



The City of Liberty
City Council
Regular Meeting
~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, May 13, 2008

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

6:00 PM Meeting called to order on May 13, 2008 at City Council Chambers, 1829 Sam Houston, Liberty, TX.

Attendee Name	Present	Absent	Late	Arrival
Mayor Carl Pickett	..	..	..	
Councilperson Dennis Beasley	..	..	..	
Councilperson Diane Huddleston	..	..	..	
Councilperson Mike McCarty	..	..	..	
Councilperson Charles McGuire	..	..	..	
Councilperson Al Simonson	..	..	..	
Councilperson Louie Potetz	..	..	..	
Councilman Frank Jordan	..	..	..	

There are eight names on the Roll Call for this meeting due to newly elected officials taking office and the outgoing members stepping down.

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. ITEMS OF INTEREST

A. Miscellaneous Correspondence

VI. PRESENTATIONS / REPORTS

1. Information Item 2008-16

Geraldine D. Humphreys Cultural Center Expansion Project

2. Information Item 2008-17

Texas Water Development Board Project

- Attachment #1 - 4_29_08StatuswithFinancials (PDF)

3. Information Item 2008-18

Recycling Report

4. Information Item 2008-19

Financial Report

5. Information Item 2008-20

Tree Trimming Report

- Attachment #2 - TREES INC (PDF)

6. Information Item 2008-21

Digital Billboards

- Attachment #3 - Scenic Texas Digital Billboards (PDF)

7. Information Item 2008-23

Liberty County Hospital District No. 1

VII. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Tuesday, April 08, 2008

VIII. REGULAR AGENDA**A. Regular Session****1. Resolution 2008-11**

Canvass Returns of the City of Liberty General Election Held on May 10, 2008 and Take Action on Resolution for Same.

2. Resolution 2008-12

Canvass Returns of the City of Liberty Special Election Held on May 10, 2008 and Take Action on Resolution for Same.

3. Information Item 2008-22

Oath of Office to be Administered to Newly Elected Officials.

4. Council Action 2008-7

Elect a Mayor Pro Tem.

5. Ordinance 2008-5

Consider an Ordinance Ordering Adoption of the Charter Amendments Approved by the Voters in the May 10, 2008 Special Election.

6. Council Action 2008-8

Consider Approval of Compensation to be Paid to the Election Officials for the May 10, 2008 General and Special Elections.

7. Council Action 2008-9

Consider Approval of Schaumburg & Polk Task Order on Audit of Hardin & Ames Wastewater Agreements.

FISCAL IMPACT:

Management is aware that a budget amendment in the Water/Wastewater fund may be necessary for this project.

Naomi Herrington

- Attachment #4 - Task Order 6 Hardin Ames Audit (PDF)

8. Council Action 2008-10

Consider Approval of the Proposed Preliminary Plat of the Love Subdivision Located on Hwy. 146 North.

- Attachment #5 - Love Plat (PDF)
- Attachment #6 - Love Subdivision (TIF)

9. Council Action 2008-11

Consider Approval of Proposals Received for Medical & Dental Insurance.

- Attachment #7 - City of Liberty Group review 6-1-2008 (XLS)
- Attachment #8 - City of Liberty Group Suggestions 6-1-2008 (DOC)

10. Council Action 2008-12

Consider Approval of Proposals Received for Group Life Insurance.

- Attachment #9 - City of Liberty Group review 6-1-2008 (XLS)
- Attachment #10 - City of Liberty Group Suggestions 6-1-2008 (DOC)

11. Council Action 2008-13

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1 for The Maintenance of Streets, Roads, Ditches and Recreational Areas.

- Attachment #11 - Interlocal Agreement with Liberty County Precinct 1 (PDF)

12. Council Action 2008-14

Consider Appointments to the Planning and Zoning Commission.

13. Council Action 2008-15

Consider Appointments to the Liberty Community Development Corporation Board of Directors.

14. Council Action 2008-16

Consider Setting the Date, Time and Location for a City Council and Staff Workshop to Set Goals, Objectives and Action Plans.

B. Executive Session

Consultation With Attorney. Pending Litigation with Liberty-Dayton Community Hospital. Gov. Code §551.071.

C. Reconvene into Regular Session

1. Consider and take action, if any, on pending litigation with Liberty-Dayton Community Hospital.

IX. COUNCIL MEAL**X. 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 7th day of May, 2008 at 2:00 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 given to The Vindicator, Liberty Gazette, and KSHN Radio.

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 _____, 2008.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Library
Category: Presentations

INFORMATION ITEM 2008-16

DOC ID: 1076

Geraldine D. Humphreys Cultural Center Expansion Project

EXPLANATION:

Architect Richard Edwards will present a progress report with visuals on the library expansion project.

Dana Abshier

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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM 2008-17

DOC ID: 1095

Texas Water Development Board Project

Steve Jordan, Schaumburg & Polk will provide an update on the progress of the Texas Water Development Board Clean Water State Revolving Fund Project.

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April 29, 2008

Ronald Wood, City Manager
City of Liberty
1829 Sam Houston
Liberty, Texas 77575

SENT VIA EMAIL

Re: Texas Water Development Board Clean Water State Revolving Fund (CWSRF) No. 72124
Project Status and Financial Expenditure Report

Dear Mr. Wood,

Pursuant to your request, the purpose of this letter is to provide an up-to-date status report on the progress and financials for the above referenced project. The following table was taken from the Budget for the CWSRF loan:

Project Items		Total Budget (\$)
Construction		
	WWTP Improvements	\$2,883,000
	Collection System	3,300,000
	Subtotal Construction	\$6,183,000
Engineering		
	Planning	
	SSES	\$300,000
	Environmental	\$38,000
	Engineering Report	\$40,000
	Subtotal Planning	\$378,000
	Design	275,460
	Construction	130,000
	Subtotal basic engineering	783,460
Special Engineering		
	Inspection	176,500
	O&M Manual	30,000
	Geotech and Testing	27,000
	Surveying	120,000
	Subtotal Other Engineering	\$353,500
	Financial Advisor	\$70,500
Financial, Legal & Administrative		
	Bond Counsel	30,000
	Bond Insurance	42,500
	Administration	45,000
	Attorney General	8,100
	Bond Issuance	21,925
	Loan Origination Charge	147,128
	Other (computer, application)	
	Subtotal	\$365,153
Contingencies		\$414,887
		<u>\$8,100,000</u>

F:\City of Liberty\4_22_08StatuswithFinancials.doc

Attachment # 1: 4_29_08StatuswithFinancials (INF-2008-17 : Texas Water Development Board Project)

We do not have the information as to the expenditures to-date under the Financial, Legal, and Administrative areas, therefore, we will confine our report and comments to the other areas.

To date, Engineering Expenditures are as follows:

SSES	\$73,000
Environmental	\$15,000
Engineering Report	\$20,000
Design	\$61,700
Surveying	\$ 7,000
Total:	\$176,700

The Status and schedule of upcoming activities for these items are as follows:

Sanitary Sewer Evaluation Survey (SSES) – The field work began in late summer of 2007 and consisted mainly of manhole physical inspections. High groundwater and wet conditions precluded smoke testing. In August, it was decided to suspend smoke testing until conditions were dry enough for good results. The data gathered to that point was entered into a database, the map corrected, and quality control performed in order to prepare for the re-start of the field work. Smoke testing was resumed in April, 2008. We anticipate the smoke testing to continue through June, 2008. ADS Environmental, Inc. is currently evaluating the City's sewer collection system for the installation of flow monitors. We anticipate the flow monitors to be installed sometime in the next month. These monitors will record the system flow patterns in both dry and rainy conditions for the hydraulic analysis. The hydraulic analysis will begin once all field work and flow monitoring is completed and entered into a database. The culmination of the field work, flow monitoring, and hydraulic analysis will be the SSES final report with recommendations for improvements within the collection system. A draft report of the SSES is scheduled to be submitted to the City in October, 2008. This schedule has not changed.

The Environmental and Engineering Reports are nearly complete for the improvements to the wastewater treatment facility. Once completed, these will be submitted to the Texas Water Development Board, as well as all required regulatory agencies, for review. The approval of these documents will allow the next release of funds from the loan proceeds. The approvals can take as long as ninety days or more, depending on the agency. Expenditures for Design and Surveying are related to the preliminary design of improvements to the wastewater treatment plant. Final plans and specifications are scheduled to be submitted to the Texas Water Development Board for review by September, 2008. This schedule has not changed.

Should you have any questions or need additional information, please do not hesitate to call.

Sincerely,
SCHAUMBURG & POLK, INC.



Steve J. Jordan, P.E.
Project Manager

CC. File

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2008-18

DOC ID: 1077

Recycling Report

EXPLANATION:

Councilperson Huddleston will report on various recycling issues.

Dianne Tidwell

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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2008-19

DOC ID: 1087

Financial Report

EXPLANATION:

Finance Director Naomi Herrington will be present to answer any questions regarding the current Financial Report.

Dianne Tidwell

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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Electric
Category: Reports

INFORMATION ITEM 2008-20

DOC ID: 1090

Tree Trimming Report

EXPLANATION:

The representative for TREES INC., arrived at 9:30 AM as agreed upon, to go over tree trimming job and price quotation. He went over the entire route that I had prepared for him with maps and written instructions. We also had a thorough conversation and understanding about the proposed project.

Flo, TREES INC. Rep, told me that they could do the job for \$36,000.00

I agreed that was acceptable.

Within 24 hours we will have a contract for our approval and for signing and we will also send TREES INC. a letter of acceptance.

If we get this done this week, they will be in Liberty trimming as early as next week. I whole heartedly recommend we accept their offer. It is a fair price (also the lowest of 2 other companies that also gave quote on exact same job) and they have a fine reputation.

Randy Wiggins

.

**TREES, INC.**

650 N. Sam Houston Prkwy E.
Suite 209
Houston, Texas 77060
866-865-9617 (office)
281-260-0728 (fax)

April 30, 2008

Randy Wiggins
Electrical Superintendent
City of Liberty
1829 Sam Houston
Liberty, Texas 77575

Re: City of Liberty – Revised Bid Proposal

Dear Randy,

Trees, Inc. appreciates the opportunity to review and revise our original bid proposal dated November 15, 2007. Enclosed please find City of Liberty's "Scope of Work" and Trees, Inc. bid proposal.

Trees, Inc. has developed its business model around customer satisfaction. This model has driven our growth in the industry and is one of the primary reasons we have been successful for over 50 years. Our experience in providing quality vegetation management services, listening to our customers, and developing strong working relationships will be the driving force behind our successful partnership with the City of Liberty.

Please call me if you have any questions – 832-347-6255

Sincerely,

Flo Tijerina
Manager
ftijerina@treesinc.com

ft:ss
Enclosures (2)

Attachment # 2: TREES INC (INF-2008-20 : Tree Trimming Report)



Trees, Inc.

***Vegetation Proposal for work to be performed in the
City of Liberty, Texas***

\$36,492.10



May 1, 2008

Trees, Inc.
650 N. Sam Houston Prkwy E.
Suite 209
Houston, Texas 77060

RE: City of Liberty Tree Trimming Proposal

Dear Sirs,

I have reviewed your bid proposal and scope of services concerning tree trimming activities associated with electrical lines in the City of Liberty. Your proposal is to complete the scope of services as identified for a total cost of \$36,492.10.

I am approving this proposal on behalf of the City Liberty. The starting date has been discussed with Randy Wiggins and I understand that the starting date will occur the week of May 5, 2008. We expect that the work will be completed between 30 and 60 days.

Sincerely,

A handwritten signature in black ink that reads "Ronald R. Wood".

Ronald R. Wood
City Manager
City of Liberty

Attachment # 2: TREES INC (INF-2008-20 : Tree Trimming Report)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2008-21

DOC ID: 1092

Digital Billboards

City Manager Ron Wood will report on this issue.

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3015 Richmond Avenue, Suite 220
Houston, Texas 77098
713.533.9149
fax 713.629.0485

March 26, 2008

Carl Pickett
Mayor Of Liberty
1829 Sam Houston St
Liberty, TX 77575-4742

***RE: ALERT: NEW TXDOT RULES ALLOW DIGITAL BILLBOARDS IN CITIES.
PLEASE FORWARD TO CITY MANAGER, COUNCIL MEMBERS & CITY ATTORNEY***

Dear Mayor Pickett

On February 28, 2008, the TxDOT highway commissioners voted to allow multi-colored electronic changeable message light emitting diode (LED) billboards in your city and your city's extraterritorial jurisdiction (ETJ) beginning June 1, 2008. Unless you take immediate action, you may soon have signs that look like giant color TV screens with brilliant messages dominating your city's appearance. But, unlike a TV, you will have no control over the on/off button and no ability to switch stations since content is protected by the First Amendment Free Speech clause.

What exactly will happen? On June 1, the new rules will allow outdoor advertisers to apply for an unlimited number of LED permits across the state. The applications will be to erect brand new LED billboards or to convert existing billboards into LEDs along every Interstate and Federal Highway that runs through your corporate and ETJ limits. *Before TxDOT is allowed to issue a permit for a LED, the outdoor advertising applicant must first obtain the city's permission.*

What can you do to protect your city? Adopt the attached suggested ordinance language (or other language recommended by your city attorney) if your city does not currently prohibit new off-premise billboards and converted LED billboards in both the corporate and ETJ limits. If you do not act, you may have no legal basis to refuse an application. Once these billboards are turned on, it will be virtually impossible to unplug them, and you will be watching the face of your city change forever.

Why shouldn't the city allow LED signs? First, the Federal Highway Administration recently announced plans to publish a report on LED billboard safety in the latter part of 2009. Second, the intrusive nature of LED billboards has become increasingly apparent given the adverse public reaction across the country. Third, for future highway improvements/widenings, LED billboards will result in higher condemnation costs to the taxpayers. Fourth, there have been numerous citizen concerns about any added light and noise pollution that may be emitted from these billboards. Finally, a prohibition will put your city in the strongest possible legal position before applications are filed on June 1. Prohibiting changeable message LED billboards now

will provide you with time to hold public hearings, carefully study these issues, and make an educated decision about the full impact these signs will have on the citizens of your city and visitors to your city.

Scenic Texas, Inc. is a non-profit public policy organization dedicated to the preservation of Texas' scenic views, particularly as seen from our interstates, highways and streets. For more information on the safety, condemnation costs, scenic and other environmental impacts and public reaction to these signs, or to simply see what these signs look like in other states, go to www.scenictexas.org.

We are happy to answer questions or provide more information on this or other scenic issues. Please call Margaret Lloyd, our Policy Director, at 713-533-9149 or 713-898-2819 or email her at lloyd@scenictexas.org.

Very truly yours,



Don M. Glendenning
President

Enclosure: Proposed ordinance language

The following findings, definitions and prohibitions are suggested if adopting a prohibition of new billboard construction and a prohibition of the conversion of existing billboards into changeable electronic variable message signs (CEVMS) in the corporate and ETJ limits.

Findings:

Whereas the city council agrees with the American Society of Landscape Architects' determination that outdoor advertising signs tend to deface nearby scenery, whether natural or built, rural or urban;

Whereas city council agrees with courts that have recognized that outdoor advertising signs tend to interrupt what would otherwise be the natural landscape as seen from the highway, whether the view is untouched or ravished by man, and that it would be unreasonable and illogical to conclude that an area is too unattractive to justify aesthetic improvement;

Whereas the city council has determined that outdoor advertising signs, including changeable electronic variable message signs, pose a distraction to drivers, bikers and pedestrians from the roadway;

Whereas the city council has determined that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance; and these regulations are a highly contributive means by which to achieve this desired end and have been prepared with the intent of enhancing the visual environment of the City and promoting safety and continued well-being;

Whereas the city council has determined that these regulations maintain and enhance the aesthetic environment, improve pedestrian and traffic safety, lessen unnecessary visual clutter that competes for the attention of pedestrian and vehicular traffic, regulates signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians, conserve, protect, and enhance the aesthetic quality of the City, protect property values by precluding sign-types that create a nuisance to the occupancy or use of other properties;

Whereas the city council has determined that off-premise signs, commonly known as billboards, are inconsistent with the above-stated goals;

Whereas the city council has determined that changeable electronic variable message signs (CEVMS), as defined herein, are inconsistent with the above-stated goals;

Whereas the city council finds that Section 216.902 of the Local Government Code provides for the application of its outdoor advertising sign regulations to extend into the extraterritorial jurisdiction (ETJ) of the city.

Definitions:

Changeable electronic variable message sign (CEVMS) shall mean a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.

Off-premise sign shall mean any sign, commonly known as a billboard, that advertises a business, person, activity, goods, products or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained.

On-premise sign shall mean any sign identifying or advertising the business, person, activity, goods, products or services sold or offered for sale on the premises where the sign is installed and maintained when such premises is used for business purposes.

Sign Code Application Area shall mean the corporate limits of the city and the area of its extraterritorial jurisdiction as defined by Section 42.021 of the Local Government Code.

Prohibitions:

Prohibition of New Off-premise Signs. From and after the effective date, no new construction permit shall be issued for the erection of an off-premise sign, including but not limited to a new off-premise CEVMS or the conversion of an existing non-CEVMS off-premise sign to a CEVMS, within the Sign Code Application Area.

Prohibition of Changeable Electronic Variable Message Signs. From and after the effective date, no CEVMS shall be allowed within the Sign Code Application Area. [See footnote.]

This CEVMS prohibition *applies to both on-premise and off-premise signs*. Due to the recent increase and proliferation of on-premise CEVMS's, you may want to consider this blanket prohibition. After obtaining input from your citizens and your city's business community, you may decide to moderate the CEVMS prohibition with size (sign area), height and spacing provisions.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM 2008-23

DOC ID: 1097

Liberty County Hospital District No. 1

Hospital Board President Bruce Stratton will make a presentation regarding the Hospital District.



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, April 8, 2008

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

6:00 PM Meeting was called to order on April 8, 2008 at the Council Chambers, 1829 Sam Houston, Liberty, Tx. at 6:02 PM by Mayor Carl Pickett.

Attendee Name	Organization	Title	Status	Arrived
Carl Pickett	City of Liberty	Mayor	Present	
Dennis Beasley	City of Liberty	Councilperson	Present	
Diane Huddleston	City of Liberty	Councilperson	Present	
Mike McCarty	City of Liberty	Councilperson	Present	
Charles McGuire	City of Liberty	Councilperson	Present	
Al Simonson	City of Liberty	Councilperson	Present	
Louie Potetz	City of Liberty	Councilperson	Present	

II. INVOCATION

Wylie Mosley, Liberty High School Student.

III. PLEDGE OF ALLEGIANCE

Shane Duff, Liberty High School Student.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guest and visitors, opening the floor for public comment to those individuals wishing to address the Council regarding non-agenda items. There were no comments.

V. PRESENTATIONS / REPORTS

A. Information Items

1. Information Item 2008-11

Appointments to the Planning & Zoning Commission

COMMENTS - Current Meeting:

Mayor Pickett remarked on upcoming appointments to the Planning & Zoning Commission that will need to be made at the May council meeting. Those members whose terms expire are David Arnold and Shelli Ellerbe.

Minutes Acceptance: Minutes of Apr 8, 2008 6:00 PM (Minutes Approval)

Mayor Pickett commented on upcoming appointments to the Liberty Community Development Corporation Board of Directors that will also need to be made at the May meeting. Those members whose terms expire are Dennis Beasley, Louie Potetz, Mike Van Etta, and Billy Page.

2. Information Item 2008-12

March Power Outages

COMMENTS - Current Meeting:

Randy Wiggins, Electrical Supt., reported on power outages that occurred during the month of March. Discussion included electrical department infrastructure, tree-trimming, and other related topics.

3. Information Item 2008-13

Airport Advisory Board

COMMENTS - Current Meeting:

Airport Advisory Board Member Linda Street-Ely thanked Council and Management for their interest and support of the Liberty Municipal Airport. Ms. Ely reported on the Board's short-term and long-term goals for this airport.

4. Information Item 2008-14

Financial Report

COMMENTS - Current Meeting:

Finance Director Naomi Herrington answered questions from the Council regarding the six-month financial report.

5. Information Item 2008-15

Recycling Report

COMMENTS - Current Meeting:

Councilperson Diane Huddleston reported on the progress of, and issues related to, a permanent recycling drop-off facility. Councilperson Huddleston stated that she had firm commitments from two local businesses that would partner with the city regarding a location for placing the recycling bins and is checking on rebates the city would receive for items collected.

VI. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Tuesday, March 11, 2008

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Dennis Beasley, Councilperson
SECONDER: Diane Huddleston, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

2. Tuesday, April 01, 2008

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Dennis Beasley, Councilperson
SECONDER: Diane Huddleston, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2008-1

Consider Approval of the Final Re-Plat of the Park North Subdivision.

COMMENTS - Current Meeting:

Candice Parker, Inspection Department, reported that Mr. Lonnie Shivers presented a final re-plat of the Park North Subdivision. Mr. Shivers is proposing to re-plat the subdivision to move an existing lot line for future development. A home is being built on lot two and the driveway will encroach on the current setback lines. Moving the lot line will allow for proper setbacks. This property was previously platted as the Park North Subdivision, allowing for presentation in the short form format. Council voted to approve the final re-plat of the Park North Subdivision.

ATTACHMENTS:

- Attachment #1 - Park North Subdivision (PDF)

RESULT: APPROVED [6 TO 0]
MOVER: Mike McCarty, Councilperson
SECONDER: Louie Potetz, Councilperson
AYES: Pickett, Beasley, McCarty, McGuire, Simonson, Potetz
ABSTAIN: Diane Huddleston

2. Council Action 2008-2

Consider Approval of the Final Re-Plat of the Brooklyn Subdivision.

COMMENTS - Current Meeting:

Candice Parker, Inspection Department, reported that Mr. Frank Davis had presented a final re-plat of the Brooklyn Subdivision, located at Cos and Austin Streets. Mr. Davis is proposing to move the center property line from an east-west center dividing line to a north-south dividing lot line. This will provide adequate footage to accommodate two potential future dwellings. The current dividing line provides proper footage for only one dwelling. This plat was presented under the short form format. Council voted to approve the final re-plat of the Brooklyn Subdivision.

ATTACHMENTS:

- Attachment #2 - Brooklyn Subdivision (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Mike McCarty, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

3. Council Action 2008-3

Consider Approval of Contract Negotiation with Liberty ISD Regarding a School Resource Officer.

COMMENTS - Current Meeting:

Police Chief Mike Cummings reported on negotiations with the Liberty Independent School District regarding a School Resource Officer (SRO) Program. This program consists of an officer, employed by the Police Department, whose assigned duties allow the officer to be present in the schools during the academic year. At the conclusion of the school year, the officer then reverts to the normal duties of a Liberty Police Officer. This program allows for a positive police presence in the schools, providing a variety of services, which allows current resources to be utilized more efficiently. Chief Cummings offered several options for funding the financial costs of this program. Council voted to direct Chief Cummings to negotiate with the school a 3-year program, to be reviewed annually by each entity, with a 75/25 split of the total cost of the officer, the school district paying 75%.

ATTACHMENTS:

- Attachment #3 - SRO Cost Analysis 012808 (XLSX)

RESULT: APPROVED [UNANIMOUS]
MOVER: Charles McGuire, Councilperson
SECONDER: Louie Potetz, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

4. Council Action 2008-4

Consider Approval of a Lease Agreement with Key Energy Services LLC for Property Located at 512 Highway 90.

COMMENTS - Current Meeting:

The City of Liberty owns property at 512 Hwy. 90 which is currently leased to Key Energy. The city discovered in 2007 that the lease had actually expired in 2005, however Key Energy had continued paying the monthly lease amount of \$2609.00. After lengthy discussion, Council directed management to discuss its availability with other possible interested parties, to reduce the terms of the lease from 10 to 5 years, and remove the renewal clause from the lease.

ATTACHMENTS:

- Attachment #4 - Key Energy Lease (PDF)

RESULT: TABLED [UNANIMOUS] **Next: 6/10/2008 6:00 PM**
MOVER: Mike McCarty, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

5. Council Action 2008-5

Consider Approval of a Proposal From the Waters Consulting Group, Inc. for Ar Compensation and Classification Study.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding a proposal from the Waters Consulting Group, Inc. for services related to a Comprehensive Compensation and Classification Study. Council voted to approve the proposal from the Waters Consulting Group, in the amount of \$27,500.00 plus expenses.

ATTACHMENTS:

- Attachment #5 - Waters Proposal (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Al Simonson, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

6. Council Action 2008-6

Consider Revising the City's Telecommunications Access Line Rates.

COMMENTS - Current Meeting:

This item is relevant to the 2008 consumer price index adjustment to municipal telecommunications right-of-way access line rates. The 2007 maximum access line rates have increased by 1.46% due to inflation (CPI). Council voted to decline the rate increase.

ATTACHMENTS:

- Attachment #6 - Telecommunications Right of Way (PDF)

RESULT: DEFEATED [UNANIMOUS]
MOVER: Louie Potetz, Councilperson
SECONDER: Mike McCarty, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

7. Ordinance 2008-4

Consider Adoption of a Flood Damage Prevention Plan for the City of Liberty.

COMMENTS - Current Meeting:

FEMA requires all cities that participate in the Flood Insurance Program to adopt this new ordinance and revised Flood Insurance Rate Maps, which allow for the flood prone areas in our community to be monitored more accurately. Council voted to adopt the Flood Prevention Plan ordinance as presented.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Charles McGuire, Councilperson
SECONDER: Mike McCarty, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, McGuire, Simonson, Potetz

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

The meeting was adjourned at 8:45 p.m.

Minutes Acceptance: Minutes of Apr 8, 2008 6:00 PM (Minutes Approval)

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Louie Potetz, Councilperson
SECONDER: Al Simonson, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT: Charles McGuire

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 8, 2008 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Election Resolutions

RESOLUTION 2008-11

DOC ID: 1081

Canvass Returns of the City of Liberty General Election Held on May 10, 2008 and Take Action on Resolution for Same.

EXPLANATION:

THE OFFICIAL CANVASS OF ELECTION RETURNS IS HELD NOT EARLIER THAN THE THIRD DAY NOR LATER THAN THE ELEVENTH DAY AFTER ELECTION. DAY. THE OFFICIAL DATES ARE MAY 13-21, 2008.

Dianne Tidwell

RESOLUTION

A Resolution canvassing the Returns and Declaring the results of a General Election held on May 10, 2008.

WHEREAS, there was held in the City of Liberty, Texas on the 10th day of May, 2008, a General Election duly ordered by the City Council, for the purpose of electing a Mayor and three Councilpersons, as shown in the official returns heretofore.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Liberty, Texas:

1. That said election was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that due returns of said election have been made by the proper office. The returns of said election is as follows:

GENERAL ELECTION

NAME OF CANDIDATE	NUMBER OF VOTES RECEIVED
-------------------	--------------------------

MAYOR

Carl Pickett

COUNCILPERSONS

Frank M. Jordan

Louie Potetz

Mike McCarty

The following candidates are hereby declared elected:

Mayor -	Carl Pickett
Councilpersons -	Frank M. Jordan
	Louie Potetz
	Mike McCarty

PASSED AND APPROVED THIS THE 13th DAY OF MAY, 2008.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Election Resolutions

RESOLUTION 2008-12

DOC ID: 1082

Canvass Returns of the City of Liberty Special Election Held on May 10, 2008 and Take Action on Resolution for Same.

EXPLANATION:

THE OFFICIAL CANVASS OF ELECTION RETURNS IS NOT HELD EARLIER THAN THE THIRD DAY NOR LATER THAN THE ELEVENTH DAY AFTER ELECTION DAY. THE OFFICIAL DATES ARE MAY 13-21, 2008.

Dianne Tidwell

A Resolution canvassing the Returns and Declaring the results of a Special Election held on May 10, 2008.

WHEREAS, there was held in the City of Liberty, Texas on the 10th day of May, 2008, a Special Election duly ordered by the City Council to submit to the voters for approval or disapproval, proposed amendments to the Home Rule Charter of the City of Liberty.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Liberty, Texas:

That said election was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that due returns of said election have been made by the proper office. The returns of said election are as follows:

SPECIAL ELECTION

Special Election submitting to the voters for approval or disapproval, proposed amendments to the Home Rule Charter of the City of Liberty.

Proposition No.

For

Against

#1

Section 3.02 Qualifications.

Passed by a margin of ?? votes.

#2

Section 3.05 Vacancies.

Passed by a margin of ?? votes.

#3

Section 3.09 Rules of Procedure.
Passed by a margin of ?? votes.

#4

Section 3.11 Official Bonds for City Employees.

Passed by a margin of ?? votes.

PASSED AND APPROVED THIS THE 13th DAY OF MAY, 2008.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Election Information

INFORMATION ITEM 2008-22

DOC ID: 1096

Oath of Office to be Administered to Newly Elected Officials.

FOLLOWING THE CANVASS OF THE ELECTION, THE OATH OF OFFICE WILL BE ISSUED TO THE NEWLY ELECTED OFFICIALS.

Dianne Tidwell

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member of the City of Liberty, Texas and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this 13th
day of May, 2008.

Signature of Person Administering Oath

(seal)

Printed Name

Notary
Title

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Board Appointments

**SCHEDULED
COUNCIL ACTION 2008-7**

DOC ID: 1083

Discussion:**EXPLANATION:**

THE CITY CHARTER REQUIRES THE ELECTION OF A MAYOR PRO-TEM, AFTER EACH ELECTION, TO PERFORM THE DUTIES OF THE MAYOR IN HIS ABSENCE OR DISABILITY. (CHARTER-SECTION 3.04)

Dianne Tidwell

Elect a Mayor Pro Tem.

.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Election

ORDINANCE 2008-5

DOC ID: 1084

Consider an Ordinance Ordering Adoption of the Charter Amendments Approved by the Voters in the May 10, 2008 Special Election.

EXPLANATION:

This ordinance formally adopts those amendments voted upon, and passed by the qualified voters of the City of Liberty. Upon the adoption of these amendments, a certified copy will be sent to the Texas Secretary of State, as required by the Texas Local Government Code. The Secretary of State will file and record this information in a book kept for that purpose.

Dianne Tidwell

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ORDERING THE ADOPTION OF THE CHARTER AMENDMENTS APPROVED BY THE VOTERS OF THE CITY OF LIBERTY, TEXAS IN A SPECIAL ELECTION HELD ON MAY 10, 2008; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, a special election was duly held within the jurisdiction of the City of Liberty on May 10, 2008, whereby the voters of the City of Liberty approved amendments to the City's Home Rule Charter; and

WHEREAS, pursuant to V.T.C.A. Local Government Code § 9.005, such charter amendments will not take effect until the City Council orders that they be adopted.

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

SECTION 1.

That the amendments to the City of Liberty Home Rule Charter which were approved by the voters in a special election held on May 10, 2008, are hereby adopted and ordered into effect. Those amendments are as follows:

Proposition #1	Section 3.02	Qualifications
Proposition #2	Section 3.05	Vacancies
Proposition #3	Section 3.09	Rules of Procedure
Proposition #4	Section 3.11	Official Bonds for City Employees

SECTION 2.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of

Liberty that all ordinances be read on two separate days is hereby dispensed with and all members present vote affirmatively for the adoption of this ordinance; and that this ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, THIS THE 13TH DAY OF MAY, 2008.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Election Compensation

**SCHEDULED
COUNCIL ACTION 2008-8**

DOC ID: 1085

Discussion:**EXPLANATION:**

A COPY OF THE COMPENSATION INFORMATION REGARDING PAYMENT TO THE ELECTION JUDGE AND CLERKS WILL BE AT YOUR PLACES ON TUESDAY NIGHT, FOR YOUR APPROVAL.

A THANK YOU LETTER WILL ALSO BE MAILED TO EACH ELECTION WORKER FOR THEIR COMMITMENT TO SERVING THE COMMUNITY.

Dianne Tidwell

**Consider Approval of Compensation to be Paid to the Election Officials for the May 10,
2008 General and Special Elections.**



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Agreements

SCHEDULED COUNCIL ACTION 2008-9

DOC ID: 1093

Discussion:

EXPLANATION:

Mr. George Shackelford, the previous Interim City Manager provided a memo to the City Council concerning his review of the Hardin-Ames Sewer Contracts. Members of the City Council have suggested that the City should conduct and audit of the agreements to determine if Hardin and Ames are complying with their individual agreements.

The two contracts are very similar and include the following:

- Article 2, Section 2.2 provides that “The City of Liberty has the right to inspect, (the respective systems of Hardin-Ames), at any time.
- Article 3, Section 3.1 provides that each entity “ shall comply with Liberty’s current and amended sanitary sewer codes”.
- Article 3, Section 3.1 provides that “ No plumbing for sewer service shall (not) be done unless a plumbing permit has been obtain(ed) and such work to be inspected by a Liberty plumbing inspector.”
- Article 3, Section 3.4 provides “waste discharges shall comply with all Liberty ordinances and standards, including Liberty industrial waste ordinance.”
- Hardin/Ames shall adopt and enforce written rules in all connection contracts to insure that connections to the system will prevent infiltration and inflow into the sewage system.
- Each agreement has a limit on the amount of flow into the Liberty System
- Article 5. Section 5.3 provides that “Liberty has the right to inspect any records or accounts” of each entity.

There are additional provisions to each contract that I will not enumerate here.

I requested the firm of Schaumburg & Polk, Inc. to prepare a proposal to audit, inspect, develop a written report concerning the compliance of Hardin and Ames with the provisions of their respective agreements. Schaumburg & Polk, Inc. has provided a proposal which is before you now. The estimated cost of the proposal is \$6,000.

I recommend approval of the proposal.

City Manager, Ronald R. Wood

FISCAL IMPACT:

Management is aware that a budget amendment in the Water/Wastewater fund may be necessary for this project.

Naomi Herrington

Council Action 2008-9
Page 2

City Council Meeting

May 13, 2008

ATTACHMENTS:

- Attachment #4 - Task Order 6 Hardin Ames Audit (PDF)

**Consider Approval of Schaumburg & Polk Task Order on Audit of Hardin & Ames
Wastewater Agreements.**

TASK ORDER NO. 6
Audit Hardin & Ames Wastewater Contract Compliance

Task Order

In accordance with paragraph 1.01 of the Standard Form of Agreement Between the City of Liberty, Texas, Owner and Schaumburg & Polk, Inc., Engineer, for Professional Services – Task Order Edition, dated January 1, 2007 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

Title: Audit of Hardin & Ames Wastewater Contracts

Schaumburg & Polk, Inc.(SPI) will review the contracts the City of Liberty has with Hardin and Ames to establish the provisions of the contracts to be audited and the means by which the audit will be conducted. SPI will then request written records of metered flow, invoices, payments, system maintenance, construction permits issued, inspections performed, meter calibrations, rules regulations and contracts implemented to eliminate and/or control Infiltration and Inflow, and evidence to confirm no prohibited connections have been made to the systems.

2. Services of Engineer

A. Basic Services

SPI will audit the information received from the requests above and note compliance or failure to comply with the contract provisions based on the information provided. SPI will then schedule an interview with the individual in responsible charge of each of these wastewater systems to obtain information not reflected in the written record.

After meeting with the individual in charge of each system, SPI will prepare a written report on conformance to the contracts by the parties involved for review and comment by the Liberty City Manager. After receipt of the City Manager's comments a final report will be issued to the City of Liberty.

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B.

4. Times for Rendering Services

The following is the schedule for completion of tasks.

Request of Needed Information	1 week after Authorization
Receipt of Needed Information	5 weeks after Authorization
Audit of Written Information Received	7 weeks after Authorization

TASK ORDER NO. 6
Audit Hardin & Ames Wastewater Contract Compliance

Interviews of Responsible Parties	9 weeks after Authorization
Draft Audit Submitted	11 weeks after Authorization
City Manager Review Complete	13 weeks after Authorization
Final Audit Submitted	15 weeks after Authorization

5. **Payments to Engineer**

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
Basic Services (Study and Report)	Standard Hourly Rates	\$6,000
Additional Services	Standard Hourly Rates	

The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

6. **Consultants:**
None

7. **Other Modifications to Agreement:**

[Supplement or modify Agreement and Exhibits, if appropriate.]

8. **Attachments:**

9. **Documents Incorporated By Reference:**

TASK ORDER NO. 6

Audit Hardin & Ames Wastewater Contract Compliance

Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement, which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____, _____.

OWNER:

ENGINEER:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Engineer License or Firm's
Certificate No. _____

State of: _____

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK
ORDER:

Name: _____

Name: Gary C. Graham, P.E.

Title: _____

Title: President

Address: _____

Address: 8865 College
Beaumont, Texas 77707

E-Mail
Address: _____

E-Mail
Address: ggraham@spi-eng.com

Phone: _____

Phone: 409-866-0341

Fax: _____

Fax: 409-866-0337

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Inspection
Category: Plats

**SCHEDULED
COUNCIL ACTION 2008-10**

DOC ID: 1086

Discussion:**EXPLANATION:**

Mr. Love has presented a preliminary plat for consideration. Mr. Love contacted the Inspections Department about acquiring a building permit to build a home on a tract of land legally described as B.W. Hardin Survey, Tract 13. After reviewing the records for this land, Mr. Love was told his permit would be denied because there is already a single family dwelling located on this property. It was explained to Mr. Love that he would have to subdivide the property in order to differentiate his property from the property where the existing dwelling is located. Currently, the property is only divided by a Warranty Deed which does not satisfy the requirements of the City's Subdivision Ordinance. The plat has been reviewed and does comply with the City's Subdivision Ordinance. The Planning and Zoning Commission reviewed the plat at a meeting held on April 23, 2008, and it passed unanimously.

Candice Parker
Inspection Dept.

ATTACHMENTS:

- Attachment #5 - Love Plat (PDF)
- Attachment #6 - Love Subdivision (TIF)

**Consider Approval of the Proposed Preliminary Plat of the Love Subdivision Located on
Hwy. 146 North.**

NOTE: THE EAST LINE OF SAID 30.00 ACRES WAS USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

FINAL PLAT OF
LOVE SUBDIVISION

A PLAT SHOWING 28.45 ACRES SITUATED IN THE B. W. HARDIN SURVEY, ABSTRACT NO. 47, LIBERTY COUNTY, TEXAS AND BEING THE SAME TRACTS OF LAND CONVEYED TO CHARLES E. LOVE, JR. AND VICKI LOVE RECORDED BY DEED IN LIBERTY COUNTY CLERK'S FILE NO.(S) 2006015716 OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS, CONSISTING OF 1 LOT.

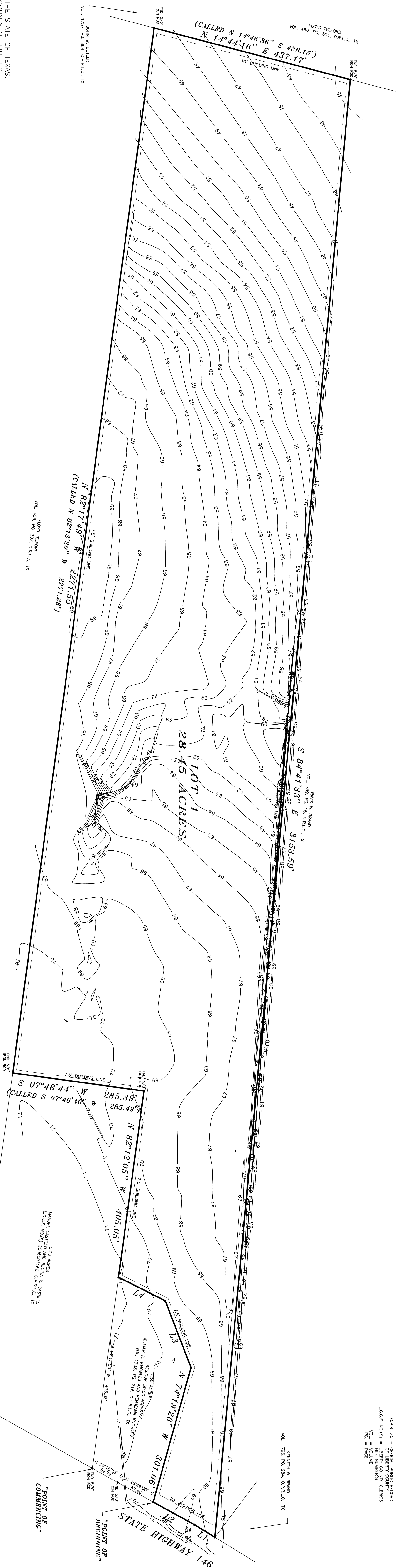
REASON FOR PLAT: TO MAKE 1 LOT.

FLOOD ZONE INFORMATION

SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAN AND IS ZONE "X" ACCORDING TO THE FIRM PANEL NO. 480438 0225B, DATED 09-30-1988.

PROJECT BENCHMARK

CITY OF LIBERTY BENCHMARK NO. 9, A DISK IN SOUTH HEADWALL CULVERT AT COOK STREET AND FOREST PARK APARTMENTS.



THE STATE OF TEXAS,
COUNTY OF LIBERTY,

WE, CHARLES E. LOVE, JR. AND VICKI LOVE, OWNERS OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT OF THE 28.45 ACRES PLOTTED IN THE ABOVE AND FOREGOING MAP OF LOVE SUBDIVISION, HEREBY MAKE A SUBDIVISION OF THE LINES, CORNERS, STREETS AND ALLEYS THEREON ACCORDING TO THE ATTACHED BUILDING LINES, STREETS AND ALLEYS HEREIN SHOWN AND DESIGNATE AS THE PLATS AND ON THE BEHALF OF SAID OWNERS DEVOTED TO THE LIBERTY COUNTY, TEXAS AND ON THE BEHALF OF SAID OWNERS DEVOTED TO THE PUBLIC USE, AS SUCH ALL OF THE STREETS AND ALLEYS SHOWN THEREON FORTHWITH.

FURTHER, WE, SAID OWNERS DO HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND BOUND BY THE STREETS AND ALLEYS SHOWN HEREIN LOCATED BETWEEN SAID STREETS OR OTHER NATURAL DRAINAGE COURSE LOCATED IN THE ABOVE AND FOREGOING MAPS, AS EASEMENTS FOR DRAINAGE PURPOSES, INCLUDING LIBERTY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER SAID STRIPS OF LAND AT ANY AND ALL TIMES FOR THE PURPOSES OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

IN TESTIMONY WHEREOF, CHARLES E. LOVE, JR. AND VICKI LOVE HAS CAUSED BY THESE PRESENTS TO BE SIGNED BY US THEREUNTO AUTHORIZED THIS _____ DAY _____, 2008.

CHARLES E. LOVE, JR.

VICKI LOVE

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

I, THE UNDERSIGNED, MAYOR OF THE CITY OF LIBERTY, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

CARL PICKETT, MAYOR

DATE _____

WITNESS, MY HAND AND SEAL
ABOVE WRITTEN.

STATE OF TEXAS
COUNTY OF LIBERTY,

I, DEBRA SELLERS, COUNTY CLERK OF LIBERTY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2008, AT _____ O'CLOCK _____M, IN FILE CODE _____, COUNTY MAP RECORDS.

PRESIDENT

DAT

STATE OF TEXAS
COUNTY OF LIBERTY,

I, DELIA SELLERS, COUNTY CLERK OF LIBERTY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE ON 2008, AT _____ O'CLOCK _____ M. IN FILM CODE _____ NO. _____ COUNTY MAP RECORDS.

WITNESS, MY HAND AND SEAL OF OFFICE, AT _____, THE DAY AND DATE LAST ABOVE WRITTEN.

DELIA SELLERS, COUNTY CLERK
LIBERTY COUNTY, TEXAS

HOWARD L. MARTIN, R.P.L.S. NO. 4078, STATE OF TEXAS

**CITY OF LIBERTY
ADMINISTRATOR'S/CITY INSPECTOR'S/
PLANNING DIRECTOR'S
RECOMMENDATION TO PLANNING COMMISSION**

RE: **Preliminary Plat of the Love Subdivision**
Subdivision Name

The City Staff, by and through its Administrator/City Inspector/Planning Director, does herein aggregate the preliminary plat of the above proposed subdivision and the attached accompanying data and refers same to the City of Liberty Planning Commission with the following recommendations as to modifications, additions or alterations of such plat and/or data:

☒ No recommendations as to modifications, additions or alterations.

-or-

☐ The following recommendations, modifications, additions or alterations:

SIGNED this the 17th day of April 2008.



Administrator/City Inspector, Planning Director

Attachment # 6: Love Subdivision (CA-2008-10 : Love Subdivision)

**CITY OF LIBERTY
ADMINISTRATOR'S/CITY INSPECTOR'S
PROPOSED SUBDIVISION PLAT APPROVAL CHECKLIST**

RE: **Preliminary Plat of the Love Subdivision**

- CP A. Preliminary Conference with: Mr. Love
- CP B. Date conference held: March 18, 2008
- CP C. Plat Filing: Preliminary
Date filed: March 18, 2008
Fee Amount Paid: \$ To be billed
- D. Plat Checklist (initial and date or ditto for approval)
- CP 1. Proposed name of the subdivision, which shall not have the same spelling or be pronounced similar to the name of any other subdivision currently located within the City or within the extraterritorial jurisdiction of the City.
- CP 2. Names and land use of contiguous subdivisions, and the owners of contiguous parcels of unsubdivided land, and a statement with appropriate references as to whether or not contiguous properties are platted and how they are used.
- CP 3. Description, by metes and bounds, of the subdivision boundaries.
- CP 4. Primary control point locations shown. Descriptions and ties to such control points from which all dimensions, angles, bearings, block numbers, and similar data are referenced and shown.
- CP 5. Subdivision boundary lines indicated by heavy lines; the acreage of the subdivision shown.
- CP 6. Existing conditions as follows:
CP (1) The exact location, dimensions, name and description of all existing and/or recorded streets, alleys, reservations, easements, or other

Attachment # 6: Love Subdivision (CA-2008-10 : Love Subdivision)

public right-of-way (including both public and private utility lines) within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries;

 (2) The exact location, dimensions, description, and flow line of existing water courses and drainage structures within the subdivision or on contiguous tracts;

 (3) Proposed land use of each subdivided parcel;

 (4) Flood hazard areas and explanatory notes.

 7. The exact location, dimensions, description, and name of all proposed streets, street grades and cross sections, alleys, drainage structures, parks, other public area, reservation, easements or other rights-of-way, blocks, lots and other sites within the subdivision.

 8. Date of preparation; actual and graphic scale of plat; and north arrow.

 9. Draft of proposed restrictive covenants (if any) to be imposed; areas subject to special restrictions described and mapped.

 10. A number or letter to identify each lot or site on each block.

 11. Building setback lines on fronts of all lots and sites. Side yard building setbacks lines at street intersections and crosswalk ways.

 12. Topographic information shall include contour lines on a basis of: Five (5) vertical feet in terrain with a slope of two (2) percent or more; on (1) vertical foot in terrain with a slope of less than one (1) percent.

 13. Proposed fill or other structure-elevating techniques, levees, channel modifications, and other methods to overcome flood or erosions related hazards.

 14. Designation of all land to be reserved or dedicated for open space or recreational use.

 15. Vicinity sketch or map, at some appropriate scale, which clearly shows existing subdivisions, street easements, right-of-way, parks and public facilities

of water, and possible storm sewer, water, gas, electric, and sanitary sewer connections by owner.

8 16. Soil information.

8

E. Preliminary plat conforms with the Most Current Adopted Comprehensive Plan.

F. Approval of City Staff

1. The Engineering Department:

- ✓ a. Drainage
- ✓ b. Street layout and proposed street grades
- ✓ c. Type of paving
- ✓ d. Boundary Lines
- ✓ e. Monuments and Bench marks
- ✓ f. Location and size of alleys
- ✓ g. Availability of adequate water and sewer mains to the subdivision.
- ✓ h. Water system layout and fire hydrant locations.
- ✓ i. Sanitary sewer easements.
- ✓ j. Soil conditions.

2. The Building Inspector:

- ✓ a. Occupancy regulations and requirements
- ✓ b. Building lines and setback requirements.
- ✓ c. Lot and block numbers.
- ✓ d. Street numbering layout.
- ✓ e. Street names.

3. Fire Marshall:

- ✓ a. Fire code regulations and requirements.

4. Electric Power Department:

- ✓ a. System layout and requirements.
- ✓ b. Code regulations and requirements.

G. Comments:

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Finance
Category: Board Appointments

**SCHEDULED
COUNCIL ACTION 2008-11**

DOC ID: 1088

Discussion:**EXPLANATION:**

Jim Hall will make a presentations on the medical and dental insurance quotes.

Naomi Herrington

ATTACHMENTS:

- Attachment #7 - City of Liberty Group review 6-1-2008 (XLS)
- Attachment #8 - City of Liberty Group Suggestions 6-1-2008 (DOC)

Consider Approval of Proposals Received for Medical & Dental Insurance.

.

Cost Comparison for
Group Medical Dental

City of Liberty
June 1, 2008

Jim Hall, CLU
Hall, Rader Associates

Administrator		Trisurant 2007	Trisurant 2008	Blue Cross	Fiserv		Historical Total cost of self-funded plan
Administration Cost							
Medical Claims Adm.		17.30	17.30	22.10 /53.04	\$10.77		2002-03 888,844
Dental Claims Adm.		3.00	3.00	2.66 / 6.38	4.75		
Vision Claims Adm.		Included	Included	Included	0.50		2003-04 775,846
Cobra Adm.		1.50	1.50	\$900/ year	0.95		
HIPAA Adm.		Included	Included	Included	0.25		2004-05 753,755
Pharmacy Management		0.50	0.50	Included	Included		
Consultant Fee		16.66	16.66	16.66	16.66		2005-06 1,157,377
In-patient Pre-cert		2.00	\$2.00	Included	2.00		
Psy. Review, Large Case Mgt.		1.40	1.40	Included	Included		2006-07 989,685
Maternity Management		\$150/case	\$150/case	Included	Included		
PPO fee for PHCS		5.50	5.65	Included	10.90		2007-08 906,444 Estimate
Stop Loss Adm. Fee		2.00	2.00	Included	2.00		
ELAP - Fiduciary Coverage		1.00	1.00	No benefit	No benefit		
Total Administration Fee		50.86	\$ 51.01		48.78		
Total Adm. Fee/ Year	100	\$61,032	\$61,212	\$74,144	\$58,536		
\$45,000 Stop Loss Premium	#	24/12	18/12	12 12	Mutual of		
Employee Only	28	68.73	69.88	39.90	Omaha		
Employee + Family	72	164.60	170.35	95.76			
AIG Transplant per employee	28	4.65	5.37	Included			
AIG Transplant per dependent	72	10.68	12.35	Included			
Annual Stop Loss Premium	100	176,097	183,136	96,143	170,465		
Aggregate Monthly Premium	100	12.85	8.42	8.62 / 20.69			
Annual Aggregate Premium		15,420	10,104	20,772	16,296		
Total Annual Fixed Cost	100	252,549	254,452	177,473	245,297		
Aggregate Attachment Factors							
Employee Only	18	444.79	447.27	358.83	468.01		
Employee + Family	74	1,074.70	1,093.29	861.18	1133.5		
Annual Maximum Claims	92	1,077,990	1,094,885	864,626	1,136,595		
Estimated Annual Dental Claims		35,600	40,000	40,000	40,000		
Plus Trisurant run-off claims		None	None	120,532	None		
Total Annual Maximum Cost		1,357,873	1,389,337	1,202,631	1,421,892		
Expected Cost for 2007-08		906,444					
Expected Cost for 2008-09			1,140,419	986,474	1,160,475		

CITY OF LIBERTY GROUP REVIEW JUNE 1, 2008

- **LIFE INSURANCE:** It appears that Fort Dearborn will save the City \$5,570 per year. We will need to be careful that there are no disabled employees or dependents June 1. All will need to be actively at work.

Recommendation: Change the life insurance to Ft. Dearborn.

- **MEDICAL & DENTAL INSURANCE:** It appears that the renewal with Trisurant or self-funding with Blue Cross will be the best for the City. Trisurant's total fixed cost for the year will increase only \$1,903, however Blue Cross's fixed cost are \$76,979 less than Trisurant.

SELF-FUNDING COST:

Actual Cost of Medical and Dental Insurance for 2006-2007		\$989,685
Estimated actual Cost of Medical and dental Insurance for 2007-2008		\$906,444
	Maximum Cost	Estimated Cost
Trisurant for 2007-2008	\$1,424,568	\$1,140,419
Blue Cross & Blue Shield 2007-2008	\$1,202,631	\$ 986,474

Recommendation: Renew the medical and dental coverage with Trisurant. The Blue Cross contract does not meet the bid specifications. The stop-loss insurance is for a 12/12 contract. That means the Blue Cross stop-loss will pay for claims incurred after June 1, 2008 and paid before May 31, 2009. Conversely, the Trisurant stop-loss contract is an 18/12 contract. That means the stop-loss will pay for claims incurred after December 1, 2007 and paid by May 31, 2009. The City can purchase "run-off" protection from Trisurant, but that will just add to the cost of changing. The City's employees did not want to make a change, since the Blue Cross plan design did not offer Vision and the prescription drug card is not as attractive as our current plan.

FULLY INSURED COST:

Aetna fully insured cost of comparable benefits for 2008-2009	\$1,469,622*
Cigna fully insured cost of comparable benefits (no vision)	\$1,364,725*
Blue Cross fully insured cost of comparable benefits (no vision)	\$1,228,720*

*Includes run-off exposure of approximately \$120,532

Suggested amendments to our current plan:

- Adopt over the counter medications with a \$5 co-pay for Prilosec, Zantac, Claritin, and Claritin D.

Recommendation: Adopt this plan change.

- Adopt tobacco cessation program covering oral medications.

Recommendation: Do not adopt this plan change, but rather develop another plan to encourage our employees to stop smoking.

- Adopt treatment guidelines for morbid obesity.

Recommendation: Adopt this plan design as an in-network benefit only and only under the strict guidelines requiring psychological counseling.

- Consider an Onsite Clinic in conjunction with Liberty County. Access to wellness care, acute care, lab etc without a co-pay.

Recommendation: Adopt this plan design in conjunction with Liberty County.

- Plan design changes:

Raise the deductible from	\$400	to	\$500
Raise the co-pay from	\$20	to	\$30
Raise the Rx co-pay from	\$10/30	to	\$10/30/60
Raise the Mail order co-pay	\$20/60	to	\$20/60/120

Recommendation: Do not make any plan design changes this year.

- Increase the dental annual maximum from \$1,000 to \$1,500. Or increase the unused maximum \$100 per year to a maximum of \$1,500

- Increase the orthodontia lifetime maximum from \$1,000 to \$1,500 or \$2,000

Recommendation: Increase the orthodontia lifetime maximum to \$2,000. Increase the dental plan to \$1,500 per year. There are currently only three dependents with orthodontia.

- Require any dependent that is employed to be insured by their employer and not allowed to remain on the City's group plan.

Recommendation: Do not implement this change this year. A survey will be done to determine if any savings would be generated by this provision.

- Change the payroll deductions from a percentage of pay to a percentage of premiums. Current arrangement is if an employee makes less than \$20,000 they pay nothing for single coverage and \$739.68 (61.64/month) for dependents. If the employee makes more than \$20,000, they pay 4% of gross pay more than \$20,000 plus \$739.68 per year. Example: Salary of \$30,000: $\$400 + \$739.68 = \$1,139.68$ or \$94.98/month

Suggest changing the payroll deduction to 8 to 10% of premium: Example of monthly premium charges:

	<u>8%</u>			<u>10%</u>		
	<u>Med.</u>	<u>Dental</u>	<u>Total</u>	<u>Med</u>	<u>Den</u>	<u>Total</u>
Employee Only	35	2	37	44	3	47
Employee + Spouse	85	5	90	106	6	112
Employee + Children	68	6	74	85	7	92
Employee + Family	108	8	116	135	10	145

Currently there are 28 employees that pay \$0 for their medical and dental insurance and 72 employees that pay for dependent coverage. The above change will require the single employees to pay a modest \$37 per month for their insurance. However, some of the employees with dependents will be paying less and a few will be paying slightly more.

Total amount currently collected and paid by employees:	\$ 79,745 (6% total)
Total amount collected if changed to 8% of premium	\$106,344
Total amount collected if changed to 10% of premium	\$133,068

- **FUNDING:** The City currently contributes a dollar amount into a checking account to pay for the fixed cost and the claims that are incurred. Current funding level is:

Employee Only:	\$ 584
Employee +Family	\$1,410

 This produces an annual contribution of \$1,414,464 plus the employee's contribution of \$79,745 for a total of \$1,494,209. Suggest continuing the same funding level for 2008-2009.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Finance
Category: Bids

**SCHEDULED
COUNCIL ACTION 2008-12**

DOC ID: 1089

Discussion:**EXPLANATION:**

Jim Hall will make a presentation on the group life insurance quotes.

Naomi Herrington

ATTACHMENTS:

- Attachment #9 - City of Liberty Group review 6-1-2008 (XLS)
- Attachment #10 - City of Liberty Group Suggestions 6-1-2008 (DOC)

Consider Approval of Proposals Received for Group Life Insurance.

.

Cost Comparison for
Group Medical Dental

City of Liberty
June 1, 2008

Jim Hall, CLU
Hall, Rader Associates

Administrator		Trisurant 2007	Trisurant 2008	Blue Cross	Fiserv	Historical Total cost of self-funded plan
Administration Cost						
Medical Claims Adm.		17.30	17.30	22.10 /53.04	\$10.77	2002-03 888,844
Dental Claims Adm.		3.00	3.00	2.66 / 6.38	4.75	
Vision Claims Adm.		Included	Included	Included	0.50	2003-04 775,846
Cobra Adm.		1.50	1.50	\$900/ year	0.95	
HIPAA Adm.		Included	Included	Included	0.25	2004-05 753,755
Pharmacy Management		0.50	0.50	Included	Included	
Consultant Fee		16.66	16.66	16.66	16.66	2005-06 1,157,377
In-patient Pre-cert		2.00	\$2.00	Included	2.00	
Psy. Review, Large Case Mgt.		1.40	1.40	Included	Included	2006-07 989,685
Maternity Management		\$150/case	\$150/case	Included	Included	
PPO fee for PHCS		5.50	5.65	Included	10.90	2007-08 906,444 Estimate
Stop Loss Adm. Fee		2.00	2.00	Included	2.00	
ELAP - Fiduciary Coverage		1.00	1.00	No benefit	No benefit	
Total Administration Fee		50.86	\$ 51.01		48.78	
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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Agreements

**SCHEDULED
COUNCIL ACTION 2008-13**

DOC ID: 1091

Discussion:**EXPLANATION:**

County Commissioner, Todd Fontenot, Precinct 1 requested that the City of Liberty consider adoption of an Inter-Local Agreement with the County of Liberty to temporarily share personnel and equipment for the purpose improving efficiency and effectiveness.

The last such inter-local agreement was approved in 2004 and has not been renewed to my knowledge. The Inter-Local Agreement before you now deals specifically with the maintenance of streets, roads, ditches and recreational areas. The City of Liberty Police and Fire Departments have separate inter-local agreements with the County Public Safety departments that are currently in force.

The sharing of personnel and equipment through inter-local agreements is a benefit to the governmental entities and their citizens however both parties must participate equally to be for the agreement to be effective. Each entity should respond to a request for assistance given the ability to do so. There will be times that the ability to respond to a specific request may not be possible however the best efforts of both entities should be made.

I recommend the adoption of the Inter-Local Agreement with an amendment that would require the request for assistance be requested by the County Commissioner/City Manager and approved by the County Commissioner/City Manager in writing.

City Manager, Ronald R. Wood

ATTACHMENTS:

- Attachment #11 - Interlocal Agreement with Liberty County Precinct 1 (PDF)

**Consider Approval of an Interlocal Agreement with Liberty County Precinct 1 for The
Maintenance of Streets, Roads, Ditches and Recreational Areas.**

THE STATE OF TEXAS

COUNTY OF LIBERTY

This agreement is between Liberty County, Precinct 1, hereinafter called "County", and the City of Liberty, hereinafter called 'City.

WITNESSETH

WHEREAS, the legislative purpose and intent of the Interlocal Cooperation Act, Section 791.001, Texas Government Code, is to improve the efficiency and effectiveness of local government by authorizing the fullest possible range of inter-governmental contracting authority at the local level, including contracts between counties and other political subdivisions and agencies of the state; and

WHEREAS, the County and City are authorized to enter into contracts and agreements for the performance of governmental functions; and

WHEREAS, the City has streets, roads, ditches and recreational areas which require maintenance which at times exceeds temporarily the ability of the City to promptly supply; and,

WHEREAS, the County has streets, roads, ditches and recreational areas which require maintenance which at times exceeds temporarily the ability of the County to promptly supply; and,

WHEREAS, the County has manpower and equipment to maintain streets, roads, ditches and recreational areas; and,

WHEREAS, the City has equipment to maintain streets, roads, ditches and recreational areas; and,

WHEREAS, the parties recognize that cooperation between the governmental agencies will provide better service to the public at reduced expense by avoiding costly duplication of equipment;

NOW, THEREFORE, the County and City in consideration of the mutual covenants and conditions contained herein and in recognition of the benefits to be gained by citizens of the County and City, promise and agree as follows if their work schedules permit:

1. The County agrees to provide manpower and equipment to the City for the maintenance of streets, roads, ditches and recreational areas.
2. The City agrees to provide equipment to the County for the maintenance of streets, roads, ditches and recreational areas.
3. The City agrees to fairly compensate the County, either by comparable time, manpower, equipment or by monetary or other consideration of equal value from the city's current revenue.
4. The County agrees to fairly compensate the City, either by comparable time, manpower, equipment or by monetary or other consideration of equal value from the county's current revenue.
5. The Commissioner of Precinct 1 and the Liberty City Manager shall plan, schedule and agree in advance as to the equal value consideration to be provided for all mutual sharing projects before any such project commence.

6. The County and City understand that agreements for mutual sharing may be limited by budgetary restrictions or the authority provided by their respective governing bodies. Notwithstanding any provisions herein, this inter-local agreement is expressly contingent upon the availability of funding for each item and obligation contained herein for the term of the government and any extension thereto. In the event that either no funds or insufficient funds are appropriated for the payment due under this contract for the period covered by such budget or appropriation, the contract shall terminate without penalty to County or City.
7. To the fullest extent permissible under Texas law, City of Liberty shall indemnify, defend, and hold harmless Liberty County, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of City of Liberty, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.
8. To the fullest extent permissible under Texas law, Liberty County shall indemnify, defend, and hold harmless the City of Liberty, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of Liberty County, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.
9. Neither party shall be deemed an employee or agent of the other party. This interlocal agreement does not constitute a joint venture, either expressed or implied. The City will maintain sole discretion and control over the operations for construction and maintenance of the City's streets, roads, ditches and recreational areas. The County will maintain sole discretion and control over the operations for construction and maintenance of the County's streets, roads, ditches and recreational areas.
10. The City agrees to exercise due diligence in the routine maintenance of County equipment under its control and shall accept responsibility for a maximum of \$100.00 in expenses per use for minor repairs that may be necessary as a result of the City's use of County equipment.

11. The County agrees to exercise due diligence in the routine maintenance of City equipment under its control and shall accept responsibility for a maximum of \$100.00 in expenses per use for minor repairs that may be necessary as a result of the County's use of City equipment.

This agreement shall commence on March 1, 2008 and ends on March 1, 2009.

Either the County or the City may cancel this agreement at any time.

Executed on _____ day of _____, 2008 by Phil Fitzgerald, County Judge, on behalf of Liberty County, Texas, after approval from Commissioners Court.

Executed on _____ day of _____, 2008 by Ron Wood, City Manager, on behalf of the City of Liberty, Texas, after approval from City Council.

Phil Fitzgerald
Liberty County Judge

Ron Wood
Liberty City Manager

ATTEST:

Delia Sellers
Liberty County Clerk

Diane Tidwell
City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Board Appointments

SCHEDULED COUNCIL ACTION 2008-14

DOC ID: 1078

Discussion:

EXPLANATION:

Appointments to the Planning & Zoning Commission will need to be made at the Council Meeting of May 13th. City Charter states that "on or after May 1 of each year the council shall appoint qualified voters of the City of Liberty who shall constitute the city planning and zoning commission for three-year terms..." Those members whose terms expire in May are SHELLI ELLERBE and DAVID ARNOLD. Both of these individuals have agreed to serve, if re-appointed.

P & Z Alternate Member Kim Anderson was appointed to replace Louie Potetz on this board, when Mr. Potetz was appointed to City Council. This leaves P & Z with no alternate members. Charter states that Council may, if it so desires, appoint two (2) additional members who shall be designated as alternate members in case any regular member is absent or unable to serve. Council may also want to consider the appointment of alternate members along with the two regular appointments.

FYI - Current P & Z Members:

Shelli Ellerbe
Bill Takach
Larry Wagnon

David Arnold
Kim Anderson

Dianne Tidwell

Consider Appointments to the Planning and Zoning Commission.

.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Board Appointments

SCHEDULED COUNCIL ACTION 2008-15

DOC ID: 1079

Discussion:

EXPLANATION:

APPOINTMENTS TO THIS BOARD WILL NEED TO BE MADE AT THE MAY 13th COUNCIL MEETING.

THIS CORPORATION IS MANAGED BY A BOARD OF SEVEN MEMBERS. ALL DIRECTORS ARE APPOINTED BY THE CITY COUNCIL FOR TWO-YEAR TERMS. EACH MEMBER SHALL BE A RESIDENT OF THE CITY AND THREE OF THE SEVEN MEMBERS SHALL BE PERSONS WHO ARE NOT EMPLOYEES, OFFICERS OF THE CITY, OR MEMBERS OF THE CITY COUNCIL.

CURRENT MEMBERS ARE:

DENNIS BEASLEY - PRESIDENT	BILLY PAGE
MIKE McCARTY - VICE-PRESIDENT	ROBERT WARD
RON WOOD - GENERAL MGR.	MIKE VAN ETTA
LOUIE POTETZ	

THOSE MEMBERS WHOSE TERMS EXPIRE IN JUNE 2008:

DENNIS BEASLEY	LOUIE POTETZ
BILLY PAGE	MIKE VAN ETTA

MR. PAGE AND MR. VAN ETTA HAVE AGREED TO SERVE AGAIN, IF RE-APPOINTED.

Dianne Tidwell

**Consider Appointments to the Liberty Community Development Corporation Board of
Directors.**

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 05/13/08 06:00 PM

Department: Administration
Category: Meeting Scheduling

**SCHEDULED
COUNCIL ACTION 2008-16**

DOC ID: 1080

Discussion:**EXPLANATION:**

EACH JUNE THE CITY COUNCIL CONDUCTS A WORKSHOP TO DISCUSS AND DEVELOP ITS GOALS, OBJECTIVES, AND ACTION PLANS FOR THE UPCOMING YEAR. AT THE COUNCIL MEETING ON TUESDAY NIGHT, PLEASE BE PREPARED TO ESTABLISH A DATE, TIME, AND LOCATION FOR THIS WORKSHOP.

Dianne Tidwell

**Consider Setting the Date, Time and Location for a City Council and Staff Workshop to
Set Goals, Objectives and Action Plans.**