



**The City of Liberty**  
**City Council**  
**Regular Meeting**  
**~ Agenda ~**

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

**Tuesday, December 9, 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 December 9, 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**

**IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT**

**V. ITEMS OF INTEREST**

**1. Miscellaneous Correspondence**

**1. Information Item 2008-63**

Comcast Cable

- Attachment #1 - Comcast Changes (PDF)

**VI. PRESENTATIONS / REPORTS**

**1. Information Item 2008-64**

Mayor's Report

**2. Information Item 2008-65**

Recycling Report - Councilperson Diane Huddleston

**3. Information Item 2008-66**

Financial Report - Naomi Herrington, Finance Director

- Attachment #2 - Council finance Nov08 (XLS)

**4. Information Item 2008-67**

Hurricane Ike Financial Update - Naomi Herrington, Finance Director

- Attachment #3 - Hurricane Ike Detail (XLSX)

**5. Information Item 2008-68**

Texas Commission on Environmental Quality - Drinking Water Recognition Program Ron Wood, City Manager

- Attachment #4 - TCEQ Recognition Program (PDF)

**6. Information Item 2008-69**

Airport Advisory Board - Linda Street-Ely, AAB Member

**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.

**1. Minutes Approval**

1. Tuesday, November 11, 2008
2. Wednesday, November 19, 2008
3. Monday, December 01, 2008
4. Wednesday, December 03, 2008

**VIII. REGULAR AGENDA**

**A. Regular Session**

**1. Council Action 2008-65**

Consider Extending the Term of the Community Development Advisory Board.

- Attachment #5 - CDAB Dec 08 (PDF)

**2. Council Action 2008-66**

Consider Extending the Term of the Airport Advisory Board.

- Attachment #6 - AAB CM Letter (PDF)
- Attachment #7 - AAB Dec 08 (PDF)

**B. Executive Session**

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.

1. Discussion of Freeport Tax Exemption as to Boomerang Tube, LLC.

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.  
Meeting Concerning Municipally Owned Utility. Gov. Code §551.086.

2. Discussion of Electric Rate Contract with Boomerang Tube, LLC.

**C. Reconvene into Regular Session**

Consider any action on the items as discussed in the Executive Section

**1. Council Action 2008-67**

Consider Approval of a Freeport Exemption Tax as a Business Incentive.

**2. Resolution 2008-26**

Consider Approval of a Resolution Regarding a Freeport Exemption Tax.

**3. Council Action 2008-68**

Consider Approval of an Electric Rate Contract with Boomerang Tube, LLC.

**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 5<sup>th</sup> day of December, 2008 at 1:00 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.**

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\_\_\_\_\_  
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: 12/09/08 06:00 PM

Department: Administration  
Category: Correspondence

**INFORMATION ITEM 2008-63**

DOC ID: 1233

## Comcast Cable

**EXPLANATION:**

This document report changes in the channel line-up in our community.

Dianne Tidwell



Comcast Cable  
8590 West Tidwell Rd  
Houston, TX 77040

November 25, 2008

Ms. Dianne Tidwell  
City of Liberty  
1829 Sam Houston  
Liberty, TX 77575

**RE: Channel Lineup Changes in your community**

Dear Ms. Tidwell:

Comcast in its continuing effort to keep you informed would like to announce certain changes to its channel line-up in your community.

The following channel lineup changes will take place in your community on December 30th:

- HDTV Pack, HDNet Movies and Sleuth will no longer be available. The following channel will be moving service levels: HDNet (from HDTV Pack to Digital Classic).

Please feel to contact me with questions at 713-335-3218.

Sincerely,

A handwritten signature in cursive script that reads "Craig D'Agostini".

Craig D'Agostini  
Director of Government Relations

Attachment # 1: Comcast Changes (INF-2008-63 : Comcast)

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2008-64**

DOC ID: 1234

## Mayor's Report

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2008-65**

DOC ID: 1235

## **Recycling Report - Councilperson Diane Huddleston**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Finance  
Category: Reports

**INFORMATION ITEM 2008-66**

DOC ID: 1229

## **Financial Report - Naomi Herrington, Finance Director**

CITY OF LIBERTY  
FINANCIAL STATEMENT  
AS OF: November 30, 2008

|                             | PRIOR YRS<br>BUDGET | CURRENT<br>BUDGET | CURRENT<br>PERIOD | Y-T-D<br>ACTUAL | TOTAL<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|-----------------------------|---------------------|-------------------|-------------------|-----------------|----------------------|-------------------|----------------|
| 01 - GENERAL FUND           |                     |                   |                   |                 |                      |                   |                |
| FINANCIAL SUMMARY           |                     |                   |                   |                 |                      |                   |                |
| 301 - GENERAL REV. SUMMARY  |                     |                   |                   |                 |                      |                   |                |
| ALL REVENUE                 | \$5,620,494.00      | \$5,912,030.00    | \$438,972.97      | \$786,855.54    | \$0.00               | \$5,125,174.46    | 13.3           |
| ***TOTAL REVENUES***        | \$5,620,494.00      | \$5,912,030.00    | \$438,972.97      | \$786,855.54    | \$0.00               | \$5,125,174.46    | 13.3           |
| EXPENDITURE SUMMARY         |                     |                   |                   |                 |                      |                   |                |
| 401-ADMINISTRATION          | \$599,390.00        | \$790,114.00      | \$635,123.91      | \$1,433,166.73  | \$1,897.71           | -\$644,950.44     | 181.6          |
| 402-COUNCIL                 | \$3,531.00          | \$7,575.00        | \$1,165.33        | \$1,456.14      | \$0.00               | \$6,118.86        | 19.2           |
| 403-FIRE DEPARTMENT         | \$1,194,865.00      | \$1,276,610.00    | \$63,098.39       | \$178,078.77    | -\$7,446.39          | \$1,105,977.62    | 13.3           |
| 404-LIBRARY - CULTURAL CE   | \$374,535.00        | \$387,094.00      | \$16,263.10       | \$49,758.85     | \$8,513.84           | \$328,821.31      | 15.0           |
| 405-AIRPORT                 | \$172,550.00        | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| 406-POLICE DEPARTMENT       | \$1,649,792.00      | \$1,794,201.00    | \$117,557.62      | \$339,695.61    | \$5,245.56           | \$1,449,259.83    | 19.2           |
| 407-CORP. COURT             | \$100,645.00        | \$120,630.00      | \$6,596.68        | \$14,276.79     | \$0.00               | \$106,353.21      | 11.8           |
| 408-EMERGENCY MEDICAL SV    | \$102,000.00        | \$115,730.00      | \$1,986.02        | \$15,144.55     | \$5,164.31           | \$95,421.14       | 17.5           |
| 409-STREET DEPARTMENT       | \$802,223.00        | \$944,946.00      | \$32,878.23       | \$123,978.42    | \$23,861.69          | \$797,105.89      | 15.6           |
| 410-PARKS & RECREATION      | \$247,580.00        | \$267,176.00      | \$8,223.22        | \$30,575.44     | \$471.99             | \$236,128.57      | 11.6           |
| 411-MAINT. WAREHOUSE        | \$371,556.00        | \$382,780.00      | \$17,223.35       | \$63,650.95     | -\$1,424.00          | \$320,553.05      | 16.2           |
| 415-INSPECTION SERVICES     | \$159,769.00        | \$117,639.00      | \$6,497.11        | \$15,097.37     | \$293.19             | \$102,248.44      | 13.0           |
| 718-NEIGHBORHOOD SERVICES   | \$0.00              | \$77,276.00       | \$2,779.04        | \$6,108.71      | \$0.00               | \$71,167.29       | 7.9            |
| 485-JUBILEE                 | \$52,050.00         | \$50,600.00       | \$0.00            | \$755.74        | \$0.00               | \$49,844.26       | 1.4            |
| ***TOTAL EXPENDITURES ***   | \$5,830,486.00      | \$6,332,371.00    | \$909,392.00      | \$2,271,744.07  | \$36,577.90          | \$4,024,049.03    | 36.4           |
| 01 - GENERAL FUND           |                     |                   |                   |                 |                      |                   |                |
| REVENUES                    |                     |                   |                   |                 |                      |                   |                |
| ALL REVENUES                |                     |                   |                   |                 |                      |                   |                |
| AUDITORIUM RENT             | \$13,000.00         | \$17,000.00       | \$2,550.00        | \$5,000.00      | \$0.00               | \$12,000.00       | 29.4           |
| BUILDING PERMITS            | \$20,000.00         | \$25,000.00       | \$2,922.50        | \$5,147.50      | \$0.00               | \$19,852.50       | 20.5           |
| CORPORATION COURT           | \$100,000.00        | \$107,000.00      | \$7,454.12        | \$1,482.70      | \$0.00               | \$105,517.30      | 1.3            |
| COUNTY FIRE AID             | \$10,000.00         | \$10,000.00       | \$1,500.00        | \$3,050.00      | \$0.00               | \$6,950.00        | 30.5           |
| DELINQUENT TAXES            | \$46,500.00         | \$46,500.00       | \$0.00            | \$4,915.40      | \$0.00               | \$41,584.60       | 10.5           |
| INTEREST & PENALTY          | \$20,000.00         | \$20,000.00       | \$0.00            | \$1,635.62      | \$0.00               | \$18,364.38       | 8.1            |
| FRANCHISE TAX               | \$200,000.00        | \$240,000.00      | \$44,965.63       | \$44,965.63     | \$0.00               | \$195,034.37      | 18.7           |
| CULTURAL CENTER RENTAL      | \$16,500.00         | \$16,500.00       | \$1,258.12        | \$3,019.83      | \$0.00               | \$13,480.17       | 18.3           |
| LICENSE FEES                | \$2,000.00          | \$2,000.00        | \$0.00            | \$0.00          | \$0.00               | \$2,000.00        | 0.0            |
| PARKS & RECREATION          | \$1,000.00          | \$1,500.00        | \$35.00           | \$30.00         | \$0.00               | \$1,470.00        | 2.0            |
| INTEREST INCOME             | \$72,000.00         | \$50,000.00       | \$0.00            | \$2,343.90      | \$0.00               | \$47,656.10       | 4.6            |
| DOG LICENSE/FEES            | \$500.00            | \$200.00          | \$0.00            | \$0.00          | \$0.00               | \$200.00          | 0.0            |
| MISCELLANEOUS INCOME        | \$45,000.00         | \$70,000.00       | \$169.95          | \$4,896.26      | \$0.00               | \$65,103.74       | 6.9            |
| SALE OF ASSETS              | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| IN LIEU OF TAXES            | \$467,000.00        | \$467,000.00      | \$0.00            | \$38,916.67     | \$0.00               | \$428,083.33      | 8.3            |
| 1% SALES TAX                | \$1,978,019.00      | \$2,037,360.00    | \$189,666.18      | \$370,947.62    | \$0.00               | \$1,666,412.38    | 18.2           |
| TAX COLLECTION-CURRENT      | \$1,195,000.00      | \$1,399,000.00    | \$47,089.06       | \$47,045.11     | \$0.00               | \$1,351,954.89    | 3.3            |
| EMERGENCY MEDICAL SERVICE   | \$284,000.00        | \$364,000.00      | \$7,487.82        | \$12,382.28     | \$0.00               | \$351,617.72      | 3.4            |
| FIRE/EMS GRANT REV.         | \$0.00              | \$0.00            | \$9,431.16        | \$9,431.16      | \$0.00               | -\$9,431.16       | 0.0            |
| HOTEL/MOTEL TAX             | \$60,000.00         | \$0.00            | \$1,243.46        | \$12,139.37     | \$0.00               | -\$12,139.37      | 0.0            |
| TRSF. FROM UTILITY FUNDS    | \$886,870.00        | \$886,870.00      | \$0.00            | \$73,905.84     | \$0.00               | \$812,964.16      | 8.3            |
| DONATIONS-ANIMAL CONTROL    | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| TRANSFER FROM LCDC          | \$12,700.00         | \$12,700.00       | \$0.00            | \$0.00          | \$0.00               | \$12,700.00       | 0.0            |
| ALCOHOL/TOBACCO EDU         | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| COKE MACHINE REVENUE        | \$150.00            | \$150.00          | \$0.00            | \$0.00          | \$0.00               | \$150.00          | 0.0            |
| LEOSE - FIRE                | \$669.00            | \$750.00          | \$0.00            | \$0.00          | \$0.00               | \$750.00          | 0.0            |
| HAZ/MAT RESPONSE            | \$2,000.00          | \$2,000.00        | \$2,654.25        | \$2,654.25      | \$0.00               | -\$654.25         | 132.7          |
| POLICE DEPT. DONATIONS      | \$0.00              | \$0.00            | \$1,000.00        | \$1,000.00      | \$0.00               | -\$1,000.00       | 0.0            |
| TEL-COMM. R O W ACCESS FEES | \$8,500.00          | \$6,000.00        | \$1,670.68        | \$1,779.20      | \$0.00               | \$4,220.80        | 29.6           |

Attachment # 2: Council finance Nov08 (INF-2008-66 : Financial Report)

CITY OF LIBERTY  
FINANCIAL STATEMENT  
AS OF: November 30, 2008

|                             | PRIOR YRS<br>BUDGET | CURRENT<br>BUDGET | CURRENT<br>PERIOD | Y-T-D<br>ACTUAL | TOTAL<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|-----------------------------|---------------------|-------------------|-------------------|-----------------|----------------------|-------------------|----------------|
| LIBRARY GRANT REV.          | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| INSURANCE REIMBURSEMENT     | \$0.00              | \$0.00            | \$2,761.83        | \$15,198.77     | \$0.00               | -\$15,198.77      | 0.0            |
| COURT REVENUE STATE FINES   | \$39,000.00         | \$5,000.00        | \$6,871.91        | \$11,468.68     | \$0.00               | -\$6,468.68       | 229.3          |
| OMNI BASE FTA REVENUES      | \$200.00            | \$800.00          | \$114.20          | \$236.11        | \$0.00               | \$563.89          | 29.5           |
| COMMERCIAL BOOTH - JUBILEE  | \$3,500.00          | \$2,600.00        | \$0.00            | \$0.00          | \$0.00               | \$2,600.00        | 0.0            |
| CHILDREN'S AREA - JUBILEE   | \$3,800.00          | \$4,300.00        | \$0.00            | \$0.00          | \$0.00               | \$4,300.00        | 0.0            |
| FOOD BOOTH - JUBILEE        | \$3,500.00          | \$3,600.00        | \$0.00            | \$0.00          | \$0.00               | \$3,600.00        | 0.0            |
| CRAFT BOOTHS - JUBILEE      | \$7,200.00          | \$5,500.00        | \$0.00            | \$0.00          | \$0.00               | \$5,500.00        | 0.0            |
| BBQ COOK-OFF - JUBILEE      | \$2,400.00          | \$2,300.00        | \$0.00            | \$0.00          | \$0.00               | \$2,300.00        | 0.0            |
| SALE ITEMS - JUBILEE        | \$500.00            | \$1,100.00        | \$0.00            | \$0.00          | \$0.00               | \$1,100.00        | 0.0            |
| ANTIQUE SHOW - JUBILEE      | \$600.00            | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| DONATIONS - JUBILEE         | \$2,000.00          | \$3,000.00        | \$0.00            | \$0.00          | \$0.00               | \$3,000.00        | 0.0            |
| PHOTO CONTEST - JUBILEE     | \$450.00            | \$500.00          | \$0.00            | \$0.00          | \$0.00               | \$500.00          | 0.0            |
| Misc. - Jubilee             | \$0.00              | \$300.00          | \$0.00            | \$0.00          | \$0.00               | \$300.00          | 0.0            |
| INDIGENT DEFENSE FEE        | \$0.00              | \$1,000.00        | \$140.02          | \$244.26        | \$0.00               | \$755.74          | 0.0            |
| HOMELAND SECURITY GRANT REV | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| DONATIONS JULY 4TH          | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| STEP-DWI                    | \$0.00              | \$4,500.00        | \$0.00            | \$5,032.30      | \$0.00               | -\$532.30         | 111.8          |
| STEP-CLICK IT OR TICKET     | \$0.00              | \$4,000.00        | \$0.00            | \$0.00          | \$0.00               | \$4,000.00        | 0.0            |
| DUE FROM LISD/SRO           | \$0.00              | \$50,000.00       | \$0.00            | \$0.00          | \$0.00               | \$50,000.00       | 0.0            |
| ALARM FEES                  | \$0.00              | \$42,000.00       | \$0.00            | \$0.00          | \$0.00               | \$42,000.00       | 0.0            |
| HURRICANE IKE INSURANCE     | \$0.00              | \$0.00            | \$107,037.08      | \$107,037.08    | \$0.00               | -\$107,037.08     | 0.0            |
| EMPLOYEE APPRECIATION DONA  | \$0.00              | \$0.00            | \$950.00          | \$950.00        | \$0.00               | -\$950.00         | 0.0            |
| ***TOTAL REVENUES ***       | \$5,504,558.00      | \$5,912,030.00    | \$438,972.97      | \$786,855.54    | \$0.00               | \$5,125,174.46    | 13.3           |
|                             |                     |                   |                   |                 |                      |                   |                |
| 01 - GENERAL FUND           |                     |                   |                   |                 |                      |                   |                |
| EXPENDITURES                |                     |                   |                   |                 |                      |                   |                |
| 401 - ADMINSTRATION         |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS           | \$743,681.00        | \$755,420.00      | \$40,944.31       | \$88,787.37     | \$0.00               | \$666,632.63      | 11.7           |
| OPERATING SUPPLIES          | \$49,100.00         | \$54,363.00       | \$4,019.81        | \$8,535.83      | \$928.52             | \$44,898.65       | 17.4           |
| MAINTENANCE / REPAIR        | \$57,650.00         | \$60,158.00       | \$2,055.92        | \$8,269.22      | \$680.19             | \$51,208.59       | 14.8           |
| CHARGES & SERVICES          | \$139,700.00        | \$142,500.00      | \$5,137.52        | \$69,453.72     | \$0.00               | \$73,046.28       | 48.7           |
| PROFESSIONAL SERVICES       | \$120,250.00        | \$169,350.00      | \$3,077.36        | \$21,675.75     | \$0.00               | \$147,674.25      | 12.8           |
| OTHER                       | \$0.00              | \$125,814.00      | \$8,277.99        | \$1,279,569.10  | \$289.00             | -\$1,154,044.10   | 1017.2         |
| ALLOCATED OVERHEAD          | -\$517,491.00       | -\$517,491.00     | \$0.00            | -\$43,124.26    | \$0.00               | -\$474,366.74     | 8.3            |
| TOTAL                       | \$592,890.00        | \$790,114.00      | \$63,512.91       | \$1,433,166.73  | \$1,897.71           | -\$644,950.44     | 181.6          |
| 402 - COUNCIL               |                     |                   |                   |                 |                      |                   |                |
| OPERATING SERVICES          | \$81.00             | \$75.00           | \$0.00            | \$20.50         | \$0.00               | \$54.50           | 27.3           |
| OPERATING SUPPLIES          | \$500.00            | \$2,500.00        | \$183.09          | \$339.27        | \$0.00               | \$2,160.73        | 13.5           |
| CHARGES & SERVICES          | \$2,950.00          | \$5,000.00        | \$982.24          | \$1,096.37      | \$0.00               | \$3,903.63        | 21.9           |
| TOTAL                       | \$3,531.00          | \$7,575.00        | \$1,165.33        | \$1,456.14      | \$0.00               | \$6,118.86        | 19.2           |
| 403 - FIRE                  |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS           | \$1,091,985.00      | \$1,161,507.00    | \$59,404.01       | \$147,127.94    | \$0.00               | \$1,014,379.06    | 12.6           |
| OPERATING SUPPLIES          | \$16,430.00         | \$17,355.00       | \$0.00            | \$585.17        | \$2,870.40           | \$13,899.43       | 19.9           |
| MAINTENANCE / REPAIR        | \$26,500.00         | \$34,898.00       | \$1,089.13        | \$3,245.10      | \$841.32             | \$30,811.58       | 11.7           |
| CHARGES & SERVICES          | \$53,550.00         | \$56,450.00       | \$2,477.08        | \$14,967.53     | \$0.00               | \$41,482.47       | 26.5           |
| OTHER                       | \$6,400.00          | \$6,400.00        | \$128.17          | \$12,153.03     | -\$10,748.11         | \$4,995.08        | 21.9           |
| TOTAL                       | \$1,194,865.00      | \$1,276,610.00    | \$63,098.39       | \$178,078.77    | -\$7,036.39          | \$1,105,567.62    | 13.4           |
| 404 - LIBRARY               |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS           | \$270,035.00        | \$275,344.00      | \$15,712.32       | \$34,808.31     | \$0.00               | \$240,535.69      | 12.6           |
| OPERATING SUPPLIES          | \$21,200.00         | \$21,950.00       | \$17.68           | \$1,033.60      | \$5,544.10           | \$15,372.30       | 29.9           |
| MAINTENANCE / REPAIR        | \$25,000.00         | \$30,700.00       | \$224.08          | \$950.78        | \$3,059.14           | \$26,690.08       | 13.0           |
| CHARGES & SERVICES          | \$58,300.00         | \$59,100.00       | \$309.02          | \$12,966.16     | \$0.00               | \$46,133.84       | 21.9           |
| OTHER                       | \$0.00              | \$0.00            | \$0.00            | \$0.00          | \$0.00               | \$0.00            | 0.0            |
| TOTAL                       | \$374,535.00        | \$387,094.00      | \$16,263.10       | \$49,758.85     | \$8,603.24           | \$328,731.91      | 15.0           |

Attachment # 2: Council finance Nov08 (INF-2008-66 : Financial Report)

CITY OF LIBERTY  
FINANCIAL STATEMENT  
AS OF: November 30, 2008

|                            | PRIOR YRS<br>BUDGET | CURRENT<br>BUDGET | CURRENT<br>PERIOD | Y-T-D<br>ACTUAL | TOTAL<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|----------------------------|---------------------|-------------------|-------------------|-----------------|----------------------|-------------------|----------------|
| 406-POLICE DEPARTMENT      |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$1,447,392.00      | \$1,579,901.00    | \$87,006.92       | \$201,574.67    | \$0.00               | \$1,378,326.33    | 12.7           |
| OPERATING SUPPLIES         | \$25,200.00         | \$26,750.00       | \$0.00            | \$129.36        | \$3,032.66           | \$23,587.98       | 11.8           |
| MAINTENANCE / REPAIR       | \$68,000.00         | \$68,000.00       | \$5,404.69        | \$88,055.80     | \$1,759.18           | -\$21,814.98      | 132.0          |
| CHARGES & SERVICES         | \$109,200.00        | \$119,550.00      | \$1,970.56        | \$26,760.33     | \$453.72             | \$92,335.95       | 22.7           |
| OTHER                      | \$0.00              | \$0.00            | \$23,175.45       | \$23,175.45     | \$0.00               | -\$23,175.45      | 0.0            |
| TOTAL                      | \$1,649,792.00      | \$1,794,201.00    | \$117,557.62      | \$339,695.61    | \$5,245.56           | \$1,449,259.83    | 19.2           |
| 407-CORP. COURT            |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$96,310.00         | \$118,081.00      | \$6,596.68        | \$13,963.21     | \$0.00               | \$104,117.79      | 11.8           |
| CHARGES & SERVICES         | \$4,335.00          | \$2,550.00        | \$0.00            | \$313.58        | \$0.00               | \$2,236.42        | 12.3           |
| TOTAL                      | \$100,645.00        | \$120,631.00      | \$6,596.68        | \$14,276.79     | \$0.00               | \$106,354.21      | 11.8           |
| 408-EMERGENCY MEDICAL SVC  |                     |                   |                   |                 |                      |                   |                |
| OPERATING SUPPLIES         | \$29,800.00         | \$37,880.00       | \$46.50           | \$3,914.35      | \$2,273.24           | \$31,692.41       | 16.3           |
| MAINTENANCE / REPAIR       | \$27,600.00         | \$33,000.00       | \$1,546.63        | \$2,584.22      | \$2,668.40           | \$27,747.38       | 15.9           |
| CHARGES & SERVICES         | \$7,100.00          | \$7,350.00        | \$392.89          | \$3,780.30      | \$222.67             | \$3,347.03        | 54.4           |
| PROFESSIONAL SERVICES      | \$35,500.00         | \$35,500.00       | \$0.00            | \$4,865.68      | \$0.00               | \$30,634.32       | 13.7           |
| OTHER                      | \$2,000.00          | \$2,000.00        | \$0.00            | \$0.00          | \$0.00               | \$2,000.00        | 0.0            |
| TOTAL                      | \$102,000.00        | \$115,730.00      | \$1,986.02        | \$15,144.55     | \$5,164.31           | \$95,421.14       | 17.5           |
| 409-STREET DEPARTMENT      |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$537,973.00        | \$574,804.00      | \$30,074.82       | \$113,067.51    | \$0.00               | \$461,736.49      | 19.6           |
| OPERATING SUPPLIES         | \$12,175.00         | \$12,850.00       | \$0.00            | \$827.76        | \$210.07             | \$11,812.17       | 8.0            |
| MAINTENANCE / REPAIR       | \$228,235.00        | \$240,625.00      | \$2,495.15        | \$6,759.44      | \$23,651.68          | \$210,213.88      | 12.6           |
| CHARGES & SERVICES         | \$23,840.00         | \$116,697.00      | \$308.26          | \$3,323.71      | \$0.00               | \$113,373.29      | 2.8            |
| TOTAL                      | \$802,223.00        | \$944,976.00      | \$32,878.23       | \$123,978.42    | \$23,861.75          | \$797,135.83      | 15.6           |
| 410-PARKS & RECREATION     |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$172,030.00        | \$175,054.00      | \$6,464.58        | \$22,801.35     | \$0.00               | \$152,252.65      | 13.0           |
| OPERATING SUPPLIES         | \$9,750.00          | \$10,965.00       | \$72.63           | \$411.42        | \$262.92             | \$10,290.66       | 6.1            |
| MAINTENANCE / REPAIR       | \$45,800.00         | \$55,927.00       | \$818.11          | \$1,442.72      | \$209.07             | \$54,275.21       | 2.9            |
| CHARGES & SERVICES         | \$20,000.00         | \$25,230.00       | \$867.90          | \$5,919.95      | \$0.00               | \$19,310.05       | 23.4           |
| TOTAL                      | \$247,580.00        | \$267,176.00      | \$8,223.22        | \$30,575.44     | \$471.99             | \$236,128.57      | 11.6           |
| 411-MAINT. WAREHOUSE       |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$309,681.00        | \$318,488.00      | \$16,453.61       | \$53,926.26     | \$0.00               | \$264,561.74      | 16.9           |
| OPERATING SUPPLIES         | \$12,325.00         | \$11,638.00       | \$265.97          | \$4,287.17      | -\$2,104.89          | \$9,455.72        | 18.7           |
| MAINTENANCE / REPAIR       | \$31,600.00         | \$32,804.00       | \$363.02          | \$1,171.31      | \$680.89             | \$30,951.80       | 5.6            |
| CHARGES & SERVICES         | \$17,950.00         | \$19,850.00       | \$140.75          | \$4,266.21      | \$0.00               | \$15,583.79       | 21.4           |
| TOTAL                      | \$371,556.00        | \$382,780.00      | \$17,223.35       | \$63,650.95     | -\$1,424.00          | \$320,553.05      | 16.2           |
| 415-INSPECTION SERVICES    |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$151,969.00        | \$108,263.00      | \$6,352.80        | \$14,498.28     | \$0.00               | \$93,764.72       | 13.3           |
| OPERATING SUPPLIES         | \$300.00            | \$350.00          | \$0.00            | \$61.99         | \$202.67             | \$85.34           | 75.6           |
| MAINTENANCE / REPAIR       | \$2,100.00          | \$5,226.00        | \$81.86           | \$201.83        | \$90.52              | \$4,933.65        | 5.5            |
| CHARGES & SERVICES         | \$5,400.00          | \$3,800.00        | \$62.45           | \$335.27        | \$0.00               | \$3,464.73        | 8.8            |
| TOTAL                      | \$159,769.00        | \$117,639.00      | \$6,497.11        | \$15,097.37     | \$293.19             | \$102,248.44      | 13.0           |
| 418-NEIGHBORHOOD SERVICES  |                     |                   |                   |                 |                      |                   |                |
| SALARY & BENEFITS          | \$0.00              | \$53,050.00       | \$2,779.04        | \$6,108.71      | \$0.00               | \$46,941.29       | 11.5           |
| OPERATING SUPPLIES         | \$0.00              | \$1,600.00        | \$0.00            | \$0.00          | \$0.00               | \$1,600.00        | 0.0            |
| MAINTENANCE & REPAIR       | \$0.00              | \$2,176.00        | \$0.00            | \$0.00          | \$0.00               | \$2,176.00        | 0.0            |
| CHARGES & SERVICES         | \$0.00              | \$10,450.00       | \$0.00            | \$0.00          | \$0.00               | \$10,450.00       | 0.0            |
| OTHER                      | \$0.00              | \$10,000.00       | \$0.00            | \$0.00          | \$0.00               | \$10,000.00       | 0.0            |
| TOTAL                      | \$0.00              | \$77,276.00       | \$2,779.04        | \$6,108.71      | \$0.00               | \$71,167.29       | 7.9            |
| 485-JUBILEE                |                     |                   |                   |                 |                      |                   |                |
| OPERATING SERVICES         | \$48,850.00         | \$47,600.00       | \$0.00            | \$755.74        | -\$373.76            | \$47,218.02       | 0.8            |
| CHARGES & SERVICES         | \$3,200.00          | \$3,000.00        | \$0.00            | \$0.00          | \$0.00               | \$3,000.00        | 0.0            |
| TOTAL                      | \$52,050.00         | \$50,600.00       | \$0.00            | \$755.74        | -\$373.76            | \$50,218.02       | 0.7            |
| *** TOTAL EXPENDITURES *** | \$5,651,436.00      | \$6,332,402.00    | \$337,781.00      | \$2,271,744.07  | \$36,703.60          | \$4,023,954.33    | 36.4           |

Attachment # 2: Council finance Nov08 (INF-2008-66 : Financial Report)

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Finance  
Category: Reports

**INFORMATION ITEM 2008-67**

DOC ID: 1230

## **Hurricane Ike Financial Update - Naomi Herrington, Finance Director**

**EXPLANATION:**

Updated information on invoices and insurance reimbursements.

Naomi Herrington

## FUNDING

| DEPARTMENTS      | PAID INVOICES  | FUNDING        |
|------------------|----------------|----------------|
| GENERAL          | \$1,313,175.68 | \$833,175.68   |
| WATER/WASTEWATER | \$0.00         | \$250,000.00   |
| ELECTRIC         | \$9,281.05     | \$239,281.05   |
| GARBAGE          | \$0.00         | \$0.00         |
| TOTALS           | \$1,322,456.73 | \$1,322,456.73 |

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2008-68**

DOC ID: 1237

## **Texas Commission on Environmental Quality - Drinking Water Recognition Program Ron Wood, City Manager**

**EXPLANATION:**

The City has been chosen to receive a TCEQ 2008 Public Drinking Water Recognition Program award for exceptional compliance with Total Coliform Rule requirements. Supervisor Earl McCreight will be present to answer any questions.

Dianne Tidwell

Buddy Garcia, *Chairman*  
 Larry R. Soward, *Commissioner*  
 Bryan W. Shaw, Ph.D., *Commissioner*  
 Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 1, 2008

Re: TCEQ 2008 Public Drinking Water Recognition Program

Dear Water System Official:

Congratulations! Your water system has been chosen to receive a TCEQ 2008 Public Drinking Water Recognition Program award for exceptional compliance with the *Total Coliform Rule (TCR)* requirements. The program recognizes the effort, dedication, and contribution public water suppliers make to the state and to protecting the public health of all citizens. To receive a TCR award, a public water system (PWS) must have no TCR violations and must be an active PWS for sixty (60) consecutive months. Currently, the TCEQ is recognizing water systems in Texas for their outstanding performance for the preceding five years (2003 – 2007).

The purpose of the program is to recognize your commitment to protect public health, and provide opportunities for water system managers to interact with each other, national organizations, and the TCEQ.

Again, congratulations on your selection as an award recipient. If you have any questions or require further information, please contact me at (512) 239-6174.

Sincerely,

James Beauchamp, Special Assistant  
 Public Drinking Water Section (MC 155)  
 Water Supply Division

JB/av

Enclosure: 2008 Total Coliform Rule Award Certificate

# Texas Commission on Environmental Quality

## *Total Coliform Rule Program Award 2007*

### ***CITY OF LIBERTY***

*has fulfilled the requirements to receive the Total Coliform Rule Program Award for 2007  
and is hereby recognized for the effort, dedication, and contribution it has made to the  
state and citizens of Texas in protecting public health.*

PWS ID Number: 1460003



*Elston H. Johnson*  
Elston Johnson, Section Manager  
Public Drinking Water Section

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2008-69**

DOC ID: 1236

## **Airport Advisory Board - Linda Street-Ely, AAB Member**

**EXPLANATION:**

Airport Advisory Board member Linda Street-Ely will address the Council regarding issues relative to the airport.

Dianne Tidwell

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# The City of Liberty City Council

## Regular Meeting

~ Minutes ~

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, November 11, 2008

6:00 PM

City Council Chambers

### I. CALL TO ORDER

The Meeting was called to order on November 11, 2008 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:05 PM by Mayor Carl Pickett.

### II. INVOCATION

Pastor Edwin Hardy, St. John's Baptist Church gave the Invocation.

### III. PLEDGE OF ALLEGIANCE

Enoc Medina, Liberty High School Senior, led the pledge to the American and Texas flags.

### IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for Public Comment.

Mayor Pickett reported on the following items:

1. Document Shredding Event to be held on Saturday, November 15 at the First Baptist Church.
2. Employee Appreciation Dinner to be held Thursday, November 20th.
3. Sadness at the passing of 15-year employee Shirley David.

### V. PRESENTATIONS / REPORTS

#### 1. Information Item 2008-58

Waters-Oldani Executive Recruitment

##### COMMENTS - Current Meeting:

Mr. Chris Hartung, Waters-Oldani made a presentation regarding services available for the executive recruitment of a Police Chief. Mr. Hartung explained the recruitment process to include a recruitment brochure, advertising, identification of quality candidates, screening, interviews, background checks, a proposed timeline, and other related topics. Cost for these services would be approximately \$17,500.00 plus expenses. This process should take approximately 75-100 days.

#### 2. Information Item 2008-59

Recycling Report - Terry Woodson, Waste Management

##### COMMENTS - Current Meeting:

Terry Woodson, Waste Management presented a report on the topic of recycling. Ms. Woodson spoke at length about the issue of "Think Green" which includes "reduce, reuse, and recycle". Further discussion included the issues of drop-off facilities, curbside recycling, conservation, air quality and possible once-a-week trash service.

Minutes Acceptance: Minutes of Nov 11, 2008 6:00 PM (Minutes Approval)

**3. Information Item 2008-60**

Houston Wilderness - Victoria Herrin, Trails Coordinator

**COMMENTS - Current Meeting:**

Ms. Victoria Herrin, Houston Wilderness made a presentation on the Sam Houston Trail & Wilderness Preserve Project. Ms. Herrin reported that Southeast Texas is one of the most highly diverse ecological regions in the United States. The project includes undeveloped land encircling Houston and connecting existing parks, refuges, waterways, etc. This loop would be complete with hiking and biking trails, campsites, encourage outdoor recreation, and economic growth.

**4. Information Item 2008-61**

Texas Water Development Board Project - Status Report

**COMMENTS - Current Meeting:**

City Manager Ron Wood gave an update on the city's \$8.1 million Texas Water Development Board Project. Mr. Wood reported that the design for the rehabilitation of the wastewater treatment plant is due by January 9, 2009. This review will take approximately 90 days and bids are to be let by late spring. In regard to the sewer collection system, smoke testing was complete in the 07-08 budget, which identified sewer line problems and their exact locations. Flow monitoring testing will be conducted within the next few weeks to check for infiltration and inflow.

**5. Information Item 2008-62**

Financial Report

**COMMENTS - Current Meeting:**

Finance Director Naomi Herrington reported on the October financial report. Ms. Herrington reported that the General Fund is over budget due to Hurricane Ike. Ms. Herrington reported that building maintenance line items in the Police and Electric Departments were over budget due to the lease of portable buildings for temporary housing; also due to Hurricane Ike. Ms. Herrington further stated that utility billing and other business were getting back to normal.

**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, October 14, 2008
2. Tuesday, October 21, 2008
3. Wednesday, November 05, 2008

**VII. REGULAR AGENDA****A. Regular Session****1. Council Action 2008-57**

Consider Approval of the Method by Which a New Police Chief Will be Selected.

**COMMENTS - Current Meeting:**

After brief discussion, a motion was made to utilize the services of Waters Oldani Executive Recruitment for the recruitment of a police chief; pursuant to their proposal of \$17,500 plus expenses.

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Diane Huddleston, Councilperson                                 |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                   |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**2. Ordinance 2008-18**

Consideration and Approval of an Ordinance Authorizing the Issuance of "City of Liberty, Texas, Tax Anticipation Notes, Series 2008:" Specifying the Terms and Features of Said Notes; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of the Principal of and Interest on Said Notes; and Resolving Other Matters in Connection Therewith.

**COMMENTS - Current Meeting:**

Mayor Carl Pickett read the caption of the ordinance into the record as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF LIBERTY, TEXAS, TAX ANTICIPATION NOTE, SERIES 2008; SPECIFYING THE TERMS AND FEATURES OF SAID NOTE; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTE; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH."

Mr. Jim Gilley, Coastal Securities and Mr. Neil Thomas, Fulbright & Jaworski, were present to address Council regarding management's concern of cash flow issues due to Hurricane Ike. First Liberty National Bank has agreed to extend credit in the amount of 3 million dollars, for a period of two years. These funds will be drawn only as needed and interest will be paid at the amount of 5%, only on what is drawn. This program provides to the Attorney General that this 3 million dollar note will be paid from ad valorem taxes if the city has not received reimbursement from FEMA by February 1, 2010. The final maturity on this note is February 1, 2011.

Motion was made to adopt Ordinance 2008-18.

|                  |                                            |
|------------------|--------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [5 TO 0]</b>                    |
| <b>MOVER:</b>    | Louie Potetz, Councilperson                |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson              |
| <b>AYES:</b>     | Beasley, McCarty, Simonson, Potetz, Jordan |
| <b>ABSTAIN:</b>  | Carl Pickett, Diane Huddleston             |

**3. Council Action 2008-59**

Consider and Approve a Variance Request, from the Sign Ordinance, for the Sonic Drive In Located at 1821 Hwy. 90.

**COMMENTS - Current Meeting:**

After discussion of a variance request for an LED sign from the Sonic Drive In located at 1821 Hwy. 90, a motion was made to table the request for further review of signage issues.

At a recent meeting of the Planning & Zoning Commission, this board recommended the variance be denied.

**ATTACHMENTS:**

- Attachment #1 - 1821 Highway 90 Sign Variance Sonic (TIF)

**RESULT:** APPROVED [6 TO 1]  
**MOVER:** Mike McCarty, Mayor Pro-Tem  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Beasley, Huddleston, McCarty, Simonson, Jordan  
**NAYS:** Louie Potetz

#### 4. Council Action 2008-60

Consider and Approve a Variance Request, from the Manufactured Home Ordinance, on Property Located at 1825 Reese Street.

**COMMENTS - Current Meeting:**

Motion was made to grant a variance request from the manufactured home ordinance, to Ms. Jo Lynn Reynolds, 1825 Reese Street. Ms. Reynolds requested that she be allowed to replace her damaged manufactured home with another single wide home. Because Ms. Reynolds home is inside the "No Manufactured Home Zone" she was entitled to a one-time change out. However, this replacement requires the replacement home be larger than the original single wide, along with other restrictions. Mr. Reynolds home was damaged due to Hurricane Ike.

**ATTACHMENTS:**

- Attachment #2 - 1825 Reese Mobile Home Variance JoLynn Reynolds (TIF)

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

#### 5. Resolution 2008-25

Consider Approval of a Resolution Regarding a Moratorium on the Issuance of Permits for Travel Trailers in the City of Liberty.

**COMMENTS - Current Meeting:**

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

"A RESOLUTION OF THE CITY COUNCIL OF LIBERTY, TEXAS, ORDERING A 120 DAY MORATORIUM ON THE ISSUANCE OF PERMITS FOR TRAVEL TRAILERS IN THE CITY OF LIBERTY."

This resolution was approved in order to give Council time to research and prepare an ordinance regarding the placement and permitting of travel trailers in the City of Liberty.

Motion was made to approve the Resolution.

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

#### 6. Council Action 2008-61

Consider and Approve, or Ratify, a Lease Agreement for the Temporary Police Department.

**COMMENTS - Current Meeting:**

This two-month lease formalizes the agreement that was made under the emergency powers the Mayor had during Hurricane Ike, when the city was without a police department structure. The first month's lease was donated by the Jordans'; the charge for the second month lease was \$1.25 per square foot. The lease ended on November 12th for a total payment of \$8, 100.00. Motion was made to approve the lease.

Councilperson Jordan excused himself from the Council Chambers during the discussion of this item and abstained from voting.

**RESULT:**           **APPROVED [6 TO 0]**  
**MOVER:**           Dennis Beasley, Councilperson  
**SECONDER:**       Al Simonson, Councilperson  
**AYES:**            Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz  
**ABSTAIN:**         Frank Jordan

**7. Council Action 2008-62**

Consider and Approve a New Street Sign Program Using Liberty High School Colors.

**COMMENTS - Current Meeting:**

Harvey Joiner, Street Supt. was present to address the Council regarding a street sign project to include replacing city street signs, with new signs made from Liberty school colors. The city has approximately 734 signs, with the new signs costing approximately \$33 each, for a total expense of \$24,000.00. Mr. Joiner proposed working with city staff to set up a new fund whereby citizens could fund the purchase of signs for their street or other additional streets.

Motion was made to approve the project.

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

**8. Council Action 2008-63**

Consider and Approve a Nomination to the Central Appraisal District Agricultural Advisory Board.

**COMMENTS - Current Meeting:**

The Central Appraisal District requested a nomination from each taxing entity, from their respective county precinct, to the Agricultural Advisory Board.

Motion was made to nominate Mr. Fredrick Freeman to the Liberty County Central Appraisal Agricultural Advisory Board.

**ATTACHMENTS:**

- Attachment #3 - CAD Ag Adv Brd 08 (PDF)

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

**9. Council Action 2008-64**

Consider and Approve a Nomination to the Central Appraisal District, Appraisal Review Board.

**COMMENTS - Current Meeting:**

The Central Appraisal District requested a nomination from each taxing entity, from their respective county precinct, to the Appraisal Review Board.

Motion was made to nominate Mr. Bob Walker to the Liberty County Central Appraisal District Appraisal Review Board.

**ATTACHMENTS:**

- Attachment #4 - CAD App Rev Brd 08 (PDF)

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                                     |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

## 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 9:30 p.m.

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Diane Huddleston, Councilperson                                 |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

\_\_\_\_\_  
Carl Pickett, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 11, 2008 6:00 PM (Minutes Approval)



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

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Wednesday, November 19, 2008

7:00 PM

City Council Chambers

## I. CALL TO ORDER

The Meeting was called to order on November 19, 2008 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 7:04 PM by Mayor Carl Pickett.

## II. INVOCATION

Mayor Pickett dispensed with the Invocation.

## III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge of Allegiance.

## IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for Public Comment.

Mayor Pickett remarked on the Employee Appreciation Dinner to be held in the Liberty Center on November 20, 2008. Mayor Pickett also informed city council there would be a work session on December 3rd to review the sign ordinance and a proposed travel trailer ordinance.

Councilperson Jordan reported that the Chamber of Commerce would welcome volunteers for the Country Christmas celebration.

## V. REGULAR AGENDA

### A. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.

1. Discussion of Freeport Tax Exemption as to Boomerang Tube, LLC.

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.  
Meeting Concerning Municipally Owned Utility. Gov. Code §551.086.

2. Discussion of Electric Rate Contract with Boomerang Tube, LLC.

City Attorney Randy Gunter introduced the individuals present for the discussion on the Boomerang Tube issues: Greg Eisenberg, President, Boomerang Tube, LLC; Mike Cullen,

Minutes Acceptance: Minutes of Nov 19, 2008 7:00 PM (Minutes Approval)

Boomerang's General Counsel, and Dale Cummings, Property Tax Attorney hired by Boomerang Tube.

At 7:11 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

**B. Reconvene into Regular Session**

At 9:58 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting. There was no action taken.

**VI. COUNCIL MEAL**

There was no evening meal.

**VII. ADJOURNMENT**

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 9:58 p.m.

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Louie Potetz, Councilperson                                     |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                   |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

\_\_\_\_\_  
Carl Pickett, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 19, 2008 7:00 PM (Minutes Approval)



# The City of Liberty City Council

## Special Called Meeting

~ Minutes ~

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Monday, December 1, 2008

6:00 PM

City Council Chambers

### I. CALL TO ORDER

The Meeting was called to order on December 1, 2008 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

### II. INVOCATION

Mayor Pickett dispensed with the Invocation.

### III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge of Allegiance.

### IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for Public Comment.

City Attorney Randy Gunter stated that Bruce Halstead and Charles McGuire were present on behalf of the Sam Rayburn Municipal Power Agency and would be discussing the wholesale rate from SRMPA to the City of Liberty. Mr. Gunter further stated that nothing that would take place in the Executive Session would have anything to do with the retail agreement between the City and Boomerang Tube, LLC.

### V. REGULAR AGENDA

#### A. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.

1. Discussion of Freeport Tax Exemption as to Boomerang Tube, LLC.

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087.  
Consultation With Attorney. Gov. Code §551.071.  
Meeting Concerning Municipally Owned Utility. Gov. Code §551.086.

2. Discussion of Electric Rate Contract with Boomerang Tube, LLC.

At 6:04 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

Minutes Acceptance: Minutes of Dec 1, 2008 6:00 PM (Minutes Approval)

**B. Reconvene into Regular Session**

At 8:19 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting. There was no action taken.

**VI. COUNCIL MEAL**

Council shared an evening meal during the Executive Session.

**VII. ADJOURNMENT**

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 8:19 p.m.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                         |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                           |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan |
| <b>ABSENT:</b>   | Al Simonson                                           |

\_\_\_\_\_  
Carl Pickett, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Dec 1, 2008 6:00 PM (Minutes Approval)



# The City of Liberty City Council

## Work Session

~ Minutes ~

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Wednesday, December 3, 2008

6:00 PM

City Council Chambers

### I. CALL TO ORDER

The Meeting was called to order on December 3, 2008 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:01 PM by Mayor Carl Pickett.

### II. WORK SESSION

#### 1. Work Session 2008-6

Discussion of a Proposed Travel Trailer Ordinance.

##### COMMENTS - Current Meeting:

Candy Parker, Inspection Dept. and Robbie Hood, Neighborhood Services addressed Council regarding the placement and permitting of travel trailers in the City of Liberty. Discussion included the following topics and other related issues:

1. Use of the No-Manufactured Home Zone for placement of travel trailers,
2. Requiring appropriate fencing and gates for security purposes,
3. Inspections of RV parks,
4. Utilities,
5. Location and size of RV parks
6. Required facilities,
7. Violations and penalties for non-compliance.

During this discussion, Council reviewed sample ordinances, giving direction to Ms. Parker and Mr. Hood on drafting an ordinance that addresses their concerns for the City of Liberty.

#### 2. Work Session 2008-7

Discussion of Signage in the City of Liberty, to Include Changeable Electronic Variable Message Signs.

##### COMMENTS - Current Meeting:

Candy Parker, Inspection Department and Robbie Hood, Neighborhood Services addressed the Council regarding LED and other signage in the City of Liberty. After lengthy discussion, Council requested the drafting of an ordinance to address the issues discussed. Topics included monument type lighting, billboards, on & off premised signs, LED signs with no scrolling, and reduced illumination, lighting in the Main Street area, and fines for non-compliance.

### III. COUNCIL MEAL

Council shared an evening meal.

Minutes Acceptance: Minutes of Dec 3, 2008 6:00 PM (Minutes Approval)

**IV. ADJOURNMENT****Motion To:** Adjourn**COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 8:25 p.m.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [5 TO 0]</b>                      |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                 |
| <b>SECONDER:</b> | Louie Potetz, Councilperson                   |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Potetz |
| <b>ABSENT:</b>   | Al Simonson                                   |
| <b>AWAY:</b>     | Frank Jordan                                  |

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Dec 3, 2008 6:00 PM (Minutes Approval)

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Various Committee Issues

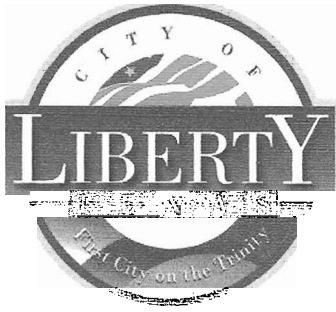
**COUNCIL ACTION 2008-65**

DOC ID: 1232

## **Consider Extending the Term of the Community Development Advisory Board.**

**EXPLANATION:**

The Community Development Advisory Board was originally formed in January 2007, with the stipulation that the Board's authority would cease and the board disband on December 31, 2007. In December 2007, Council extended the tenure of the board until December 31, 2008. This agenda item affords Council the opportunity to again extend the term of this advisory board, if it so desires.



## **COMMUNITY DEVELOPMENT ADVISORY BOARD**

DECEMBER, 2007

### **MISSION STATEMENT**

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.

### **MEMBERSHIP REQUIREMENTS**

1. The Board will consist of 7 members.
2. All members will be City of Liberty residents.
3. 1 member will be a councilperson or member of management.
4. 1 member will be under the age of 35.
5. The Board's authority will cease and the board disbanded as of Dec. 31, 2008.

### **BOARD MEMBERS**

Frank Jordan

Celeste Newton

Juan Venegas

Sharon Riley

Laurie David

Ellis Pickett

Ross Norwood

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Various Committee Issues

**COUNCIL ACTION 2008-66**

DOC ID: 1231

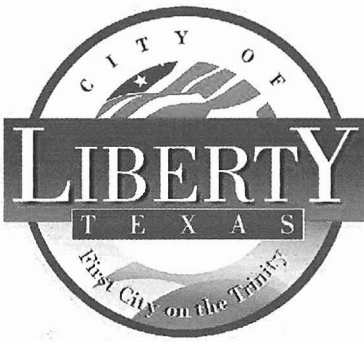
## **Consider Extending the Term of the Airport Advisory Board.**

**EXPLANATION:**

The Airport Advisory Board was originally formed in January 2007, with the stipulation that the Board's authority would cease and the board disband on December 31, 2007. In December 2007, Council extended the tenure of the board until December 31, 2008. This agenda item affords Council the opportunity to again extend the term of this advisory board, if it so desires. Please see the attachments.

Dianne Tidwell

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Date: December 4, 2008  
 To: Liberty City Council  
 From: Ronald R. Wood *RW*  
 RE: Airport Advisory Board

In November 2007 the Airport Advisory Board submitted a report entitled "Report of the Liberty Airport Advisory Board" to the Liberty City Council. The substance of the report concerned the development of the Liberty Airport and suggestions about the operations of the Airport.

Phase I of the report included items such as Proposed Zoning, Airport Layout Plan, Airport Rules, and Commercial Minimum Operating Standards. The proposed air space zoning is in the process of being implemented by the Airport Zoning Board whose membership includes representatives of Liberty County, and the Cities of Ames and Liberty. Staff will be working with TxDot to develop Airport Rules and Commercial Minimum Operating Standards. We expect to accomplish these tasks in 2008/09. Phase I also included such items as Security, Lighting, Fences, Signage, and Drainage. Staff has been working with TxDot through a Non-Primary Entitlement grant to install new runway lightning, beacon tower replacement, and drainage improvement. TxDot advertised for bids and a contractor will be selected in December 2008. Work will be complete in 2008/09. A new security system was installed in 2008.

Phase II of the report included the development of new lease agreements and a new Airport Manager Contract. Lease agreements and a new billing process will be implemented in 2009. The Airport Manager Contract may involve exploring the use of a Fixed Based Operator. This would occur after capital improvements are completed that would increase the activity at the airport. At the present time there is not enough activity to support a Fixed Base Operator.

Phase II also included a runway extension, hangars, communications, weather reporting, grounds, and instrument approaches. These items will be considered in the Capital Improvement Program which will be funded with Federal funds passed through to TxDot. The engineering design phase will be started in 2008/09 and the construction phase is scheduled in 2009/10.

The Airport Advisory Board had been scheduled to disband on December 31, 2007 after having made their recommendations to the City Council. The City Council took action to extend the Airport Advisory Board's term to December 31, 2008 to supply technical information, suggestions and advice concerning the operations, maintenance, and improvement to the operation of the Airport.

Thanks to the work of the Airport Advisory Board much progress has been made in the development of the Liberty Airport. We appreciate their efforts in identifying projects and programs that will draw more activity to the Airport resulting in economic gains in the community. In addition, their recommendations will eventually lead to a self-sustaining Airport operation.

The Airport Advisory Board has fulfilled their mission and we appreciate the members who served. Given the fact that there have been some resignations of board members this year and the fact that an Airport Plan is in place, and that staff is working directly with TxDot Aviation and proceeding with implementing the Airport Plan as funding is available, it is my recommendation to not to extend the term of the Airport Advisory Board through December 31, 2008.



## **AIRPORT ADVISORY BOARD**

DECEMBER 5, 2008

### **MISSION STATEMENT**

THE MISSION OF THE AIRPORT ADVISORY BOARD IS TO SUPPLY TECHNICAL INFORMATION, SUGGESTIONS, AND ADVICE CONCERNING THE OPERATIONS, MAINTENANCE, AND IMPROVEMENT OF THE LIBERTY MUNICIPAL AIRPORT TO THE CITY OF LIBERTY COUNCIL AND STAFF.

### **MEMBERSHIP REQUIREMENTS**

1. The Board will consist of 7 members.
2. Membership may include 2 "non-resident" members.
3. 1 member will be a councilperson or member of management.
4. The Board's authority will cease and the board disbanded as of Dec. 31, 2008.

### **BOARD MEMBERS**

Charles Grabein

Chet Tims

Avon Moore

Bob Jamison

Linda Street-Ely

Dale Clawson

Steve Johnson

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Tax Issues

**COUNCIL ACTION 2008-67**

DOC ID: 1238

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## **Consider Approval of a Freeport Exemption Tax as a Business Incentive.**



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Taxes

### RESOLUTION 2008-26

DOC ID: 1239 A

## Consider Approval of a Resolution Regarding a Freeport Exemption Tax.

### EXPLANATION:

City Attorney Randy Gunter will be present to report to Council on this resolution that would rescind its prior decision to tax goods-in-transit.

### A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, CEASING TO TAX GOODS-IN-TRANSIT PURSUANT TO THE TEXAS TAX CODE § 11.253 OF THE TEXAS TAX CODE

WHEREAS, the City Council of the City of Liberty has reviewed the goods-in-transit tax provision added by the 80<sup>th</sup> Legislature in Regular Session which added Texas Tax Code §11.253 to exempt taxation from certain tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing or fabricating purposed (good-in-transit) which property has been subject to taxation; and

WHEREAS, Texas Tax Code §11.253 (j) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the City of Liberty on November 13, 2007 by way of Ordinance 1024, ordained that goods-in-transit as defined by the Texas Tax Code 11.253(a)(2), as amended by House Bill 621, enacted by the 80<sup>th</sup> Texas Legislature in Regular Session, should remain subject to taxation by the City of Liberty; and

WHEREAS, the City Council has considered current and future businesses and others that may avail themselves of conditions wherein goods would be free of tax if the City Council of the City of Liberty ceases to tax goods-in-transit as defined above; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Liberty to cease to tax goods-in-transit as defined above for reasons including but not limited to making the City of Liberty a more attractive business environment and which will entice businesses to locate within the City of Liberty thus increasing the tax base such that Council believes that it may more than offset any loss of revenue to the City from any inventory tax for which this Resolution waives taxation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas, does hereby revoke its prior decision to tax goods-in-transit and in the

future all goods qualifying under the Texas Tax Code 11.253(a)(2), as amended by House Bill 621, enacted by the 80<sup>th</sup> Texas Legislature shall hereafter NOT be subject to taxation by the City of Liberty effective January 1, 2009.

PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of December, 2008.

CITY OF LIBERTY, TEXAS

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 12/09/08 06:00 PM

Department: Administration  
Category: Contracts

**COUNCIL ACTION 2008-68**

DOC ID: 1240

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## **Consider Approval of an Electric Rate Contract with Boomerang Tube, LLC.**