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, August 12, 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

This meeting will be called to order on August 12, 2008 at the City Council Chambers, 1829 Sam Houston, Liberty,TX.

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

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

IV. ITEMS OF INTEREST

A. Miscellaneous Correspondence

1. Information Item 2008-37

Texas Municipal League Annual Conference

V. PRESENTATIONS / REPORTS

1. Information Item 2008-39

Recycling Report

2. Information Item 2008-40

Financial Report

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, July 08, 2008

2. Monday, July 14, 2008

3. Tuesday, July 22, 2008

4. Monday, August 04, 2008

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2008-44

Consider Providing Financial Assistance to the Spay-Neuter Assistance Program.

- Attachment #1 - SNAP Program Letter (PDF)

2. Council Action 2008-40

Consider an Appointment to Fill the Second of Two Alternate Positions on the Planning & Zoning Commission.

3. Council Action 2008-41

Consider Replacing Councilperson Potetz on the Community Development Advisory Board.

4. Council Action 2008-42

Consider Expanding the Community Development Advisory Board Mission Statement to Include Economic Development and Tourism.

5. Council Action 2008-43

Consider Approval of the Final Replat of Picketville II Subdivision.

- Attachment #2 - Picketville Plat (PDF)
- Attachment #3 - Picketville Subdivision (TIF)

6. Resolution 2008-19

Consider Adoption of a Resolution to Ratify a Tax Abatement Agreement.

7. Information Item 2008-38

Presentation of the Proposed Budget for Fiscal Year 2008-2009.

8. Council Action 2008-37

Consider Setting the Date, Time and Location for a Public Hearing on the Proposed Budget for Fiscal Year 2008-2009.

9. Council Action 2008-38

Consider Approval of the Proposed Tax Rate for Fiscal Year 2008-2009.

10. Council Action 2008-39

Consider Setting the Date, Time and Location for Public Hearings on the Proposed Tax Rate for Fiscal Year 2008-2009.

11. Work Session 2008-3

Budget Work Session.

B. Executive Session

Consultation With Attorney. Cause No. CV0800719 Hugo Flores v. The City of Liberty, et al. in the 253rd Judicial District, Liberty County Texas pursuant to Gov. Code §551.071.

C. Reconvene into Regular Session

1. Consider action, if any, on the items as discussed in the Executive Session.

VIII. COUNCIL MEAL

IX. 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 August, 2008 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 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: 08/12/08 06:00 PM
Department: Administration
Category: Reports

INFORMATION ITEM 2008-37

DOC ID: 1157

Texas Municipal League Annual Conference

EXPLANATION:
The TML Annual Conference will be held October 28-31, 2008 in San Antonio. For more information please see the July issue of Texas Town & City or go to www.tml.org.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2008-39

DOC ID: 1161

Recycling Report

.

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2008-40

DOC ID: 1162

Financial Report

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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, July 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. INVOCATION

With all members of the Council present, Mayor Pickett called the meeting to order at 6:03 p.m. and Pastor Jay Barnes, First United Methodist Church, Liberty gave the Invocation.

II. PLEDGE OF ALLEGIANCE

Pastor Jay Barnes, First United Methodist Church of Liberty

III. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council regarding non-agenda items.

Mayor Pickett stated there would be special called meetings of the City Council held on July 14 and July 22, 2008.

Mayor Pickett also commented that David Fisher, husband of city employee Melody Fisher, previously on the heart transplant list, had received his new heart and was doing well.

IV. MISCELLANEOUS COMMUNICATION

1. Information Item 2008-30

Comcast Cable

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported on correspondence from Comcast Cable regarding efforts to fulfill customer demand for additional High Definition programming and advanced digital services.

ATTACHMENTS:

- Attachment #1 - Comcast Communication (PDF)

V. PRESENTATIONS / REPORTS

1. Information Item 2008-31

Recycling - Terry Woodson, Waste Management

COMMENTS - Current Meeting:

Terry Woodson, Municipal Marketing Manager for Waste Management, Inc. made a presentation on the various options for recycling, and encouraged the Council to "Think Green". Discussed was curbside recycling, single-stream recycling, drop-off facilities, recyclable products, and other related issues. Ms. Woodson will prepare written proposals for manned and unmanned drop-off facilities and also for curbside recycling.

2. Information Item 2008-32

June 2008 Utility Aging Report

COMMENTS - Current Meeting:

Finance Director Naomi Herrington was present to report on the amount of, and reasons for, utility accounts that are in arrears.

ATTACHMENTS:

- Attachment #2 - June aging report (PDF)

3. Information Item 2008-33

Proposed Keystone XL Pipeline Project

COMMENTS - Current Meeting:

Mr. Ken Murchy, TransCanada, made a presentation regarding the proposed Keystone XL Pipeline Project, which would route through Liberty County. This project is a crude oil pipeline originating in Canada and extending south to serve markets on the Gulf Coast in Texas. Mr Murchy reported on the design and construction, maintenance, and project timeline, with the completion date targeted for 2011. The proposed 1,980 mile pipeline project is a partnership between TransCanada and ConocoPhillips.

4. Information Item 2008-34

TML Annual Conference

COMMENTS - Current Meeting:

Mayor Pickett reported on the Texas Municipal League Annual Conference to be held in San Antonio on October 28-31, 2008 and encouraged the Council Members to attend.

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, June 10, 2008

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

2. Wednesday, June 11, 2008

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

3. Tuesday, June 17, 2008

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

4. Wednesday, June 18, 2008

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

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2008-31

Consider Approval of the Final Plat of the Amended Brooklyn Subdivision, Located at the Corner of Cos and Austin.

COMMENTS - Current Meeting:

Mr. Frank Davis purchased an additional strip of undeveloped land on the south side of the two lots of the Brooklyn Subdivision, located at Cos and Austin Streets. This additional property, to be included as part of the two original lots, extends the back property line to enlarge both of these lots.

A motion was made to approve the Final Plat of the Amended Brooklyn Subdivision.

ATTACHMENTS:

- Attachment #3 - Amended Brooklyn Subdivision (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilman
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

2. Council Action 2008-32

Consider Approval of a Variance Request from the Size Requirement of the One-Time Change Out of a Manufactured Home, as Established in Ordinance No. 906.

COMMENTS - Current Meeting:

Mrs. Jean Hylton addressed Council regarding her request for a variance from the size requirement of the one-time change out of a manufactured home, as established in Ordinance No. 906. The ordinance states the replacement must be at least 24' in width and no more than three model years of age older than the current model year, and must be placed on a concrete foundation.

The Hyltons wish to replace the old manufactured home located at 1604 Browning with a new 16X24' model home. This home is to be used as the parsonage for Dayspring Church. Mrs. Hylton stated they could not place a wider manufactured home in that location as it would interfere with the parking during service times.

A motion was made to approve the variance request.

ATTACHMENTS:

- Attachment #4 - Hylton Variance Request (PDF)

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Beasley, Huddleston, Simonson, Potetz, Jordan
NAYS:	Carl Pickett, Mike McCarty

3. Council Action 2008-33

Consider Approval of a Public Safety Interoperable Communications (PSIC) Grant.

FISCAL IMPACT:

Total project amount $7,000.00.

PSIC Award $5,600.00

Local Match Requirement $1,400.00

COMMENTS - Current Meeting:

Fire Chief Fred Collins reported that the city had been approved for a grant through the Department of Homeland Security, to cover the cost of a new radio console. This Public Safety Interoperable Communications Grant Program award is $5600 with a local match requirement of $1400 for a total project amount of $7000.

Only the Fire & EMS Departments will be dispatched through this console; as the Police Department has a separate console. At one time, all three departments were on the same console causing intereference with communication. Separate consoles will allow the telecommunicator to listen to each of these departments at the same time.

A motion was made to approve the grant, to include the local match of $1400.00.

ATTACHMENTS:

- Attachment #5 - PSIC GRANT INFO (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

4. Council Action 2008-34

Consider Approval of an Interlocal Agreement with the City of Longview, Texas for Short-Term Shelter During a Mandatory Evacuation.

COMMENTS - Current Meeting:

This agreement addresses provisions for the short-term shelter of Liberty's special needs population during a mandatory evacuation. These individuals will be loaded on buses, taken to Longview, Texas where they will be housed for the length of the disaster, along with their pets.

A motion was made to approve the Interlocal Agreement with the City of Longview.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

5. Information Item 2008-35

Public Hearing on the 2007 Drinking Water Quality Report.

COMMENTS - Current Meeting:

Mayor Pickett opened the Public Hearing on the 2007 Water Quality Report. Earl McCreight, Water & Wastewater Supt., was present to discuss this document and answer questions. Mr. McCreight reported the city's drinking water contains few contaminants, none higher than the EPA allows, resulting once again in a superior rating from the Texas Commission on Environmental Quality. Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Attachment #6 - 2007 Drinking Water Quality Report (PDF)

6. Resolution 2008-14

Consider Approval of a Resolution Requesting Federal Capital Improvement Funds from the Texas Department of Transportation Aviation Division and Authorizing the City Manager to Execute All Related Documents.

COMMENTS - Current Meeting:

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

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, REQUESTING FEDERAL CAPITAL IMPROVEMENT PROGRAM FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION FOR IMPROVEMENTS TO THE LIBERTY MUNICIPAL AIRPORT."

This resolution requests Federal Capital Improvement Program Funds from the Texas Department of Transportation, Aviation Division and will be used for planning, engineering, rehabilitation, and construction of runway, taxiway, and terminal areas. Total project cost is $1,050,000 with the City responsible for 10% of the cost, estimated to be $105,000.

A motion was made to approve the Resolution and authorize the City Manager to execute all related documents.

ATTACHMENTS:

- Attachment #7 - Airport CIP Project Breakdown (PDF)
- Attachment #8 - Certification of Project Funds (PDF)
- Attachment #9 - Designation of Authorized Representative (PDF)
- Attachment #10 - Designation of Sponsor's Consultant Selection Committee (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

7. Council Action 2008-35

Consider Approval of Amendment No. 3 to the Project Agreement for the City of Liberty, Emergency Watershed Program Project.

COMMENTS - Current Meeting:

This amendment reflects that additional rock riprap is required at the project site. There will be no cost to the city. This will increase the National Resources Conservation Service cost share by $150,000.

A motion was made to approve the Amendment No. 3 to the EWP Project.

ATTACHMENTS:

- Attachment #11 - Amendment No. 3 EWP Project (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilman
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

8. Resolution 2008-15

Consider Approval of a Resolution Electing to Participate in the Tax Abatement Program Under Texas Tax Code 312.

COMMENTS - Current Meeting:

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

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ELECTING TO PARTICIPATE IN THE TAX ABATEMENT PROGRAM UNDER TEXAS TAX CODE 312."

This Resolution confirms the city's decision to participate in the Tax Abatement Program under Chapter 312 of the Texas Tax Code.

Council voted to approve the Resolution authorizing participation in thIs program.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

9. Resolution 2008-16

Consider Approval of a Resolution Adopting Guidelines and Criteria for Tax Abatement.

COMMENTS - Current Meeting:

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

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ADOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT."

This resolution approves the adoption of the proposed tax abatement guidelines and criteria. Tax abatement criteria have a statutory expiration of two years.

A motion was made to approve the Resolution.

ATTACHMENTS:

- Attachment #12 - Tax Abatement Guidelines and Criteria 2008 (DOC)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

10. Resolution 2008-17

Consider Approval of a Resolution Indicating Intent to Enter into a Tax Abatement Agreement with Boomerang Tube, LLC.

COMMENTS - Current Meeting:

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

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, INDICATING ITS INTENT TO ENTER INTO A TAX ABATEMENT AGREEMENT WITH BOOMERANG TUBE, LLC."

A motion was made to approve the Resolution reflecting the city's intent to enter into a tax abatement agreement with prospective new business Boomerang Tube LLC.

ATTACHMENTS:

- Attachment #13 - PROPOSED TAX ABATEMENT SCHEDULE put with Intent Resolution (DOC)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

B. Executive Session

Personnel Matters. Evaluation of the City Manager. Gov. Code §551.074.

At 8:30 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Gov. Code §551.074 for discussion of the City Manager's evaluation.

At 10:02 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting. There was no action taken.

VIII. COUNCIL MEAL

The Council shared an evening meal.

IX. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 10:02 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

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

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

Dianne Tidwell
City Secretary
(936) 336-3684

Monday, July 14, 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 July 14, 2008 at City Council Chambers, 1829 Sam Houston, Liberty, TX.

Attendee Name	Present	Absent	Late	Arrived
Carl Pickett	þ	¨	¨	
Dennis Beasley	þ	¨	¨	
Diane Huddleston	þ	¨	¨	
Mike McCarty	þ	¨	¨	
Al Simonson	þ	¨	¨	
Louie Potetz	þ	¨	¨	
Frank Jordan	þ	¨	¨	

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council regarding non-agenda items.

Mayor Pickett stated there would be a special called meeting on June 22, 2008. Mayor Pickett then remarked on the city's loss of Firefighter Sorrel Fregia.

V. REGULAR AGENDA

A. Regular Agenda Items

1. Information Item 2008-36

Public Hearing on the Designation of a Reinvestment Zone.

COMMENTS - Current Meeting:

At 6:09 p.m., Mayor Pickett opened the Public Hearing on the designation of a Reinvestment Zone. City Attorney Randy Gunter stated that this same reinvestment zone was designated in the mid 90's but, by statute, expires after five years. Mr. Gunter explained that this public hearing is the second step, in a series of steps, moving toward the city's ability to enter into a tax abatement agreement with Boomerang Tube, LLC or anyone else in the reinvestment zone who meets the criteria adopted by the Council at the previous meeting.

At 6:11 p.m., Mayor Pickett closed the Public Hearing.

2. Ordinance 2008-7

Consider Adoption of an Ordinance Designating a Certain Area as Reinvestment Zone No. 1.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of Ordinance No. 2008-7 into the record as follows:

"AN ORDINANCE DESIGNATING A CERTAIN AREA AS A COMMERCIAL/INDUSTRIAL TAX ABATEMENT ZONE IN THE CITY OF LIBERTY, TEXAS; TO BE KNOWN AS REINVESTMENT ZONE NO. 1; ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt Ordinance No. 2008-7. It was stated for the record that Mayor Pickett and Councilpersons McCarty and Jordan abstained, as they own property in the reinvestment zone. They are not, in any way, opposed to the adoption of this ordinance.

RESULT:	**ADOPTED [4 TO 0]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Dennis Beasley, Diane Huddleston, Al Simonson, Louie Potetz
ABSTAIN:	Carl Pickett, Mike McCarty, Frank Jordan

3. Council Action 2008-36

Consider Approval of the Terms of a Proposed Tax Abatement Agreement with Boomerang Tube, LLC.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding electric rates, set-up costs to provide service to Boomerang Tube, number of jobs to be brought into the community, amount of the prospective business' investment, various tax abatement schedules, and other related issues.

A motion was made to extend to Boomerang Tube, LLC an abatement based on the schedule recommended in the proposed tax abatement agreement discussed this meeting; 100% for the first five years, 75% for year six, 50% for year seven. This information will be included in the proposed agreement, which will be approved at a later date.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilman
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

B. Executive Session

An Executive Session was not held.

VI. COUNCIL MEAL

There was no Council meal at this meeting.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 6:55 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

The City of Liberty

City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, July 22, 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 July 22, 2008 at City Council Chambers, 1829 Sam Houston, Liberty, TX.

Attendee Name	Present	Absent	Late	Arrived
Carl Pickett	þ	¨	¨	
Dennis Beasley	þ	¨	¨	
Diane Huddleston	þ	¨	¨	
Mike McCarty	þ	¨	¨	
Al Simonson	¨	þ	¨	
Louie Potetz	þ	¨	¨	
Frank Jordan	þ	¨	¨	

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests 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. REGULAR AGENDA

A. Regular Agenda Items

1. Resolution 2008-18

Consider Approval of a Resolution Authorizing a Tax Abatement Agreement with Boomerang Tube LLC, Within Reinvestment Zone No. 1.

COMMENTS - Current Meeting:

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

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING AN AGREEMENT FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT FOR REINVESTMENT ZONE NO. 1."

This resolution authorizes entering into a Commercial/Industrial Tax Abatement Agreement with Boomerang Tube, LLC, Reinvestment Zone No. 1, and authorizes the Mayor to execute the Tax Abatement Agreement. The tax abatement schedule as included in the agreement as follows:

Year	%Of Added Value to be Abated
1-5	100%
6	75%
7	50%
8-10	0%

A motion was made to approve the Resolution authorizing the Tax Abatement Agreement with Boomerang Tube, LLC, with a change to the section entitled "Terms and Conditions", #3. The word "or" is to be removed from the "and/or" requirement of the dollar amount to be spent on construction cost and personal property costs, prior to completion or purchase.

ATTACHMENTS:

- Attachment #1 - TAX ABATEMENT AGREEMENT 2008 Boomerang (DOC)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

B. Executive Session

CONSULTATION WITH ATTORNEY. Gov. Code §551.071
PERSONNEL MATTERS. Gov. Code §551.074

1. Discussion of concerns relating to Police Department Personnel.

CONSULTATION WITH ATTORNEY. Gov. Code §551.071
DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION. Gov. Code §551.087

2. Discussion and legal advice regarding economic development statute.

CONSULTATION WITH ATTORNEY. Gov. Code §551.071

3. Pending Litigation with Liberty-Dayton Community Hospital.

At 6:15 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Gov. Codes §551.071, §551.074, and §551.087.

At 7:34 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

C. Reconvene into Regular Session

1. Consider action, if any, on the items as discussed in the Executive Session.

There was no action taken.

VI. COUNCIL MEAL

Council shared an evening meal.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:34 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilman
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

The City of Liberty

City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Monday, August 4, 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 August 4, 2008 at City Council Chambers, 1829 Sam Houston, Liberty, TX.

Attendee Name	Present	Absent	Late	Arrived
Carl Pickett	þ	¨	¨	
Dennis Beasley	þ	¨	¨	
Diane Huddleston	þ	¨	¨	
Mike McCarty	¨	þ	¨	
Al Simonson	þ	¨	¨	
Louie Potetz	þ	¨	¨	
Frank Jordan	þ	¨	¨	

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council regarding non-agenda items.

Electric Supt, Randy Wiggins gave a brief overview of the necessary steps taken for hurricane preparedness in regard to the city's electric system.

City Manager Ron Wood reported to Council that each department has been working diligently and is fully prepared for the storm event. Mr. Wood also remarked that the Emergency Operations Center, located at the Fire Department, will be fully operational this evening at 7:00 p.m.

V. REGULAR AGENDA

A. Executive Session

1. Deliberation Regarding Economic Development Negotiation. Deliberate the offer of a

financial or other incentive to a business prospect. Gov. Code §551.087.

At 6:05 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Gov. Code §551.087.

B. Reconvene into Regular Session

At 8:05 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Motion To: Consider action, if any, on the items as discussed in the Executive Session

COMMENTS - Current Meeting:

A motion was made to accept Option #4 or D, as stated in the Executive Session, and ask Nowlin & Associates to negotiate rates with the economic development prospect.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Al Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz, Jordan
ABSENT:	Mike McCarty

VI. COUNCIL MEAL

There was no meal at this meeting.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:08 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilman
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz, Jordan
ABSENT:	Mike McCarty

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Aug 4, 2008 6:00 PM (Minutes Approval)

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Requests for Financial Assistance

COUNCIL ACTION 2008-44

DOC ID: 1158

Consider Providing Financial Assistance to the Spay-Neuter Assistance Program.

EXPLANATION:
Susan Lamb, Community Program Manager for the Spay-Neuter Assistance Program (SNAP) will be present to discuss the program's services and make a request for financial assistance.

Dianne Tidwell

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Stop The Cycle.

SNAP's mission is to prevent the suffering and death of cats and dogs due to overpopulation, especially in low-income areas.

July 9, 2008

City of Liberty

The SNAP veterinary mobile clinic, which normally serves Harris County, has been coming to Liberty County since September 2007, offering free spay-neuter and rabies vaccination services. At the end of August 2008, we will have made thirty-one trips to Liberty County, rotating approximately three times each month among .Liberty, Dayton and Cleveland. Our project is first come, first served for dogs and cats living with low-income families who qualify by participation in any one of a number of public assistance programs, e.g., Food Stamps.

Our maximum capacity on the mobile clinic is 22-24 animals. Each time we come to Liberty County we take as many animals as we can for the day and still have to turn away some people with their dogs or cats. This turn away number is now over 300 since last September. The community has enthusiastically responded to SNAP's presence.

We are coming to Liberty County through a grant from the State of Texas Animal Friendly License Plate fund. However, the grant only covers direct costs, i.e., veterinarian and technician salaries and medical supplies. It does not cover anything the state considers an indirect cost, such as fuel to get there and to run our generator during operations. Therefore, we are losing money every time we make the trip. The State of Texas will continue funding for at least one more year. However, we cannot continue coming unless we can find financial support to make up for this shortage.

If Dayton, Liberty, Cleveland, and the county could each come up with about $3,000; the total should meet our need for a single year. Dayton City Council has already committed $3,000 in their next year's budget for us to continue to come to serve the Dayton community.

The SNAP mobile program has been serving Houston/Harris County since 1994. We were started as a humane solution to the staggering cat and dog overpopulation problem in our area. And over the years, many Liberty County citizens have contacted us to request that we bring our clinic to Liberty County. We are glad we have been able to bring service to Liberty County this past year and hope to be able to continue.

If you have any questions or need documentation, please feel free to contact me at voice 713-661-3565, fax 713-661-3570, or email slamb@snapus.org. You may also reach Director of Operations Jim Weedon, DVM, at voice 800-762-7762, fax 713-880-3172, or email jweedon@snapus.org.

SPAY-NEUTER ASSISTANCE PROGRAM

P.O. Box 70286 • Houston, Texas 77270 • P 713.862.3863 • 800.762-7762 • F 713.880.3172 • snapus.org

We thank you so much for considering this request and for the welcome we have received from everyone in Liberty County.

For the animals,

Susan Lamb
Community Program Manager

BEST IN AMERICA
CERTIFIED BY INDEPENDENT CHARITIES OF AMERICA

BBB®
MEMBER
Greater Houston

SPAY-NEUTER ASSISTANCE PROGRAM
P.O. Box 70286 • Houston, Texas 77270 • P 713.862.3863 • 800.762-7762 • F 713.880.3172 • snapus.org

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION 2008-40

DOC ID: 1152

Consider an Appointment to Fill the Second of Two Alternate Positions on the Planning & Zoning Commission.

EXPLANATION:
City Charter states that the Council may appoint two individuals to serve as alternate members of the Planning & Zoning Commission. At the June 10, 2008 meeting, Mr. Paul Damek was appointed to fill one of the alternate positions. The second alternate position has not yet been filled.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION 2008-41

DOC ID: 1153

Consider Replacing Councilperson Potetz on the Community Development Advisory Board.

EXPLANATION:
This board consists of seven members.

Current Members are: Louie Potetz, Juan Venegas, Laurie David, Ross Norwood, Celeste Newton, Sharon Riley and Ellis Pickett.

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Misc. Board & Comm Info

COUNCIL ACTION 2008-42

DOC ID: 1154

Consider Expanding the Community Development Advisory Board Mission Statement to Include Economic Development and Tourism.

EXPLANATION:

The mission statement of the Community Development Advisory Board currently reads as follows:

"The mission of the Community Development Advisory Board is to actively promote and provide a plan of action to beautify, enhance and develop the public lands within our community and encourage the city and private sector to work together towards this goal; and to offer any recommendations that might improve the quality of life in our city."

Suggested Change:

"The mission of the Community Development Advisory Board is to actively promote and provide a plan of action, leadership and involvement in area economic development, tourism, beautification, enhancement and development of the public land within our community. The mission is further to encourage the city and private sector to work together towards this goal; and to offer any recommendations that might improve the quality of life in our city."

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

Meeting: 08/12/08 06:00 PM

Department: Inspection
Category: Plats

COUNCIL ACTION 2008-43

DOC ID: 1156

Consider Approval of the Final Replat of Picketville II Subdivision.

EXPLANATION:
Chambers Surveying and Mapping has presented a Final Replat of Picketville Subdivision Section II for consideration. Property owner, Martin Sifuentes inquired about multiple single family dwellings on Lot 2 of the existing subdivision and was advised that there can only be one single family dwelling per legally described lot and he would have to subdivide to allow a separate lot for each dwelling. Because Lot 2 was large enough to accommodate three residential size lots, he decided to subdivide it for possible future development. Because it was previously subdivided, the plat was able to be submitted under the short form format as a final replat. The plat does meet all the requirements of the City's Subdivision Ordinance, and was reviewed and approved unanimously by the Planning and Zoning Commission on July 30, 2008.

Candice Parker

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REPLAT OF LOT 2 OF PICKETVILLE SUBDIVISION SECTION TWO

A 0.9419 OF AN ACRE TRACT CONTAINING 3 LOT SITUATED IN THE LIBERTY TOWN EAST LEAGUE, A – 359, LIBERTY COUNTY, TEXAS BEING OUT OF LOT 2 OF PICKETVILLE SUBDIVISION SECTION TWO AS AS RECORDED IN VOLUME 9 AT PAGE 162 OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS.

JULY 15, 2008

CHAMBERS SURVEYING AND MAPPING
P. O. BOX 1272 MONT BELVIEU, TEXAS 77580
(281) 576-6788

MARTIN SIFUENTES
608 LAYL DRIVE LIBERTY, TEXAS 77575
(936) 334-0915

I, THE UNDERSIGNED, MAYOR OF THE CITY OF LIBERTY, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED ON THIS THE ____ DAY OF ____, 2008.

______
CITY OF LIBERTY MAYOR

I, THE UNDERSIGNED, AS A LAND OR CITY PLANNER AS DEFINED IN ORDINANCE NO. ____, HEREBY CERTIFY THAT PROPERTY PLANNING CONSIDERATION HAS BEEN GIVEN THE DESIGN AND SPECIFICATIONS OF THIS PLAT ON THIS THE ____ DAY OF ____, 2008.

______
PLANNER AND PROFESSIONAL AFFILIATION

STATE OF TEXAS)
COUNTY OF LIBERTY)

I, ____, COUNTY CLERK OF LIBERTY, TEXAS, DO HEREBY CERTIFY THAT THE WRITTEN INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE ON ____, 2008, AT ____ O'CLOCK ____M. WITH FILE NUMBER ____, IN VOLUME ____ PAGE ____ OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

______
COUNTY CLERK
LIBERTY COUNTY, TEXAS

STATE OF TEXAS)
COUNTY OF ____)

I, MARTIN SIFUENTES , BEING THE OWNER OF A 0.9419 OF AN ACRE TRACT OF LAND IN THE LIBERTY TOWN EAST LEAGUE, A – 359, LIBERTY COUNTY, TEXAS, AS CONVEYED AT COUNTY CLERK'S FILE 2006012363 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS, DO HEREBY SUBDIVIDE 0.9419 OF AN ACRE TO BE KNOWN AS TREECE ESTATES, HEREBY DEDICATE TO USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

IT IS HEREBY ACKNOWLEDGED THAT SEWER AND POTABLE WATER WILL BE PROVIDED BY THE CITY OF LIBERTY AND THERE IS ALSO DEDICATED FOR UTILITIES AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET WIDE FROM A PLANE 20 FEET ABOVE THE GROUND UPWARD LOCATED ADJACENT TO ALL UTILITY EASEMENTS AND STREETS SHOWN HEREON. THIS PROPERTY IS RESERVED AS COMMERCIAL PROPERTY AND IS LOCATED IN THE CITY OF LIBERTY AT THE TIME OF FILING OF THIS PLAT.

WITNESS MY HAND IN ____, COUNTY, TEXAS,

THIS ____ DAY OF ____, 2008.

______
MARTIN SIFUENTES

STATE OF TEXAS)
COUNTY OF ____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARTIN SIFUENTES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF ____, 2008.

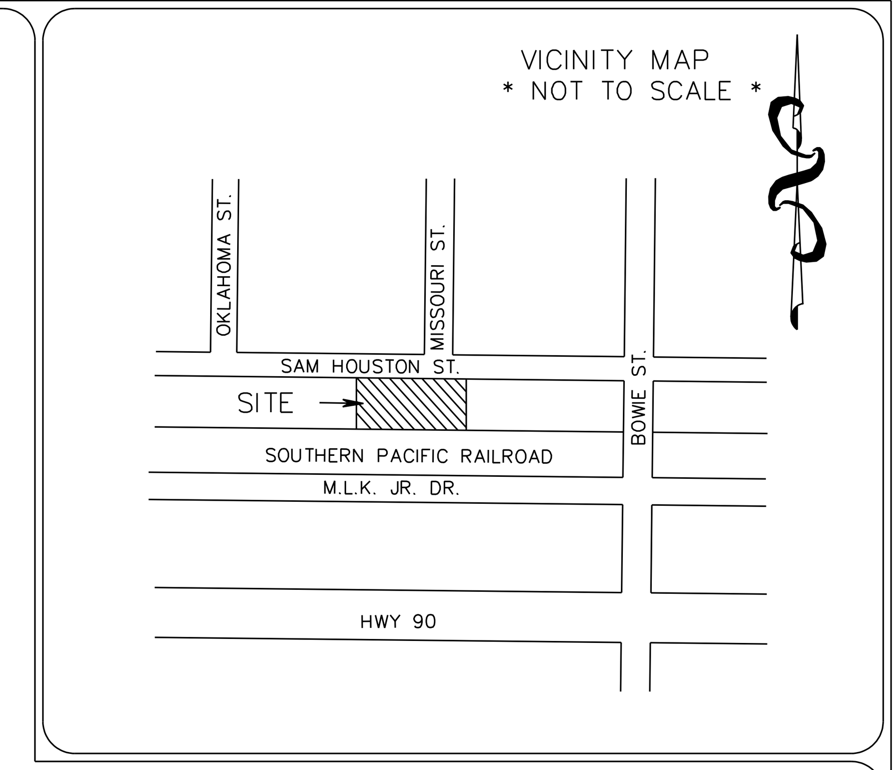
______
NOTARY PUBLIC IN AND FOR

____ COUNTY, TEXAS

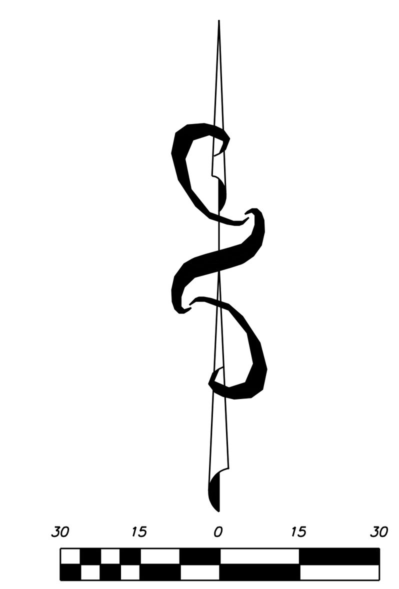
I, MICHAEL W. CHANDLER, REG., PROFESSIONAL LAND SURVEYOR NO. 5292, DO HEREBY CERTIFY THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF LIBERTY COUNTY, AND DELINEATES THE RESULTS OF AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION JULY, 2008, AND THAT ALL LINES, BOUNDARIES, AND LANDMARKS ARE ACCURATELY SHOWN HEREON AND THAT THIS SUBDIVISION LIES WITHIN FLOOD ZONE "X" SHADED ACCORDING TO F.I.R.M. COMMUNITY PANEL NO. 480441 0025 A DATED NOVEMBER 18, 1988, FOR THE CITY OF LIBERTY, TEXAS.

PRELIMINARY NOT
TO BE RECORDED

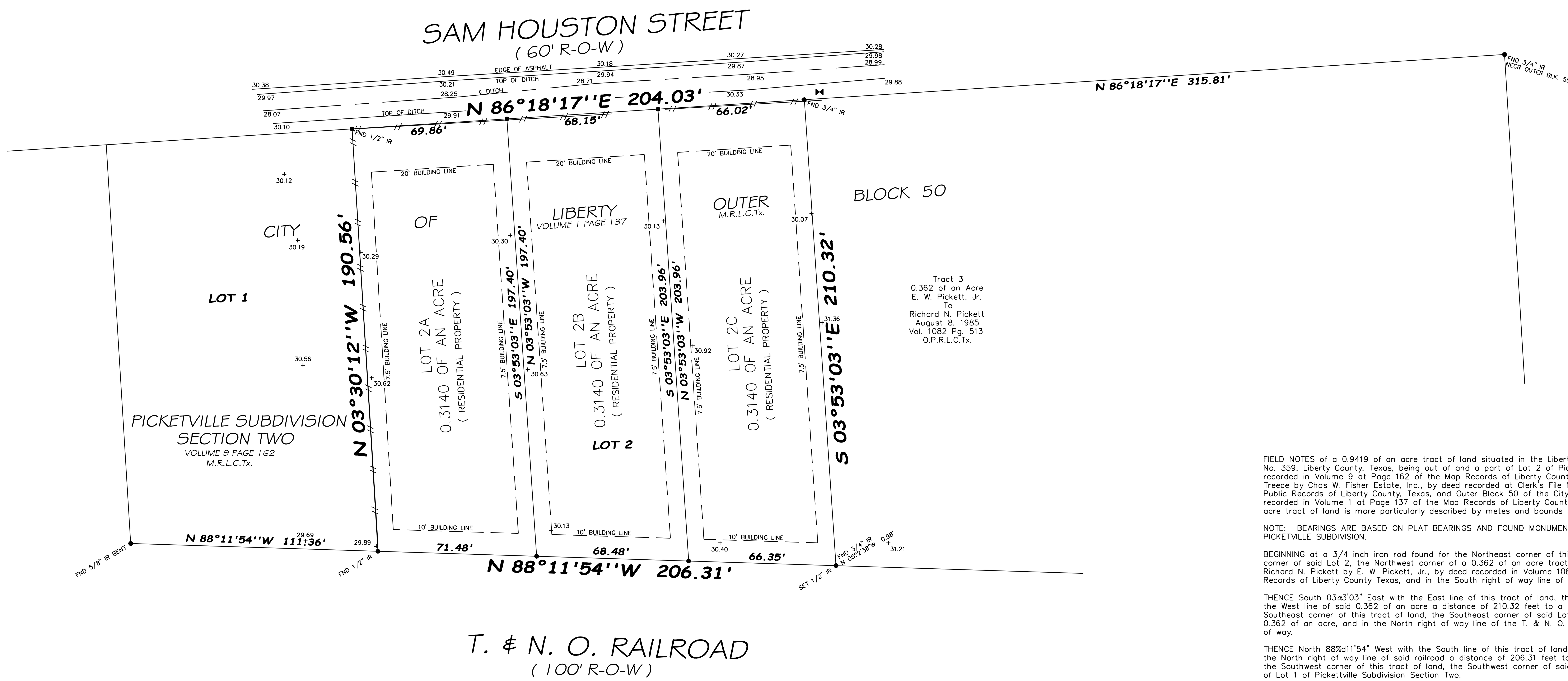
______
MICHAEL W. CHANDLER
REG. PROFESSIONAL LAND
SURVEYOR NO. 5292



LEGEND
- POWER POLE
- MP METER POLE
- WATER METER
- WOOD FENCE
- +31.36 = NATURAL GROUND



SCALE: 1 INCH = 30 FEET



FIELD NOTES of a 0.9419 of an acre tract of land situated in the Liberty Town East League, Abstract No. 359, Liberty County, Texas, being out of and a part of Lot 2 of Picketville Subdivision Section 2 as recorded in Volume 9 at Page 162 of the Map Records of Liberty County, Texsas, as conveyed to Leeanna Erica Treece by Chas W. Fisher Estate, Inc., by deed recorded at Clerk's File No. 2006012363 of the Official Public Records of Liberty County, Texas, and Outer Block 50 of the City of Liberty as recorded in Volume 1 at Page 137 of the Map Records of Liberty County, Texas. This 0.9419 of an acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON PLAT BEARINGS AND FOUND MONUMENTS IN THE NORTH LINE OF SAID PICKETVILLE SUBDIVISION.

BEGINNING at a 3/4 inch iron rod found for the Northeast corner of this tract of land, the Northeast corner of said Lot 2, the Northwest corner of a 0.362 of an acre tract of land called Tract 3 conveyed to Richard N. Pickett by E. W. Pickett, Jr., by deed recorded in Volume 1082 at Page 513 of the Official Public Records of Liberty County Texas, and in the South right of way line of Lamar Avenue, 60' right of way.

THENCE South 03α3'03" East with the East line of this tract of land, the East line of said Lot 2, and the the West line of said 0.362 of an acre a distance of 210.32 feet to a 1/2 inch iron rod set for the Southeast corner of this tract of land, the Southeast corner of said Lot 2, the Southwest corner of said 0.362 of an acre, and in the North right of way line of the T. & N. O. Railroad, 100 foot wide right of way.

THENCE North 88%d11'54" West with the South line of this tract of land, the South line of said Lot 2, and the North right of way line of said railroad a distance of 206.31 feet to a 1/2 inch iron rod found for the Southwest corner of this tract of land, the Southwest corner of said Lot 2, and the Southeast corner of Lot 1 of Pickettville Subdivision Section Two.

THENCE North 03°30'12" West with the West line of this tract of land, the West line of said Lot 2, and the East line of said Lot 1 a distance of 190.56 feet to a 1/2 inch iron rod found for the Northwest corner of this tract of land, the Northwest corner of said Lot 2, and the Northeast corner of said Lot 1 in the South right of way line of Lamar Avenue.

THENCE North 86?8'17" East with the North line of this tract of land, the North line of said Lot 2, and the South right of way line of Lamar Avenue a distance of 204.03 feet to the PLACE OF BEGINNING, containing within said boundaries 0.9419 of an acre of land, more or less.

NOTES:

1) BEARINGS ARE BASED ON FOUND MONUMENTS IN THE NORTH LINE OF PICKETVILLE SUBDIVISION SECTION TWO AS RECORDED IN VOLUME 9 AT PAGE 162 OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS.

2) ELEVATIONS SHOWN HEREON BASED ON CITY OF LIBERTY BENCH MARK NO. 3 ELEVATION OF 29.31 FEET.

3) ALL ● ARE SET 1/2 INCH IRON RODS UNLESS OTHERWISE NOTED.

CITY OF LIBERTY
PLANNING COMMISSION'S
CERTIFICATION

RE: **Final Plat of Picketville Section II Subdivision**
Subdivision Name

On the **30th** day of **July, 2008**, the Planning Commission of the City of Liberty, Texas, timely met at a regularly scheduled meeting; notice of said meeting was duly posted; and consideration of the plat of the above-named proposed subdivision was placed on the agenda of such meeting.

The Planning Commission, after reviewing all materials, evidence, documents and recommendations submitted in connection with the above-named plat does herein certify:

✓ the Planning Commission has reviewed the above-named plat and all other materials and evidence submitted in connection therewith; and

hereby recommends the City Council take the following action:

✓ conditionally approve the above named plat.

______ disapprove the above-named plat for the following reasons:

______ conditionally approve the above-named plat, with the following modifications, to-wit:

SIGNED this the 30th day of July, 2008.

Chairperson
Planning Committee

ATTEST:

Planning Committee

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

RE: **Final Replat of the Picketville 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 15th day of July, 2008.

Administrator/City Inspector, Planning Director

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

RE: **Final Replat of the Picketville Subdivision**

✓ A. Preliminary Conference with: Chambers Surveying

✓ B. Date conference held: July 15, 2008

✓ C. Plat Filing: Final Replat

Date filed: July 15, 2008

Fee Amount Paid: $ To be billed

D. Plat Checklist (initial and date or ditto for approval)

GP 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.

GP 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.

GP 3. Description, by metes and bounds, of the subdivision boundaries.

GP 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.

GP 5. Subdivision boundary lines indicated by heavy lines; the acreage of the subdivision shown.

GP 6. Existing conditions as follows:

GP (1) The exact location, dimensions, name and description of all existing and/or recorded streets, alleys, reservations, easements, or other 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.

CR 16. Soil information.

N/A 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: 08/12/08 06:00 PM

Department: Administration
Category: Tax Abatement

RESOLUTION 2008-19

DOC ID: 1160

Consider Adoption of a Resolution to Ratify a Tax Abatement Agreement.

EXPLANATION:
On July 22, 2008, Council passed a Resolution and authorized the execution of a Tax Abatement Agreement with Boomerang Tube, LLC. Questions have arisen to the validity of this action at a "special called " meeting. This agenda item allows the Council, at a "regular called monthly meeting" to sanction the previous authorization.

Dianne Tidwell

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, RATIFYING AN AGREEMENT FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT FOR REINVESTMENT ZONE NO. 1.

WHEREAS, the City Council of the City of Liberty did previously approve and adopt Tax Abatement Guidelines and Criteria; and

WHEREAS, the City Council of the City of Liberty did, at a previous special called meeting commit to enter into an abatement agreement with Boomerang Tube, LLC upon certain conditions set forth in that agreement; and

WHEREAS, a question has arisen regarding whether an Abatement Agreement may be entered into in a special called meeting rather than the regular monthly meeting; and

WHEREAS, the City Council now wishes to ratify its Resolution No. 2008-18 made in a previous special meeting authorizing a Tax Abatement Agreement with Boomerang Tube, LLC, at this, a regular monthly meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas, does hereby ratify its previous authorization entering into a Commercial/Industrial Tax Abatement Agreement with Boomerang Tube, LLC, Reinvestment Zone No. 1.

FURTHER, BE IT RESOLVED that through the adoption of this Resolution, the Mayor of the City of Liberty, Carl Pickett, is authorized to execute the commercial/Industrial Tax Abatement Agreement as attached hereto.

PASSED, APPROVED AND ADOPTED this 12th day of August, 2008.

CITY OF LIBERTY, TEXAS

____
Carl Pickett
Mayor

ATTEST:

____
Dianne Tidwell
City Secretary

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM 2008-38

DOC ID: 1147

Presentation of the Proposed Budget for Fiscal Year 2008-2009.

EXPLANATION:
City Charter states that the city manager, between thirty (30) and sixty (60) days prior to the beginning of each fiscal year, shall submit to the council a proposed budget, which shall provide a complete financial plan for the new fiscal year.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Budget Items

COUNCIL ACTION 2008-37

DOC ID: 1148

Consider Setting the Date, Time and Location for a Public Hearing on the Proposed Budget for Fiscal Year 2008-2009.

EXPLANATION:
The governing body of a municipality is required hold a public hearing on the proposed budget. Any person may attend and may participate in the hearing.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION 2008-38

DOC ID: 1149

Consider Approval of the Proposed Tax Rate for Fiscal Year 2008-2009.

EXPLANATION:
The City Manager will propose the tax rate for the upcoming fiscal year.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION 2008-39

DOC ID: 1150

Consider Setting the Date, Time and Location for Public Hearings on the Proposed Tax Rate for Fiscal Year 2008-2009.

EXPLANATION:

Tax payers must have the opportunity to express their views regarding the proposed tax rate. Management recommends holding the two required public hearings on August 26 and September 2, 2008. The second public hearing may not be held earlier than the third day after the date of the first hearing.

The governing body may not adopt the tax rate at either of these hearing. At each hearing, the governing body must announce the date, time and place of the meeting at which it will vote on the tax rate.

Dianne Tidwell

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

Meeting: 08/12/08 06:00 PM

Department: Administration
Category: Budget

WORK SESSION 2008-3

DOC ID: 1151

Budget Work Session.

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