Liberty County, Texas, being all of a 100.222 acre tract of land conveyed to Magnolia Ridge Country Club by Wendell Smith in deed dated August 22, 1952, and recorded in Volume 374 at Page 531 of the Deed Records of Liberty County, Texas, a 20 acre tract of land conveyed to Magnolia Ridge Country Club by Richard W. Smith in deed dated October 1, 1962, and recorded in Volume 544 at Page 518 of the Deed Records of Liberty County, Texas, and a boundary line agreement between Magnolia Ridge Country Club and Richard W. Smith recorded in Volume 544 at Page 520 of the Deed Records of Liberty County, Texas. This 100.222 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON MONUMENTS FOUND AND PLAT BEARINGS IN THE WEST LINE OF SECTION "A" BLOCK 2 OF COUNTRY CLUB ESTATES AS RECORDED IN VOLUME 6 AT PAGE 36 OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS. REFERENCE IS MADE TO PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION. ALL ½ INCH IRON RODS SET HEREON ARE CAPPED AND STAMPED "MCHANDLER 5292".

BEGINNING at a ¾ inch iron pipe found for the Southwest corner of this tract of land, the Southwest corner of said 100.222 acres, and the Northwest corner of Section "A" Block 1 of said subdivision in the East right of way line of County Road 150, 70 foot wide right of way.

THENCE in a Northerly direction with the West lines of this tract of land, the West lines of said 100.222 acres, and the East right of way line of County Road 150 the following courses:

North 03°33'40" East, 385.55 feet to a ½ inch iron rod set;

North 04°04'50" East, 511.42 feet to a ½ inch iron rod set;

North 00°18'50" West, 220.76 feet to a 5/8 inch iron rod found for an angle corner of this tract of land, an angle corner of said 100.222 acres, the Northeast corner of County Road 150, and an angle corner of 37.741 acres called Tract Fifth-A conveyed to Michael L. Riley, et ux, by Horace A. Calvert, et ux, in deed dated December 11, 2007, and recorded in Clerk's File No. 2007016909 of the Official Public Records of Liberty County, Texas.

THENCE in a Northerly direction with the West lines of this tract of land, the West lines of said 100.222 acres, and the East lines of said 37.741 acres the following courses:

North 03°39'35" East, 643.54 feet to a 1 inch iron pipe found;

North 66°02'29" West, 43.13 feet to a ¾ inch iron pipe found;

North 02°10'00" East, 439.00 feet to a ½ inch iron rod set;

North 27°37'50" West, 290.19 feet to a ½ inch iron rod set;

PAGE NO. 2 – 120.5 ACRES

North 27°27'00" West, 159.41 feet to a 2 inch iron pipe found;
 North 03°33'40" East, 372.16 feet to a ¼ inch iron pipe found for the Northwest corner of this tract of land, the Northwest corner of said 100.222 acres, the Northeast corner of said 37.741 acres, and an angle corner in the South line of 108.993 acres called Tract Fifth-B conveyed to Michael L. Riley, et ux, by Horace A. Calvert, et ux, in deed dated December 11, 2007, and recorded in Clerk's File No. 2007016909 of the Official Public Records of Liberty County, Texas.

THENCE in an Easterly direction with the North lines of this tract of land, the North lines of said 100.222 acres, and the South lines of said 108.993 acres the following courses:

North 60°30'50" East, 528.47 feet to a ¾ inch iron pipe found;
 North 76°06'20" East, 590.44 feet to a ¾ inch iron pipe found;
 North 75°42'57" East, 254.72 feet to a ¾ inch iron pipe found;
 South 86°47'44" East, 389.90 feet to a ¾ inch iron pipe found for a Northeast corner of this tract of land, the Northeast corner of said 100.222 acres, the North corner of said boundary line agreement, the Southeast corner of said 108.993 acres, and the Northwest corner of Bobolink Drive, 56 foot wide unimproved right of way.

THENCE South 03°23'15" West with an East line of this tract of land, an East line of said 100.222 acres, the line of said boundary line agreement, the West line of said Bobolink Drive, and the West line of Section "F" Block 1 of said subdivision a distance of 236.46 feet to a ¼ inch galvanized iron pipe found bent for an interior corner of this tract of land, the Northwest corner of said 20 acres, and the Southwest corner of said Section "F" Block 1.

THENCE South 88°10'24" East with a North line of this tract of land, a North line of said 20 acres, and the South line of said Section "F" Block 1 a distance of 935.35 feet to a 3/8 inch iron rod found at a ¼ inch galvanized iron pipe for the most Easterly Northeast corner of this tract of land, the Northeast corner of said 20 acres, the Southeast corner of said Section "F" Block 1, and in the West right of way line of Hummingbird Lane, 56 foot wide unimproved right of way.

THENCE South 01°58'16" West with an East line of this tract of land, the East line of said 20 acres, and the West right of way line of Hummingbird Lane, 56 foot wide right of way, a distance of 918.00 feet to a 3/8 inch iron rod found at a ¾ inch galvanized iron pipe for the most Easterly Southeast corner of this tract of land, the Southeast corner of said 20 acres, and the Northeast corner of Section "A" Block 3 of said subdivision.

THENCE North 88°10'24" West with a South line of this tract of land, the South line of said 20 acres, and the North line of said Section "A" Block 3 a distance of 959.36 feet to a ¼ inch galvanized iron pipe found for an interior corner of this tract of land, the Southwest corner of said 20 acres, in the East line of said 100.222 acres, in the line of said boundary line agreement, and the Northwest corner of said Section "A" Block 3.

PAGE NO. 3 – 120.5 ACRES

THENCE in a Southerly direction with the East and South lines of this tract of land, the East and South lines of said 100.222 acres, the line of said boundary line agreement, and the West and North lines of Section "A" Block 3 through 1 of said subdivision the following courses:

South 03°31'14" West, 143.69 feet to a ¾ inch iron pipe found;
 South 02°47'44" West, 387.73 feet to a ¾ inch iron pipe found;
 South 08°49'37" West, 94.42 feet to a ¾ inch iron pipe found;
 South 07°52'40" West, 1061.15 feet to a ¾ inch iron pipe found;
 South 59°44'10" West, 635.38 feet to a ¾ inch iron pipe found;
 South 65°07'30" West, 219.02 feet to a ½ inch iron rod set;
 South 49°53'10" West, 329.93 feet to a capped iron rod found;
 North 85°10'23" West, 305.83 feet to the PLACE OF BEGINNING, containing

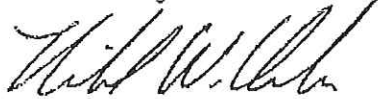
within said boundaries 120.5 acres of land, more or less.

SURVEYED: March and April, 2018

SURVEYOR'S CERTIFICATE

I, Michael W. Chandler, Reg. Professional Land Surveyor Number 5292 do hereby certify that the foregoing field notes were prepared from an actual survey made on the ground under my supervision on the date shown and that all lines, boundaries and landmarks are accurately described therein.

WITNESS my hand and seal at Mont Belvieu, Texas, this the 10th., day of April, A.D., 2018.



REG. PROFESSIONAL LAND SURVEYOR
 NO. 5292
 18-4099.FDN





EXHIBIT B

**CITY OF LIBERTY
MUNICIPAL SERVICE PLAN
2018
Voluntary Annexation**

I. INTRODUCTION

This Municipal Service Plan ("Plan") is made by the City of Liberty, Texas ("City") pursuant to Section 43.056 of the Texas Local Government Code. This Plan is related to the proposed 2018 voluntary annexation of the Magnolia Ridge Country Club by the City of a tract of land comprised of 120.5 acres located in the James Martin Survey, Abstract No. 73 and being further described in Exhibit A attached hereto (the "Tract"). The Tract is adjacent to the present city limit lines.

II. SERVICE PROGRAMS

Scope and Quality of Services. Services under this Plan shall equal or exceed the number of services and the level of services in existence in the Tract immediately preceding annexation or which are otherwise available in other areas of the City with land uses and population densities similar to those reasonably contemplated or projected in the Tract. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City where differing characteristics of topography, land utilization and population density are considered as a sufficient basis for providing differing service levels. It is not the intent of this Plan to require a landowner in the tract to fund any capital improvements that may be necessary to provide services in a manner inconsistent with the requirements of V.T.C.A., Local Government Code Section 395.001 et seq.

FIRE

Existing Services: None

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by the City of Liberty Fire Department. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

POLICE

Existing Services: Liberty County Sheriff's Department

Services to be Provided: Currently, the area is under the jurisdiction of the Liberty County Sheriff's Office. However, upon annexation, the City of Liberty Police

Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Liberty.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Liberty's Code of Ordinances will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Liberty's Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

STREET

Existing Services: County Street Maintenance

Services to be Provided: Maintenance to the street facilities will be provided by the City of Liberty upon the effective date of the annexation. This service can be provided within the current budget appropriation.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: The City of Liberty will provide drainage services to the annexed areas in the same or similar manner in which they provide said services to

similarly situated areas of town.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Liberty will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: The Traffic Engineering Department will be able to provide, after the effective date of annexation, any additional traffic control devices.

WATER SERVICE

Existing Services: Minglewood Water Supply Corporation

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service may be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

ELECTRIC SERVICE

Existing Services: Entergy

Services to be Provided: Electric service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, electric service may be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service may be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Liberty's established policies governing extension of municipal services to newly annexed areas.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.3

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Golf Course

INFORMATION ITEM (ID # 4136)

DOC ID: 4136



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

4.A.4

Meeting: 06/05/18 06:00 PM

Department: Administration
Category: Golf Course

ORDINANCE (ID # 4137)

DOC ID: 4137 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HEREWITH ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City previously adopted a Master Fee Schedule which sets forth all rates and fees charged by the City of Liberty; and

WHEREAS, the City Council finds it more efficient to have the City's fees set in one Ordinance, which can be amended as necessary by Ordinance; and

WHEREAS, the attached "Exhibit A" represents the various rates and fees to be charged by the City related to the Liberty Municipal Golf Course.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

Section 1.

That all rates or schedules of rates which are in conflict herewith are to the extent of such conflict only, expressly amended, changed and repealed.

Section 2.

That the fee schedule attached hereto as "Exhibit A" amends the previous Master Fee Schedule to include the new rates shown in "Exhibit A" providing for rates and fees to be charged for the Liberty Municipal Golf Course and is hereby adopted as fully set forth herein.

Section 3.

That the Ordinance containing all current rates and fees charged by the City of Liberty shall take effect June 5, 2018.

Section 4.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with.

PASSED AND ADOPTED this the 5th day of June 2018.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary