



The City of Liberty City Council

Special Called Meeting

~ Agenda ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, April 25, 2023

6:00 PM

City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett				
Mayor Pro Tem Diane Driggers				
Council Member Dennis Beasley				
Council Member Libby Simonson				
Council Member Chipper Smith				
Council Member Tommy Brents				
Council Member Ed Seymour				

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

III. REGULAR AGENDA

A. Executive Session

- Texas Government Code §551.071 - Private Consultation with Attorney**
Discussion with attorney regarding contemplated/pending litigation and/or regarding matters protected by attorney/client privilege.

B. Regular Session

- Consider and take possible action on the Proposed Settlement Agreement with the City of Hardin regarding the disposal of wastewater at Liberty's Wastewater Treatment Plant as discussed in the executive session.
- Consider and take possible action on the Proposed Wastewater Disposal Contract amendments with the City of Hardin.

3. AN ORDINANCE AMENDING ARTICLE 3.09 OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, REGULATING SIGNS WITHIN THE CITY.
4. AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY'S CODE OF ORDINANCES, BY ADDING ARTICLE 3.14, BUILDING NUMBERING, AND ESTABLISHING AN EFFECTIVE DATE.
5. AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, BY ADDING ARTICLE 3.15, REGULATING FENCE MAINTENANCE WITHIN THE CITY.
6. A RESOLUTION OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND TO EXECUTE ALL DOCUMENTS RELATED TO THE DESIGN AND INSTALLATION OF WILDLIFE FENCING AT THE LIBERTY MUNICIPAL AIRPORT.
7. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5

IV. ADJOURNMENT

A. 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 21st day of April, 2023 at 5:00 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.

April Gilliland

April Gilliland, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, ____.

CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: April 25, 2023

Agenda Wording: AN ORDINANCE AMENDING ARTICLE 3.09 OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, REGULATING SIGNS WITHIN THE CITY.

Department: Community Development

Subject: Sign Ordinance

Background: On April 11, 2023, the City Council held a work session to review and discuss the city's sign ordinance. During the work session, staff proposed the following changes to the ordinance:

- Allow commercial property owners to place a banner sign on their fence.
- Extend the time limit for temporary signs to 45 days.
- Add height limits to freestanding signs.
- Reduce wind load requirements for foundation design.
- Increase the height by which sign foundations are exempt from needing and engineer's seal.

The proposed ordinance is attached for your review.

Funding Source: n/a

Staff Recommendation: Staff recommends approval of the proposed amendments to the sign ordinance.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 4/25/2023 6:00 PM

Department: Community Development
Category: Ordinance

Ordinance

AN ORDINANCE AMENDING ARTICLE 3.09 OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, REGULATING SIGNS WITHIN THE CITY.

WHEREAS, the City of Liberty currently regulates the placement of signs within the City's limits; and

WHEREAS, the City Council recognizes the importance of protecting property values within the City; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to amend the City's Code of Ordinances regarding signs so as to better regulate their placement and usage.

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

Section 1: Article 3.09, sections 3.09.005, 3.09.009, 3.09.081, of the Code of Ordinances of the City of Liberty are hereby amended, and section 3.09.010 is hereby added, to read as follows:

ARTICLE 3.09 SIGNS

Division 1 Generally

§ 3.09.005 Temporary signs.

(a) Temporary signs allowed at any time:

- (1) A property owner may place one sign with a sign face no larger than two (2) square feet on the property at any time.
- (2) A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time.
- (3) A property owner may place no more than one (1) banner sign on the fence of a commercial or industrial business.

(b) A sign may be located on the owner's property for a period of forty-five (45) days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate.

(c) One temporary sign may be located on a property when:

- (1) The owner consents and that property is being offered for sale or lease through a licensed real estate agent;
- (2) If not offered for sale through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner. This includes, but is not limited to, “home for sale,” “for sale by owner” and “owner financing available” signs;
- (3) For a period of forty-five (45) days following the date on which a contract of sale has been executed by a person purchasing the property;
- (4) “Financing provided by” or similar signs may be placed on a property for the duration of a construction project;
- (5) Contractor signs may be placed on a property for the duration of a construction project.
- (6) “Coming soon,” “future home of,” or similar signs may be placed on a vacant lot for a period not to exceed sixty (60) days.

(d) Temporary signs may be located on the owner’s property on a day when the property owner is opening the property to the public. Said “open to the public event” shall comply with article 4.12 of this code.

(e) Banners and portable signs. On-premises banner signs, flag signs and portable signs may be used only during business or activity opening or special promotions, and shall be subject to the following:

- (1) Whether singly or in combination, no more than three (3) banners, flags or portable signs shall be permitted on a single lot of land; however, the area of such displays shall not be counted against the maximum combined sign area allowed for permitted permanent signs.

- (2) Banners and portable signs may be placed no longer than forty-five (45) days.

§ 3.09.009 Sign setback line requirements for highways, downtown district, and city streets.

Hwy 146 Bypass	Hwy 90	Hwy 146	Downtown District	City Streets

5 ft. from property line	10 ft. from property line	5 ft. from property line	Property line	5 ft. from property line
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§ 3.09.010 Sign height limits for highways, downtown district, and city streets.

Hwy 146 Bypass	Hwy 90	Hwy 146	Downtown District	City Streets
41 feet	41 feet	41 feet	21 feet	41 feet

**Division 3
Construction, Design and Maintenance**

§ 3.09.081 Construction and design standards.

Notwithstanding such additional restrictions as may be applicable to signs placed within the downtown district, as described in division 4 of this article, all signs shall be designed, constructed and maintained in accordance with the following standards:

- (1) Compliance with building code. All signs shall comply with the provisions of the building code as then adopted by the city.
- (2) Electric signs. Electric signs that have internal wiring or lighting equipment, and external lighting equipment that directs light on signs, shall not be erected or installed until an electrical permit has been obtained from the building official. All such signs and equipment shall bear the seal of approval of an electrical testing laboratory that is nationally recognized as having the facilities for testing. All such signs and equipment shall comply with the National Electrical Code as then adopted by the city. All wiring to electric signs or to freestanding equipment that lights a sign shall be installed underground.
- (3) Construction generally; pole mounted ground signs. Except for temporary signs and sidewalk signs conforming in all respects with the requirements of this article, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure. All pole mounted ground signs (freestanding signs) shall be enclosed by material designed to prevent rust. The sign should appear as a solid mass or base, such as a cylinder, block, rectangle or square. The pole should be covered from undisturbed natural ground level to the highest portion of the sign.
- (4) Wind resistance. All sign foundations shall be designed for 110-mile-per-hour winds, the

plan for which must bear a professional engineer's signature and seal. Exemption to this is that the sign is a pole mounted ground sign, pylon sign or monument sign and is a maximum height of seven (7) feet with the face being no larger than four (4) feet by eight (8) feet.

(5) Electronic message centers. Electronic message centers shall conform to the following regulations:

(A) The message or image on an electronic message center must remain static (stationary) for a minimum of eight (8) seconds.

(B) Notwithstanding section 3.09.083, the message area of an electronic message board sign may be illuminated by incandescent lamps, LED (light emitting diodes), magnetic discs, or other sources of light. Whatever the light source, undue brightness is prohibited. For enforcing this provision, prima facie proof of undue brightness is the illumination of a portion of the sign in excess of the intensity levels specified below:

(i) Day: 5,000 nits.

(ii) Night: 1,000 nits

To ensure compliance with this provision, the sign must have an automatic phased proportional dimmer, which must be used to reduce nighttime brightness levels (compared to daytime brightness levels). Further, prior to the issuance of a permit for an electronic message center sign, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation.

(C) Any electronic message centers installed prior to the date of the adoption of this article must submit written certification from the sign manufacturer or other persons deemed appropriate by the city that the sign does not cause undue brightness and meets the intensity levels specified above. The owner of an electronic message center shall have sixty (60) days from the adoption of this article to submit certification to the city.

(D) A sign owner may modify existing legal conforming structures to an electronic message center only after filing application for a permit and receiving approval by the city.

(E) Electronic message centers shall comply with applicable federal and state laws and regulations.

(F) Failure to adhere to any of these provisions may result in the revocation of the electronic message center portion of the permit.

(G) Only one (1) electronic message center is allowed per premises.

(H) No electronic message center attached as a wall sign shall exceed fifty percent (50%) of the area of the maximum allowable size for a wall sign at that location.

(I) The addition of any electronic message center to any nonconforming freestanding sign is prohibited.

(J) By definition, changeable copy signs which display time, temperature or price shall be allowed as on-premises signs.

(6) Area of freestanding signs. The area of a freestanding sign shall be based on total road frontage of the property where the sign is to be permitted. The area shall be as follows:

Frontage (feet)	Maximum Area (square feet)
0–50	25
51 – 100	50
101 – 150	75
151 – 200	100
201 – 250	125
251 – 300	150
301 – 350	175
351 – 400	200
401 – 450	225
451 – 500	250
501 – 550	275
551 – 600	300

(7) Wall signs. Wall signs shall be regulated by the following:

(A) Maximum area: 15% of wall area.

(B) Maximum height: 3 feet above building roof.

(8) Multi-tenant signs. Multi-tenant signs shall be allowed and shall follow the requirements of subsection (6) of this section; furthermore, each sign incorporated in the total signage allowed shall be equally proportioned among the business establishments.

(9) Height of monument signs. The height of a monument style sign, pylon sign or pole

mounted ground sign shall not exceed the limits set in section 3.09.010.

(10) Window signs. The coverage area of a window shall not exceed thirty percent (30%).

Section 2: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this _____ day of _____, 2023.

Mayor
City of Liberty, Texas

ATTEST:

City Secretary
City of Liberty, Texas

CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: April 25, 2023

Agenda Wording: AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY'S CODE OF ORDINANCES, BY ADDING ARTICLE 3.14, BUILDING NUMBERING, AND ESTABLISHING AN EFFECTIVE DATE.

Department: Community Development

Subject: Building Numbering

Background: The Fire Department has recently had difficulty in locating specific residences during emergency calls due to building numbering that cannot be seen from the street or due to the lack of any building numbering. The fire code currently requires building numbering on any commercial or industrial buildings. The building codes only require building numbering on new residential, commercial and industrial buildings. The proposed addition to the code of ordinances would require building numbering on all new or existing residential, commercial and industrial buildings. This proposed addition will also require the numbering of utility meters where there are multiple meters on the same property, and establish the size, location and assignment of numbers.

Funding Source: n/a

Staff Recommendation: Staff recommends approval of the ordinance adding a new section to the Code of Ordinances requiring building numbering on all residential, commercial and industrial buildings.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 4/25/2023 6:00 PM

Department: Community Development
Category: Ordinance

Ordinance

AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY'S CODE OF ORDINANCES, BY ADDING ARTICLE 3.14, BUILDING NUMBERING, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Liberty is a Texas municipal corporation existing under the laws of the State of Texas; and

WHEREAS, as the City of Liberty grows, it has become increasingly important for City service providers, such as the fire department, police department, EMS, public works, utilities, and code enforcement, to be able to quickly and accurately locate and access specific addresses in the City; and

WHEREAS, in order to complement the City's growth and improve the quality of life for its citizens and businesses, it is also important that other goods and service providers in the community, such as Liberty Independent School District, parcel delivery services, restaurants and other local businesses, are able to quickly and accurately locate and access specific addresses in the City; and

WHEREAS, one way to enable City service providers and other community goods and service providers to quickly and accurately locate and access specific addresses in the City is to set standards for numbering of buildings throughout the City; and

WHEREAS, the City of Liberty finds it necessary and desirable to amend its Code of Ordinances in order to protect and promote the public health, safety and welfare of the citizens of Liberty by regulating the numbering of buildings within the City limits.

NOW THEREFORE, BE IT ORDAINED by the City of Liberty, Liberty County, Texas:

SECTION 1. That Chapter 3, Building and Construction, of the Code of Ordinances of the City of Liberty, Texas shall be amended to add Article 3.14, as follows:

CHAPTER 3 BUILDING REGULATIONS ARTICLE 3.14 BUILDING NUMBERING

Sec. 3.14.001 Enforcement

It shall be the duty of the code enforcement officer and building inspector, as those terms are defined in this Code of Ordinances, to enforce the requirements of this article. Each owner or occupant of any residential, institutional or commercial building within the City which does not comply with said requirements shall be given ten (10) days' written notice to comply.

Sec. 3.14.002 Address Numbers Required

It shall be the duty of each owner or occupant of each residential, institutional or commercial building within the City to place address numbers on the front of each such building so that it is plainly visible from the street, in accordance with the requirements of this article.

Sec. 3.14.003 Standards for Numbers

Address numbers for all one- and two-family residences shall be at least 3 ½ inches in height, shall be constructed of durable materials, and shall be of contrasting color to the base to which they are attached. Address numbers and other identification for all multiple-family dwellings, townhouse complexes, institutional buildings and commercial buildings also shall conform with these standards, except that the building inspector may require numerals exceeding four (4) inches in height.

Sec. 3.14.004 Location of Numbers

Address numbers and other identification shall be placed so as to be directly and conveniently visible from public access to the building, in accordance with the following requirements:

- a. For one- and two-family residences, the numbers shall be attached to the building at the front entrance or at other such location(s) as approved or required by the building inspector.
- b. For multiple-family dwellings and townhouse complexes, the numbers shall be attached to each building at the main entrance nearest the adjoining driveway, public or private street and at other such location(s) as approved or required by the building inspector. In the case of such dwellings or complexes which may be assigned a common address, the numbers shall be displayed at each main entrance to the dwellings or complex in a manner approved or required by the building inspector.
- c. For individual, detached institutional and commercial buildings, the numbers shall be attached to the building at the front entrance or at such other location(s) as approved or required by the building inspector.
- d. For attached commercial establishments clustered in a complex or in a multi-tenant building, the numbers shall be attached to each building at each main entrance nearest the adjoining driveway, public or private street and at other such location(s) as approved or required by the building inspector. In the case of such complexes which may be assigned a common address, the numbers shall be displayed at each main entrance to the complex in a manner approved or required by the building inspector.
- e. Individual dwelling units in multiple-family dwellings and individual tenant areas in multi-tenant commercial buildings which have entrances not facing upon an adjoining driveway, public or private street shall have address numbers placed at the entrance to each such dwelling unit or tenant area. In the case of multi-story buildings, numbers shall be sequential, corresponding with the respective floor or level of the dwelling unit or tenant area.

Sec. 3.14.005 Assignment of Numbers

It shall be the duty of the designated City official to assign address numbers to all residential, institutional or commercial buildings within the City which do not have such numbers, in accordance with the plan and system on file and of record with the City. Whenever any new residence or building is to be erected, said number shall be assigned at the time a building permit is issued therefore.

Sec. 3.14.006 Numbering of Utility Meters

Owners of properties within the city that have multiple meters for separate units on the same property shall place the address numbers on their City of Liberty utility meter boxes so that the City can easily identify which meter belongs to each unit.

Sec. 3.14.007 Violations

Any person found in violation of any provision of this article shall be guilty of a misdemeanor and upon conviction thereof shall be fined in accordance with the general penalty provision found in section 1.106 of this code.

Section 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

Section 5. That this ordinance shall be in full force and effect immediately upon its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this the ____ day of _____, 2023.

Mayor
City of Liberty, Texas

ATTEST:

City Secretary
City of Liberty, Texas

CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: April 25, 2023

Agenda Wording: AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, BY ADDING ARTICLE 3.15, REGULATING FENCE MAINTENANCE WITHIN THE CITY.

Department: Community Development

Subject: Fence Maintenance

Background: On April 11, 2023, the City Council held a work session to review and discuss the city's code enforcement standards related to fences. During the work session, staff proposed to add improper fence maintenance as a code enforcement violation.

Funding Source: n/a

Staff Recommendation: Staff recommends approval of the proposed ordinance relating to improper fence maintenance.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 4/25/2023 6:00 PM

Department: Community Development
Category: Ordinance

Ordinance

AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, BY ADDING ARTICLE 3.15, REGULATING FENCE MAINTENANCE WITHIN THE CITY.

WHEREAS, the City of Liberty currently regulates buildings and structures within the City's limits; and

WHEREAS, the City Council recognizes the importance of protecting property values within the City; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to amend the City's Code of Ordinances to better regulate fence maintenance.

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

Section 1: Chapter 3, Building Regulations, of the Code of Ordinances of the City of Liberty is hereby amended to add Article 3.15, regulating fence maintenance within the City, to read as follows:

CHAPTER 3 BUILDING REGULATIONS
ARTICLE 3.15 FENCE MAINTENANCE

§ 3.15.001 Fence Maintenance.

- a. It is the responsibility of an owner of property to keep all fences, retaining walls, decorative walls, or any other barriers in structurally sound condition and good repair. It shall be unlawful for the owner of any property to have or keep a fence, retaining wall, decorative wall, or any other barrier in structurally poor condition or disrepair.
- b. An offense under this section shall be punished by a fine not to exceed five hundred dollars (\$500.00).

Section 2: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Liberty, this _____ day of _____, 2023.

ATTEST:

Mayor
City of Liberty, Texas

City Secretary
City of Liberty, Texas

CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: April 25, 2023

Agenda Wording: A RESOLUTION OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND TO EXECUTE ALL DOCUMENTS RELATED TO THE DESIGN AND INSTALLATION OF WILDLIFE FENCING AT THE LIBERTY MUNICIPAL AIRPORT.

Department: Community Development

Subject: Wildlife Fencing

Background: The Federal Aviation Administration (FAA) and Texas Department of Transportation (TxDOT) require a wildlife study prior to funding the installation of any wildlife fencing at the Liberty Municipal Airport. In November 2021, the Liberty Community Development Corporation (LCDC) approved an expenditure of \$40,000 for a Wildlife Study at the airport. The expenditure was ratified by the City Council in December 2021. In January 2022, the city retained the firm of Mead & Hunt to conduct the wildlife study at a cost of \$22,000. The study was completed and forwarded to TxDOT for their review and approval.

TxDOT recently notified the city that they will provide funding for the design and installation of wildlife fencing at the Liberty Municipal Airport. The total project is estimated to cost \$1,105,593, with a 10% local match provided by the city, currently estimated to be \$110,560.

A resolution is required to document the governing body's support and acceptance of this project.

Funding Source: The Liberty Community Development Corporation (LCDC)

Staff Recommendation: Staff recommends approval of the resolution authorizing the City Manager to apply and accept funding from the Texas Department of Transportation for the design and installation of wildlife fencing.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 4/25/2023 6:00 PM

Department: Community Development
Category: Action Item

Resolution

A RESOLUTION OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND TO EXECUTE ALL DOCUMENTS RELATED TO THE DESIGN AND INSTALLATION OF WILDLIFE FENCING AT THE LIBERTY MUNICIPAL AIRPORT.

WHEREAS, the CITY OF LIBERTY intends to make certain improvements to the Liberty Municipal Airport; and

WHEREAS, the general description of the project is described as: design and install wildlife fencing; and

WHEREAS, the CITY OF LIBERTY intends to request financial assistance from the Texas Department of Transportation for these improvements; and

WHEREAS, total project costs are estimated to be \$1,105,593, and the CITY OF LIBERTY will be responsible for 10% of the total project costs currently estimated to be \$110,560; and

WHEREAS, the CITY OF LIBERTY names the Texas Department of Transportation as its agent for the purposes of applying for, receiving and disbursing all funds for these improvements and for the administration of contracts necessary for the implementation of these improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LIBERTY, TEXAS, that the CITY OF LIBERTY hereby directs the CITY MANAGER to execute on behalf of the CITY OF LIBERTY, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the LIBERTY MUNICIPAL AIRPORT.

PASSED BY THE CITY COUNCIL of the City of Liberty, Texas this the 25th day of April, 2023.

Mayor
City of Liberty, Texas

ATTEST:

City Secretary
City of Liberty, Texas

Liberty Municipal (T78)

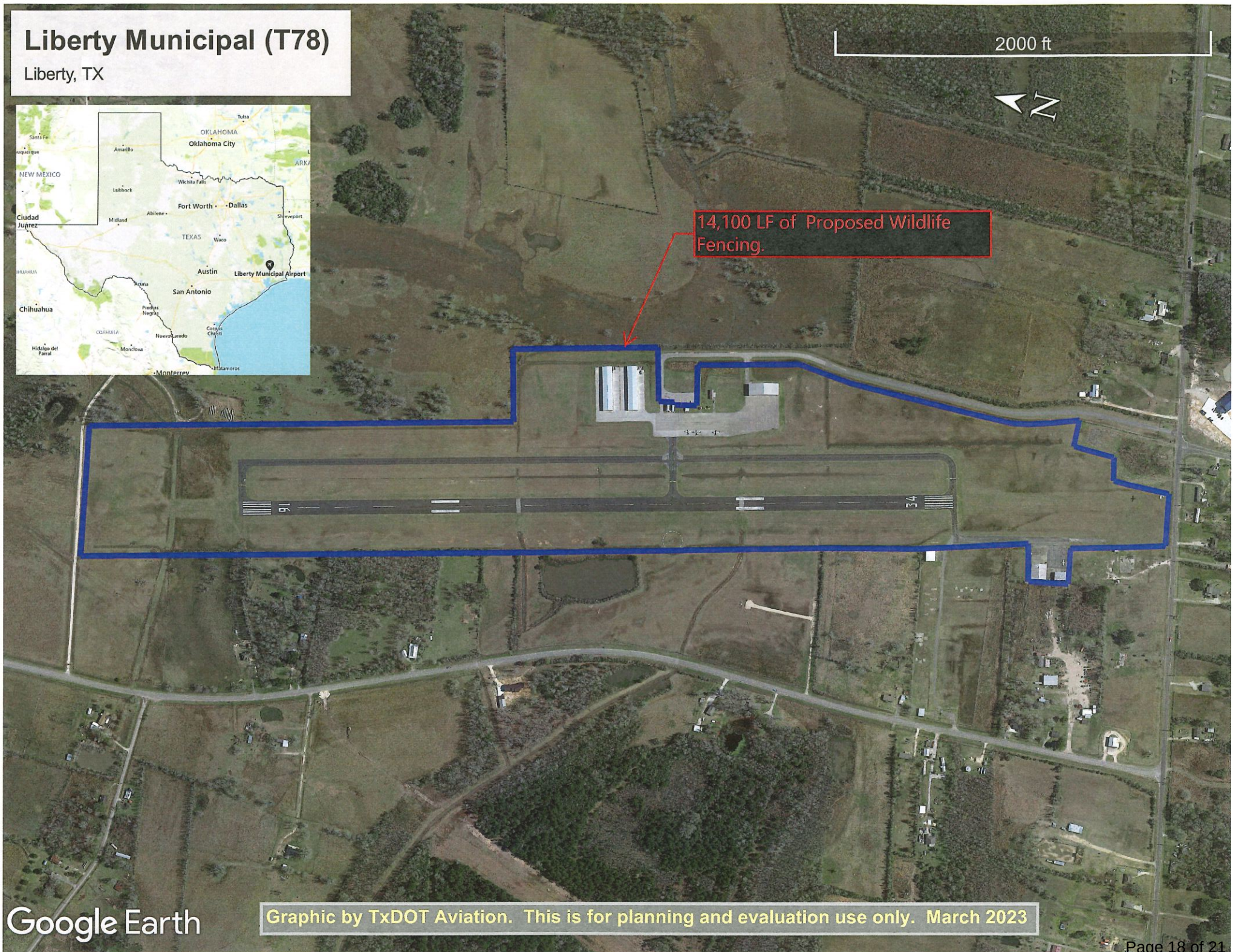
Liberty, TX



2000 ft



14,100 LF of Proposed Wildlife Fencing.



CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: April 25, 2023

Agenda Wording: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5

Department: Street, Storm Water & Solid Waste

Subject: Drainage Easement for Big Bayou.

Background: The Water Control Improvement District No. 5 (WCID #5) has requested the City grant them a permanent drainage easement and a temporary construction easement across city-owned property to construct and improve sections of the Big Bayou Outfall. The Big Bayou Outfall is located in the southeastern section of the city, beginning near the intersection of Trinity and Tennessee and traversing westerly to the Trinity River. Prior to beginning design and construction, WCID #5 is attempting to obtain easements before expending any funds on the project. The exact location of the easements will be determined after the survey and preliminary design has been completed. A map of the anticipated location of the outfall is enclosed.

Funding Source: n/a

Staff Recommendation: Staff recommends approval of the resolution authorizing the City Manager to execute easement documents associated with the WCID #5 Big Bayou Outfall project.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 4/25/2023 6:00 PM

Department: Street, Storm Water & Solid Waste
Category: Resolution

Resolution

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5

WHEREAS, the Liberty County Water Control and Improvement District #5 has requested the City grant them a drainage easement and a temporary construction easement across city-owned property to construct and improve sections of the Big Bayou Outfall; and

WHEREAS, the Big Bayou Outfall is located in the southeastern section of the city, beginning near the intersection of Trinity Street and Tennessee Street and traversing westerly to the Trinity River; and

WHEREAS, the City owns a portion of the property adjoining the Trinity River upon which the drainage is located; and

WHEREAS, prior to beginning design and construction, WCID #5 is attempting to obtain easements before expending any funds on the project; and

WHEREAS, the exact location of the easement will be determined after the survey and preliminary design has been completed; and

WHEREAS, a map of the anticipated location of the outfall is attached as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas, hereby authorizes the City Manager to execute any and all documents necessary to grant both a drainage easement and a temporary construction easement to the Liberty County Water Control and Improvement District No. 5 over the City owned property described in Exhibit "A".

PASSED AND APPROVED this ____ day of _____, 2023.

ATTEST:

Mayor
City of Liberty, Texas

City Secretary
City of Liberty, Texas

Untitled Map

Write a description for your map.

Legend

- 303_03
- Big Bayou Reroute
- Feature 1
- Godfrey Chapel

