



The City of Liberty City Council

Regular Meeting

~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, July 14, 2009

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.

CALL TO ORDER

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	..	..	..	

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

IV. PRESENTATIONS / REPORTS

1. Information Item 2009-39

Texas Water Development Board and Other Current City Projects - Steve Jordan, Schaumburg & Polk

2. Information Item 2009-40

Wrecker Program - Chief Tidwell

3. Information Item 2009-41

Recycling Report - Councilperson Huddleston

4. Information Item 2009-42

Financial Report - Naomi Herrington

5. Information Item 2009-43

Hurricane Ike Report - Naomi Herrington

6. Information Item 2009-44

Humphreys Cultural Center Expansion Project Draw Down - June 2009 - Naomi Herrington

V. CONSENT AGENDA:

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

A. Minutes Approval

1. Tuesday, June 09, 2009
2. Monday, June 22, 2009
3. Thursday, July 02, 2009

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-48

Consider Mrs. D'Ann Cathriner's Request for Return of Her Deposit for Use of the Liberty Center on June 20, 2009.

2. Ordinance 2009-9

Consider Adoption of an Ordinance Approving a Change in Rates Requested by Entergy Texas, Inc.'S Statement of Intent.

3. Information Item 2009-45

Public Hearing on 2008 Drinking Water Quality Report.

- Attachment #1 - CCR Report to Mail (PDF)

4. Council Action 2009-49

Consider Approval of Repairs to the Liberty Bell and Construction of a New Bell Tower.

5. Council Action 2009-50

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1 for the Performance of Governmental Functions.

- Attachment #2 - Interlocal Agreement Liberty Co. 2009 (PDF)

6. Ordinance 2009-10

Consider Adoption of an Ordinance Regulating the Speed on State Maintained Hwy. FM 2684.

- Attachment #3 - TXDOT Letter Speed Zone FM 2684 (PDF)

7. Information Item 2009-46

Annual Review and Update of the Community Development Capital Improvement Program.

8. Council Action 2009-51

Consider Approval of an Amendment to the Liberty Community Development Corporation Budget for FY 08-09.

- Attachment #4 - LCDC Budget 09-10 (PDF)

9. Ordinance 2009-11

Consider Adoption of an Ordinance Repealing Ordinance No. 2008-6 Regarding Signage Within the City of Liberty.

10. Council Action 2009-52

Consider Approval of the Liberty Community Development Corporation Budget for FY 09-10.

- Attachment #5 - LCDC Budget 09-10 (PDF)

11. Council Action 2009-53

Consider Approval of a Process for Selection of a New City Manager.

B. Executive Session

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

1. Discussion with Sam Rayburn Municipal Power Agency attorney regarding wholesale electric rate contracts.

Personnel Matters. Gov. Code §551.074

Consultation With Attorney. Gov. Code §551.071

2. Discuss and consider candidates for the position of City Manager.

C. Reconvene into Regular Session**1. Council Action 2009-54**

Consider the Appointment of a City Manager.

VII. COUNCIL MEAL**VIII. ADJOURNMENT****1. Motion To: Adjourn**

CERTIFICATION

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 10th day of July, 2009 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.

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 _____, 2009.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-39

DOC ID: 1365

Texas Water Development Board and Other Current City Projects - Steve Jordan, Schaumburg & Polk

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-40

DOC ID: 1364

Wrecker Program - Chief Tidwell

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-41

DOC ID: 1363

Recycling Report - Councilperson Huddleston

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Finance
Category: Reports

INFORMATION ITEM 2009-42

DOC ID: 1360

Financial Report - Naomi Herrington

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Finance
Category: Reports

INFORMATION ITEM 2009-43

DOC ID: 1361

Hurricane Ike Report - Naomi Herrington

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Finance
Category: Reports

INFORMATION ITEM 2009-44

DOC ID: 1362

Humphreys Cultural Center Expansion Project Draw Down - June 2009 - Naomi Herrington



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 9, 2009

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

The Meeting was called to order on June 9, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:03 PM by Mayor Carl Pickett.

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

II. INVOCATION

Ron Davis, Associate Pastor, First Baptist Church, Liberty gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Mr. Bob Walker, resident of the Forest Hills Subdivision 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 to those individuals wishing to address the Council, regarding non-agenda items. There were no comments from the audience.

Mayor Pickett reported on the following:

- County-wide Economic Development Summit to be held in the City of Cleveland on June 10th, 8:30 a.m.
- Upcoming July 4th Fireworks and Program to be held at the Liberty Municipal Park on Friday, July 3rd.

V. PRESENTATIONS / REPORTS

1. Information Item 2009-33

Minutes Acceptance: Minutes of Jun 9, 2009 6:00 PM (Minutes Approval)

2010 Census - Mr. Charles Teel, U.S. Census Bureau

COMMENTS - Current Meeting:

Mr. Charles Teel, Partnership Specialist with the U.S. Census Bureau made a presentation to Council on the process for, and importance of, the 2010 Census. Mr. Teel reported on the response rate within the city, county, and state. Additional discussion included how the census assists entities with grants for various issues, relative to population. Mr. Teel explained that awareness is an important issue, and that the city could promote and show support for the census by placing information on utility billing statements, the web site and other avenues available to the public.

2. Information Item 2009-34

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

This agenda item was passed on as Councilperson Huddleston was not able to attend the meeting.

3. Information Item 2009-35

Hurricane Ike FEMA Disbursements - Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the status of FEMA reimbursements for Hurricane Ike. Mrs. Herrington reported that FEMA reimbursements to date were \$5.2 million, with several project worksheets still out, and year-to-date expenditures currently in the amount of approximately \$6.2 million. Ms. Herrington also stated she had been notified by a FEMA representative that FEMA was considering increasing the contribution level from 75% to 90%. This would provide the city an additional 15% recovery of funds for hurricane damages. Also held was a discussion relative to insurance payments received for hurricane damages.

ATTACHMENTS:

- Attachment #1 - Hurricane Ike Cash Flow - Ron MAY (PDF)

4. Information Item 2009-36

Financial Report - Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that the paid-to-date amount to the contractor for the Cultural Center Expansion Project was \$192,000. Project completion rate is 8.73%. Also discussed was project inspections.

Ms. Herrington stated that she had emailed Council the financial statements and balance sheets with cash accounts on hand through April, 2009. Council agreed that a work session would be held at a later date to review these documents.

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, May 12, 2009**

Minutes Acceptance: Minutes of Jun 9, 2009 6:00 PM (Minutes Approval)

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

2. Tuesday, June 02, 2009

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

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-38

Consider Placement of Additional Traffic Signage in the Forest Hills Subdivision.

COMMENTS - Current Meeting:

Mr. Thomas James, Forest Hills Subdivision, was present to address the Council regarding excessive speed by drivers through his subdivision. Mr. James remarked that, at one time, there was a 20 mph speed limit sign at the entrance to the subdivision that is no longer there. Mr. James also stated that there is a 30 mph sign at the curve on Valley Drive and he requests that this be reduced to 20 mph. Mr. James states that there are many children in the area and his main concern is their safety.

Chief Tidwell, Liberty Police Department, reported that he met with Mr. James and they discussed various related issues. However, Chief Tidwell recommended that before placing any permanent signs, a traffic study should be conducted and that he would like to meet with the entire neighborhood to hear their concerns. Further discussion included educating drivers, speed bumps, criteria for signage, and other related issues. Council directed management to move forward with the traffic study and to place a yellow 20 mph warning sign, which would not change the speed limit, until a permanent solution has been determined.

2. Council Action 2009-39

Consider Approval of the Final Plat of The McGinnis Subdivision.

COMMENTS - Current Meeting:

Candy Parker, Inspection Department, reported that Ms. Sharon McGinnis had been denied a permit to place a second dwelling on her property. In order to place a second dwelling on her property, Ms. McGinnis is subdividing the property by presenting a plat which meets all requirements of the city's subdivision ordinance. This plat was reviewed by the Planning and Zoning Commission on May 27th and was recommended for approval.

Motion was made to approve the final plat of the McGinnis Subdivision.

ATTACHMENTS:

- Attachment #2 - Final Plat of the McGinnis Subdivision (PDF)

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

3. Resolution 2009-9

Consider Waiving Library Card Fees for Out-Of-City Municipal Library Patrons.

COMMENTS - Current Meeting:

Library Director Dana Abshier was present to request that the city waive library card fees for out-of-city library patrons. Ms. Abshier reported that the Texas State Library and Archives Commission encourages libraries to provide all Texans with free library cards. The library would receive increased funding from Loan Star Library grants, in the approximate amount of \$9,479.00, an increase of \$1,176.00. However, the city would lose approximately \$4000 in revenue to the general fund, from library card fees. Funds received for library cards does not directly benefit the library as the go into the general fund. Ms. Abshier stated that waiving these fees would provide not only direct funding benefit to the Library, but also reflect increased use of the facility.

A motion was made to approve the Resolution waiving fees for out of city library patrons.

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

4. Council Action 2009-40

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

ATTACHMENTS:

- Attachment #3 - Liberty County Prec 1 Agreement (PDF)

5. Council Action 2009-41

Consider Approval of Repairs to the Liberty Bell and Construction of a New Bell Tower.

COMMENTS - Current Meeting:

City Manager Ron Wood reported that he had been contacted by Richard Edwards, architect for the Humphreys Cultural Center Expansion Project, regarding construction of a new bell tower. Mr. Edwards expressed that he would like to add the bell tower to the expansion project which would save the city approximately \$20-25,000, with contractor GTT, Inc. currently on-site. Mr. Wood stated that this could be a change order to the expansion project, at a cost of \$185,000 for construction and \$25,000 for architect fees, for a total cost of \$210,500.

Further discussion included financing, location, concerns regarding a budget deficit due to Hurricane Ike expenditures, and repair costs to the bell itself, in the amount of \$19,850.00. Council directed management to place this item on the July council agenda.

There was no action taken on this agenda item.

6. Council Action 2009-42

Consider Authorizing the City Manager to Employ Additional Personnel for the Administration Department.

COMMENTS - Current Meeting:

City Manager Ron Wood read aloud the job description for the position of Finance Director. Mr. Wood reported that the basic duties of this position were budget development and responsibility for all financial activity of the city. Mr. Wood stated the salary, plus benefits for the position, beginning October 1st would be approximately \$87,360.

Additional discussion was held on various matters including status of the employment of an accounting clerk, with a base salary of \$24,000, advertising for the finance director position, concern regarding upcoming budget figures, and other related information.

No action was taken on this agenda item.

7. Information Item 2009-37

Annual Review and Update of the Community Development Capital Improvement Program.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

8. Council Action 2009-43

Consider Approval of the Liberty Community Development Corporation Budget for FY 09-10.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

B. Executive Session

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

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

Personnel Matters. Gov. Code §551.074

2. Discussion of the City Manager's evaluation & salary adjustment.
3. Discussion of finance personnel.

Deliberation Regarding Real Property. Gov. Code §551.072

4. Discussion of possible property acquisition for additional municipal purposes.
5. Discussion of possible sale of real estate owned by the City of Liberty.

At 7:53 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 10:05 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider approval of city manager's evaluation and possible salary adjustment.

There was no action taken on this agenda item.

2. Consider and take action on acquisition of additional property for municipal purposes.

There was no action taken on this agenda item.

3. Consider and take action on sale of city owned real estate.

A motion was made by Councilperson Potetz, seconded by Councilperson Jordan to allow the appraiser to place the old Police Department facility for sale, at a price to be set by the appraiser, and subject to the formal bidding process. The motion passed 6-0.

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

1. **Motion To:** Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 10:09 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jun 9, 2009 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Monday, June 22, 2009

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

The Meeting was called to order on June 22, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

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

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge to both flags.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

V. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-45

Consider Approval of a Request from the 2009 Charter Review Commission to Extend Their Term of Office for Ninety Days.

Minutes Acceptance: Minutes of Jun 22, 2009 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

Councilperson Jordan, also Chairman of the 2009 Charter Review Commission, requested an extension of the Commission's term of office. City Charter allows for this extension upon written request of a majority of the Commission members, for a period not to exceed ninety days.

A motion was made to extend the Commission's term of office for a period of ninety days.

ATTACHMENTS:

- Attachment #1 - Charter Review Request for 90 days (PDF)

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

2. Information Item 2009-38

Discussion and Review of Updated Financial Statements.

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reviewed with Council the up-to-date financial statements, through May, 2009.

Lengthy discussion was held on various matters including simplified reporting, Report Writing software, Hurricane Ike expenditures, FEMA and insurance reimbursements, a proposed summary of revenues and expenditures excluding those financials relating to Hurricane Ike, a report of revenues and expenditures relative only to Hurricane Ike, and other related issues.

Council requested that each of them receive a copy of the current Houston-Galveston Area Council Salary Survey.

3. Council Action 2009-44

Consider Authorizing the City Manager to Employ Additional Personnel for the Administration Department.

COMMENTS - Current Meeting:

City Manager Ron Wood reported on the need for a degreed individual for the position of Director of Finance. Mr. Wood explained the job duties and the need for someone with technical skills relative to finance and governmental accounting. Mr. Wood stated that according to the new pay plan, the salary range would be \$51,000 - 74,000, with a median of approximately \$63,384. Mr. Wood further explained that this was not intended to be a negative issue regarding the current financial director, that she still had an important role to play in this organization.

Discussion was held regarding the selection process, salary and benefits, the upcoming budget, additional expenses including those relative to the hurricane, and other related issues.

There was no action taken on this agenda item.

VI. COUNCIL MEAL

Council shared an evening meal.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:32 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jun 22, 2009 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Thursday, July 2, 2009

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

The Meeting was called to order on July 2, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

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

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Pledge of Allegiance to both flags.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

Mayor Pickett remarked on the Independence Day holiday to be held on July 3rd at the Liberty Municipal Park. This event is held one day prior to the actual holiday, to allow everyone to spend time with friends and family on July 4.

V. REGULAR AGENDA

A. Executive Session

Personnel Matters. Gov. Code §551.074.

Consultation With Attorney. Gov. Code §551.071.

1. Consider and discuss Separation Agreement with the City Manager.

Minutes Acceptance: Minutes of Jul 2, 2009 6:00 PM (Minutes Approval)

At 6:02 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

At 6:21 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting for council action on agenda item B.1.

2. Consider and discuss possible candidates for Interim or Permanent City Manager.

At 6:25 p.m., Mayor Pickett, once again, closed the open meeting and opened the Executive Session.

B. Reconvene into Regular Session

At 7:54 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2009-46

Consider Approval of Separation Agreement with the City Manager.

COMMENTS - Current Meeting:

A motion was made to accept the Separation Agreement with City Manager Ron Wood, and authorize the Mayor to execute this document.

Mayor Pickett thanked Mr. Wood for his service to the City and remarked that this separation was amicable and allows Mr. Wood to pursue other interests.

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

2. Council Action 2009-47

Consider Possible Appointment of an Interim And/Or Permanent City Manager.

COMMENTS - Current Meeting:

Motion was made to entertain the services of Mr. Larry Shaw, as Interim City Manager, through a contract with the Texas First Group that may be terminated at any time, by either party.

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

VI. COUNCIL MEAL

Council shared an evening meal.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:59 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 2, 2009 6:00 PM (Minutes Approval)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION 2009-48

DOC ID: 1359

Consider Mrs. D'Ann Cathriner's Request for Return of Her Deposit for Use of the Liberty Center on June 20, 2009.

EXPLANATION:

Ms. D'Ann Cathriner rented the Liberty Center facilities on Saturday, June 20, 2009. Based on the rental policy she was required to place a \$500 security deposit for alcohol consumption on premises. The security deposit is refundable as long as the facilities are left as it was given to the renter. When Employees returned to City Hall on Monday, June 22, 2009 the Liberty Center facilities were left in unsatisfactory condition. It took our custodian 5 hours to clean the facilities as well as additional personnel 3 hours to pick up outside the Liberty Center. When Ms. Cathriner returned the keys, she was told her deposit was being kept because the Liberty Center was not returned to the City in satisfactory condition. She disagreed and asked to be placed on the council agenda. We then went through our cleaning cost and it was determined that the city's cost was \$200 and Ms. Cathriner was contacted to advise her of our cost to clean the facilities and that we would be refunding \$300 of her deposit. Ms. Cathriner then stated that she wanted all \$500 of the deposit returned and she wanted to go before Council.

April Reiss



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Utility Rates

ORDINANCE 2009-9

DOC ID: 1372

Consider Adoption of an Ordinance Approving a Change in Rates Requested by Entergy Texas, Inc.'S Statement of Intent.

EXPLANATION:

Entergy Texas representative Dan Syphrett will be present to answer any questions regarding the rate change. This change is actually a refund for a three month period, that amounts to approximately one cent per kwh. This change in rates affects Entergy customers within the City of Liberty.

Dianne Tidwell

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS (or "City") APPROVING THE CHANGE IN RATES REQUESTED IN ENTERGY TEXAS, INC.'s ("ETI" or "Company") STATEMENT OF INTENT FILED WITH THE CITY ON MAY 26, 2009; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC AND IN ACCORDANCE WITH TEXAS LAW; DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, on May 26, 2009, ETI filed with the City its Statement of Intent to Adopt a New Rate consisting of a Rough Production Cost Equalization Adjustment ("RECEA") rider designed to credit customers' bills with certain payments made to ETI pursuant to the Entergy System Agreement;

WHEREAS, ETI has received Rough Production Cost Equalization ("RPCE") payments under the terms of the Entergy System Agreement, which have the effect of lowering ETI's production costs:

WHEREAS, implementation by ETI of the RECEA rider will result in a credit to customers' bills of approximately \$67 million, including interest, of RPCE payments received by ETI in 2008;

WHEREAS, ETI proposes to apply the credit to customers' bills over the three-month period from July through September 2009;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

LIBERTY, TEXAS THAT:

Section 1

The City APPROVES any and all changes in rates requested by ETI and included in ETI's Statement of Intent filed on May 26, 2009.

Section 2

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

BE IT FURTHER ORDERED THAT, in accordance with Section 36.103(b) of the Texas Public Utility Regulatory Act ("PURA"), the City WAIVES the publication of notice requirement set forth in Section 36.103(a) of PURA.

PASSED AND ADOPTED at a regular called meeting of the City Council of the City of Liberty, Texas on the 14th day of July, 2009.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Public Hearings

INFORMATION ITEM 2009-45

DOC ID: 1358

Public Hearing on 2008 Drinking Water Quality Report.

EXPLANATION:

The water quality report conveys information regarding contaminants in the water, and the quality of the city's drinking water. The EPA mandates that this information be reported to the public. To meet this requirement, copies of the report were mailed to each resident in the City of Liberty.

There will be a public hearing regarding this report at the council meeting of July 14th. This will provide the citizens an opportunity to ask questions or voice their concerns.

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About the Following Page

The page that follows list all of the federally regulated or monitored contaminants which have been found in your drinking water. The U.S. EPA requires water systems to test for up to 97 contaminants.

Important Drinking Water Definitions:

TT: Treatment Technique: A required process intended to reduce the level of a contaminant in drinking water.

MRDLG: Maximum Residual Disinfectant Level Goal: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contamination.

MRDL: Maximum Residual Disinfectant Level: The highest level of disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

MCLG: Maximum Contaminant Level Goal: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

MCL: Maximum Contaminant Level: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

AL: Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Year	Contaminant	Average Level at any sampling point	Range of detected levels	MCL	MCLG	Unit of Measure	Source of Constituent
08-06	Arsenic	4	4	10	0	ppb	Erosion of natural deposits; runoff from Orchards; runoff from glass and electronics productions waste
08-06	Barium	.055	.041 -.068	2	2	ppm	Discharge of drilling wastes; discharge from Metal Refineries; erosion of natural deposits
08-06	Fluoride	.43	.36 - .5	4	4	ppm	Erosion of natural deposits; Water additive which promotes strong teeth; discharge from fertilizer & aluminum factories
08	Nitrate	.01	0-.01	10	10	ppm	Runoff from fertilizer use; leaching from septic tanks, sewage; erosions of natural deposits
Year	Constituent	Average Level	Minimum Level	Maximum Level	Secondary Limit		Source of Constituent
08-06	Bicarbonate	223	221	224	Na	ppm	Corrosion of carbonate rocks such as limestone
08-06	Calcium	5.5	5.4	5.6	Na	ppm	Abundant naturally occurring element
08-06	Chloride	28	28	28	300	ppm	Abundant naturally occurring element; used in water purification; byproduct of oil field activity
08-06	Copper	.003	.002	.004	1	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
08-06	Iron	.013	.012	.014	.3	ppm	Erosion of natural deposits; iron or steel water delivery equipment or facilities
08-06	Manganese	.003	.0029	.003	.05	ppm	Abundant naturally occurring element
08-06	PH	8	7.7	8.3	>7.0	Units	Measure of corrosivity of water
08-06	Sodium	95	92	97	Na	ppm	Erosion of natural deposits; byproduct of oil field activity
08-06	Sulfate	7	7	7	300	ppm	Naturally occurring; common industrial byproduct; byproduct of oil field activity
08-06	Total Alkalinity as CaCO3	183	181	184	Na	ppm	Naturally occurring soluble mineral salts
08-06	Total Dissolved solids	263	251	274	1000	ppm	Total dissolved mineral constituents in water
08-06	Total Hardness as CaCO3	14	13	14	Na	ppm	Natural occurring calcium
Year	Disinfectant	Average Level	Range of Level	MRDL	MRDLG	Unit of Measure	Source of Chemical
2008	Chlorine	1.46	.81-2.15	4.0	<4.0	ppm	Disinfectant used to control microbes
Year	Contaminant	90 th Percentile	Exceeding Action Level	Action Level		Unit of Measure	Source of Contaminant
2007	Lead	1	0	15		ppb	Corrosion of household plumbing systems; erosion of natural deposit
2007	Copper	.211	0	1.3		ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Total Coliform							
Year	Contaminant	Highest Monthly # of Positive Sample	MCL			Unit of Measure	Source of Constituent
2008	Total Coliform Bacteria	1	*			Presence	Naturally present in the environment

Total Coliform: Total coliform bacteria are used as indicators of microbial contamination of drinking water because testing for them is easy. While not disease-causing organisms themselves, they are often found in association with other microbes that capable of causing disease. Coliform bacteria are more hardy than many disease-causing organisms; therefore, their absence from water is a good indication that the water is microbiologically safe for human consumption

Unregulated Contaminants: Not reported or none detected

Disinfection Byproducts: Not reported or none detected

Turbidity: Not required

Fecal Coliform: Reported Monthly tests found no fecal coliform bacteria

Organic Contaminants: Testing waived, not reported, or none detected

Abbreciations

ppm-parts per million, or milligrams per liter (mg/L)

ppb-parts per billion, or micrograms per liter (mg/L)

For more information contact:

City of Liberty Attn:Earl McCreight 1829 Sam Houston Liberty, Texas 77575 936-336-3684

emccreight@cityofliberty.org

City of Liberty 2008 Drinking Water Quality Report

Special Notice for the ELDERLY, INFANTS, CANCER PATIENTS, people with HIV/AIDS or other immune problems:

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. The EPA/Centers for Disease Control and Prevention (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791).

Our Drinking Water Meets or Exceeds All Federal (EPA) Drinking Water Requirements

This report is a summary of the quality of the water we provide our customers. The analysis was made by using the data from the most recent

U.S. Environmental Protection Agency (EPA) required tests and is presented in the attached pages. We hope this information helps you bec WATER SOURCES: The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals, and in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water before treatment include: microbes, inorganic contaminants, pesticides, herbicides, radioactive contaminants, and organic chemical contaminants. Some more knowledgeable about what's in your drinking water.

En Español Este informe incluye información importante sobre el agua potable. Si tiene preguntas o comentarios sobre éste informe en español, favor de llamar al tel. (936)336 - 3684 - para hablar con una persona bilingüe en español.

Where do we get our drinking water?

Our drinking water is obtained from GROUND water sources. It comes from the following Lake/River/Reservoir/Aquifer: Gulf Coast Aquifer. A Source Water Susceptibility Assessment for your drinking water sources(s) is currently being updated by the Texas Commission on Environmental Quality and will be provided to us this year. The report will describe the susceptibility and types of constituents that may come into contact with your drinking water source based on human activities and natural conditions. The information contained in the assessment will allow us to focus our source water protection strategies. For more information on source water assessments and protection efforts at our system, please contact us.

ALL drinking water may contain contaminants.

When drinking water meets federal standards there may not be any health based benefits to purchasing bottled water or point of use devices. Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (1-800-426-4791).

Secondary Constituents

Many constituents (such as calcium, sodium, or iron) which are often found in drinking water, can cause taste, color, and odor problems. The taste and odor constituents are called secondary constituents and are regulated by the State of Texas, not the EPA. These constituents are not causes for health concern. Therefore, are not required to be reported in this document but they may greatly affect the appearance and taste of your water.

Public Participation Opportunities

July 14, 2009 at 6:00pm at City Hall in the council chambers

Attachment # 1: CCR Report to Mail (INF-2009-45 : Public Hearing on CCR Report)

City of Liberty
1829 Sam Houston
Liberty, Tx 77575

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Repairs & Construction

COUNCIL ACTION 2009-49

DOC ID: 1370

Consider Approval of Repairs to the Liberty Bell and Construction of a New Bell Tower.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION 2009-50

DOC ID: 1366

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1 for the Performance of Governmental Functions.

EXPLANATION:

This agreement has been signed on an annual basis with Liberty County Precinct 1 for the maintenance of streets, roads, ditches, and recreational areas.

Dianne Tidwell

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**INTER-LOCAL AGREEMENT
COUNTY OF LIBERTY and CITY OF LIBERTY**

THE STATE OF TEXAS

COUNTY OF LIBERTY

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

WITNESSETH

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

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

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

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

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

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

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

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

1. The County agrees to provide manpower and equipment to the City for the maintenance of streets, roads, ditches and recreational areas.
2. The City agrees to provide equipment to the County for the maintenance of streets, roads, ditches and recreational areas.
3. The City agrees to fairly compensate the County, either by comparable time, manpower,

equipment or by monetary or other consideration of equal value from the city's current revenue.

4. The County agrees to fairly compensate the City, either by comparable time, manpower, equipment or by monetary or other consideration of equal value from the county's current revenue.
5. The Commissioner of Precinct 1 and the Liberty City Manager shall plan, schedule and agree in advance as to the equal value consideration to be provided for all mutual sharing projects before any such projects commence.
6. The County and City understand that agreements for mutual sharing may be limited by budgetary restrictions or the authority provided by their respective governing bodies. Notwithstanding any provisions herein, this inter-local agreement is expressly contingent upon the availability of funding for each item and obligation contained herein for the term of the government and any extension thereto. In the event that no funds or insufficient funds are appropriated for the payment due under this contract for the period covered by such budget or appropriation, the contract shall terminate without penalty to County or City.
7. To the fullest extent permissible under Texas law, City of Liberty shall indemnify, defend, and hold harmless Liberty County, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of City of Liberty, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.
8. To the fullest extent permissible under Texas law, Liberty County shall indemnify, defend, and hold harmless the City of Liberty, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of Liberty County, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.
9. Neither party shall be deemed an employee or agent of the other party. This interlocal

agreement does not constitute a joint venture, either expressed or implied. The City will maintain sole discretion and control over the operations for construction and maintenance of the City's streets, roads, ditches and recreational areas. The County will maintain sole discretion and control over the operations for construction and maintenance of the County's streets, roads, ditches and recreational areas.

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

This agreement shall commence on May ____, 2009 and ends on May ____ 1, 2010.

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

Executed on this the ____ day of ____, 2009, by Phil Fitzgerald, County Judge, on behalf of Liberty County, Texas, after approval by Commissioners Court.

Executed on this the ____ day of ____, 2009, by Todd Fontentot, Commissioner Precinct 1, on behalf of Liberty County, Texas, after approval by Commissioners Court.

Executed on this the ____ day of ____, 2009, by the City Manager, on behalf of the City of Liberty, Texas, after approval by City Council.

COUNTY OF LIBERTY

CITY OF LIBERTY

Phil Fitzgerald, Liberty County Judge

Manager, City of Liberty

Todd Fontentot, Commissioner Precinct 1

ATTEST:

Delia Sellers, Liberty County Clerk

Secretary, City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Speed Zones

ORDINANCE 2009-10

DOC ID: 1371

Consider Adoption of an Ordinance Regulating the Speed on State Maintained Hwy. FM 2684.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS REGULATING THE SPEED ON STATE MAINTAINED HIGHWAY FM 2684 IN THE CITY OF LIBERTY, LIBERTY COUNTY, TEXAS PROVIDING A PENALTY AND REPEALING ALL OTHER ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY OF LIBERTY, LIBERTY COUNTY, TEXAS that:

SECTION 1 - REGULATING SPEED ON STATE MAINTAINED HIGHWAYS

The maximum legal speed limits of all vehicles, in the city limits of Liberty, Texas on the following highway shall be as set forth in each zone as shown on the Attached Speed Zone Strip Map, based on eighty-five percentile speed, and traffic and engineering investigations made by the Texas Department of Transportation. Said speed Zone Strip Map is hereby made a part of this Ordinance and is as follows:

HIGHWAY	SURVEY DATE
FM 2684	April 14, 2009

SECTION 2 - PENALTY

Any person who violates any provision of this Ordinance or who shall neglect to comply with the terms hereof shall be deemed guilty of a misdemeanor, and shall on conviction thereof be fined in any sum of not less than \$ 1.00 and not more than \$ 500.00, and the violation of the posted maximum speed in each zone of the Speed Zone Strip Map and each time each maximum speed in each zone is violated, constitutes a separate offense.

SECTION 3 - REPEALING CLAUSE

Any and all Ordinances of the City of Liberty in conflict with any of the provisions of this Ordinance are hereby expressly repealed.

SECTION 4 - EFFECTIVE DATE

That this Ordinance shall be in full force and effect upon the its passage and publication.

SECTION 4 - SECOND READING

That the requirements contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with and all Council Members present voting affirmatively for the adoption of this ordinance.

PASSED AND ADOPTED at a meeting of the City Council of the City of Liberty, Texas this the 14th day of July, 2009.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



Texas Department of Transportation

8350 Eastex Freeway ★ Beaumont, Texas 77708

June 3, 2009

Control: 388-04
Location: FM 2684 in Liberty
County: Liberty

Mayor Carl Pickett
City of Liberty
1829 Sam Houston
Liberty, Texas 77575

Dear Mayor Pickett,

We have completed our speed study for FM 2684 in Liberty. We have created a 45 M.P.H. buffer zone between the existing 55 M.P.H. and the 30 M.P.H. speed zones as indicated on the attached speed zone strip map.

Please have the City of Liberty execute an ordinance making the speed limits indicated on the attached speed zone strip map enforceable and forward a copy of the ordinance to this office. A sample ordinance is attached.

The date of the speed survey must appear in this ordinance in order for the strip map to be identified. The speed zone strip map may be retained by the city.

Our Department will install and maintain all required speed limit signs. The City will be responsible for the enforcement of these speed limits.

Your assistance in this matter is appreciated. If you have any questions, please contact Ted East at (409) 898-5778.

Thank you,


Ted Clay
District Traffic Engineer

TC/dmh
Attachments
C: Trans. Operations

THE TEXAS PLAN
REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY
INCREASE THE VALUE OF OUR TRANSPORTATION ASSETS

An Equal Opportunity Employer

Attachment # 3: TXDOT Letter Speed Zone FM 2684 (ORD-2009-10 : Speed Zone FM 2684)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-46

DOC ID: 1367

Annual Review and Update of the Community Development Capital Improvement Program.

EXPLANATION:

According to LCDC Bylaws, a review and update of the CDCIP will take place once a year to ensure the plan is up to date with current community needs.

The LCDC Board is required to make an annual report to the City Council regarding this plan, no later than December 1st of each year. Typically, this review has been done at the same meeting that the LCDC budget is approved by Council.

Dianne Tidwell

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Budget Items

COUNCIL ACTION 2009-51

DOC ID: 1368

Consider Approval of an Amendment to the Liberty Community Development Corporation Budget for FY 08-09.

EXPLANATION:

This amendment is for two purposes: 1) amending revenues for an increase in sales tax revenue and 2) amending expenditures for payoff of the levee debt.

Dianne Tidwell

LIBERTY COMMUNITY DEVELOPMENT CORPORATION
BUDGET FOR THE FISCAL YEAR ENDING
September 30, 2010

REVENUES	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	AMENDED BUDGET 2008-2009	ESTIMATED ACTUAL 2008-2009	PROJECTED BUDGET 2009-2010
Sales Tax	960,000	985,000	1,126,971	1,126,971	1,000,000
Interest Income	52,000	52,000	11,140	11,140	10,000
TOTAL REVENUES	1,012,000	1,037,000	1,138,111	1,138,111	1,010,000
EXPENDITURES					
Debt Service-City of Liberty					
03 Bond Principal	285,000	295,000	2,315,000	2,315,000	0
03 Interest	88,110	79,850	44,226	44,226	0
Director's Insurance	500	500	500	500	500
Levee Maintenance Expenses	12,000	12,000	12,000	12,000	12,000
Office Supplies	200	200	200	200	200
Misc.	20,000	1,000	3,000	3,000	3,000
Workforce Contribution	25,000	25,000	25,000	25,000	25,000
Capital Outlay- Infrastructure Project	0	0	0	0	
TOTAL EXPENDITURES	430,810	413,550	2,399,926	2,399,926	40,700
REVENUES OVER EXPENDITURES	581,190	623,450	-1,261,815	-1,261,815	969,300
FUND BALANCE BEGINNING OF YEAR				\$3,001,688	\$1,739,873
NET CHANGE IN FUND BALANCE				-\$1,261,815	\$969,300
ANTICIPATED FUND BALANCE END OF YEAR				\$1,739,873	\$2,709,173

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: General Ordinances

ORDINANCE 2009-11

DOC ID: 1355 A

Consider Adoption of an Ordinance Repealing Ordinance No. 2008-6 Regarding Signage Within the City of Liberty.

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS REPEALING TO THE EXTENT IT IS INCONSISTENT WITH ORDINANCE 2008-6 REGARDING SIGNAGE WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

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

Section 1 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity for a period of ninety (90) days or more, or a sign the content of which pertains to a time, event or purpose which no longer applies, or for which no legal owner can be found.

Advertising vehicle means any vehicle or trailer that has as its primary purpose the advertisement of a business, activity, product or service and is parked or located for the primary purpose of displaying the sign and is not parked on a site for a continuous period exceeding seventy- two (72) hours.

Alley means a narrow right-of-way or easement not in excess of thirty (30) feet in width dedicated adjacent to the rear or side of a lot and providing limited access to the lots abutting said right-of-way or easement.

Alley sign means a sign used to identify the alley entrance to a building or business.

Awning means any rigid or nonrigid material that extends from the exterior wall of a building and is supported by or attached to a frame.

Awning sign means any sign painted or applied to the face, valance or side panel of an awning.

Backlit sign means a sign that uses bulbs within the sign for illumination.

Banner means any sign printed or displayed upon cloth or other flexible material with or without frames, and limited to temporary use.

Billboard shall have the same meaning as *Off-premises sign*.

Building official means the official of the city or his/her designee charged with the inspection of the structural integrity of signs, any electrical inspection and permitting.

Building permit means a permit issued by the building official for construction, renovation or alteration of property.

Building sign means any sign attached to any part of a building, as contrasted to a ground sign.

Building wall means an exterior load bearing or non-load bearing vertical structure that encompasses the area between the final grade elevation and eaves of the building, and used to enclose the space within the building. A porch, balcony or stoop is part of the building structure and may be considered as a building wall.

Changeable copy sign means a sign on which copy is changed automatically on a lamp bank or through mechanical means (e.g., electrical or electronic time and temperature units), or a sign on which copy is changed manually in the field (e.g., reader boards with changeable letters), but shall not include portable signs.

Changeable electronic variable message sign shall mean a sign which permits light to be turned on or off intermittently, or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A changeable electronic variable message sign shall not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the manual on uniform traffic control devices approved by the federal highway administrator as the national standard.

Clear sight triangle or *horizontal sight distance* means a triangle sight area at all intersections which shall include that portion of public right-of-way and any corner lot within the adjacent curb lines or pavement edges of intersecting streets, roads or alleys and a diagonal line intersecting such curb lines or pavement edges at points 35 feet back from their actual or projected point of intersection. Such triangle or distance must remain unobstructed in order to ensure that drivers can see traffic and pedestrians around the corner of the intersection, entrance or driveway.

Code official means the official of the city or his/her designee charged with the enforcement of the provisions of this article.

Commercial message means any sign, wording, logo or other representation, except for the actual name of the business that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Day means those hours between 7:00 a.m. and 10:00 p.m.

Development means a group of houses or other buildings, residential or nonresidential, that are built as a single construction project.

Dilapidated sign means a sign that:

1. Is not properly secured or otherwise structurally unsound;
2. Has defective parts; or
3. Is in need of painting or maintenance.

Downtown district means that area designated in Section 10(E) of this ordinance.

Downtown district advisory board shall mean the planning and zoning commission.

Electronic message center means a sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar form of electronic display such as LED to form a sign message or messages with text or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

Electronic message board sign means any sign flashing one or more messages, symbols or videos in succession.

Extraterritorial jurisdiction or *ETJ* means that area extending beyond the boundaries of the city as defined by V.T.C.A., Local Government Code ch. 42 and as described in V.T.C.A., Local Government Code § 216.902.

Flag means any fabric or bunting containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other entity.

Flashing sign means any sign in which intensity of illumination is not consistent, thereby exhibiting sudden or marked changes in lighting effect.

Freestanding sign means a sign supported upon the ground by poles or braces and not attached to any building.

Garage sale sign means a temporary residential use sign advertising a garage sale.

Governmental sign means a sign required, authorized or installed by any governmental entity, which is exempt from the permitting process.

Ground sign means a freestanding sign not attached to a building or other structure than its own support, supported by one or more poles, columns, uprights or braces in or upon the undisturbed natural ground. Such freestanding signs shall include but not limited to pole signs, billboards, master signs and monument signs.

Hanging sign means any sign suspended from an awning, canopy or building facade.

Height (of a sign) means the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to grade of the adjacent street or surface grade beneath the sign, whichever is less (compare “ clearance “).

Holiday decorations means displays erected on a seasonal basis in observance of religious, national or state holidays, which are not intended to be permanent and contain no advertising material.

Holiday season means a reasonable and designated time period for the display of holiday decorations. The established time periods are November 15 through January 15, and for all other nationally recognized holidays for a period not to exceed seven days.

Home occupation means any occupation that is carried out within the home, primary or secondary structure or within any structure on the lot which is an accessory to the home.

Identification sign means a sign bearing the address of the premises or name of the occupant, but containing no logo or commercial message.

Illuminated sign means a sign that is illuminated by electrical or other artificial devices.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the site on which it is located, such as "no parking," "entrance," "loading only," "telephone," and similar information and directives. No sign with a commercial message legible from a position on the site on which the sign is located shall be considered incidental.

Information, piece of, means a word, whole number, telephone number, price, logo, picture, exclamation point or similar separately identifiable unit on a sign.

Institutional sign means a sign bearing a message related to an institutional use, where such sign is located on the same premises as such use.

Logo means the graphic or pictorial presentation of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, trademarks, symbols or illustrations, or the superimposition of letters or numbers or any other use of graphics or images other than the sequential use of letters and numbers.

Lot means a parcel of land the boundaries of which have been established by some legal instrument such as a recorded deed or plat, and which is recognized as a separate legal entity for purposes of transferring title. This term shall include any number of contiguous lots, or portions thereof, upon which a single principal building and its accessory buildings are located or intended to be located.

Monument sign means a ground sign designed and constructed to enclose any and all supporting poles, braces, columns, and/ or uprights on all sides of the sign, and to substantially appear as a solid mass or base, such as a cylinder, block, rectangle or square, from undisturbed natural ground level to the highest portion of the sign.

Multi-tenant business development means a development under the same ownership consisting of two (2) or more business establishments separated by a tenant separation wall, using common driveways and onsite parking facilities, including but not limited to, shopping centers, office complexes, office buildings and business parks.

Multi-tenant sign means a freestanding sign used to advertise businesses that occupy a shopping center or complex of two or more tenants.

Nit means candela per meter square used as a measurement of brightness.

Night means those hours between 10:00 p.m. and 7:00 a.m.

Nonconforming sign means any sign that if erected within the city limits met the requirements of the city at the time it was erected, but does not conform to the requirements of this article; and that if erected within the extraterritorial jurisdiction of the city met the requirements of any governing authority with jurisdiction to regulate said sign at the time it was erected, but which does not conform to the requirements of this article.

Off-premises sign means a sign which is located on property and transmits a message pertaining to a product, use, occupancy or function which is not located on the same property as the sign. The terms "off-premises sign" and "billboard" shall have the same meaning herein.

On-premises sign means a sign the context of which relates to a use, occupancy, function or product manufactured on the same property on which the sign is located.

Person means an individual, any association, company, corporation, firm, organization or partnership, singular or plural, of any kind.

Pole sign means a ground sign mounted on one or more visible freestanding poles, columns, uprights, or braces permanently attached to the ground which is not attached to the building.

Political sign means a sign attracting attention to political candidates or issues as defined by the state election code. A political sign is for temporary use only.

Portable sign means any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to:

1. Signs designed to be transported by wheels;
2. Signs made as A-frames or T-frames;
3. Balloons used as signs;
4. Umbrellas used for commercial messages; and
5. Signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way.
6. Signs shall be allowed for no more than thirty (30) days. The total usage for a portable sign shall not exceed four (4) per calendar year.

Primarily commercial area means an area of property along one side of a public street between two (2) adjacent intersecting public streets in which of the total frontage is used for commercial purposes.

Primarily residential area means an area of property along one side of a public street between two (2) adjacent intersecting public streets in which of the total frontage is used for residential purposes.

Projecting sign means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Real estate sign means a sign advertising real property for sale or for lease. A real estate sign is for temporary use only.

Residential purposes means property devoted to use as a single-family, for one and two single-family dwelling. Residential purposes include but not limited to property used for houses, duplexes, condominiums, townhouses or townhomes, and garden or patio homes. Property used for apartments, hotels, motels and boardinghouses shall be considered nonresidential. Property devoted to both residential and nonresidential use shall be considered as used for residential purposes.

Residential sign means any sign located in a residential area that contains no commercial message, including, but not limited to, a personal identification sign, as in describing a personal affiliation of the type including, but not limited to, a team or church membership.

Roof sign means a sign that is erected over or on the roof of a building.

Sidewalk sign means an A-frame or T-frame sign, placed immediately exterior to the building wall and designed to be removed after business hours.

Sign means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign permit application means a plan establishing parameters for the size, location and design of signs on a property being constructed or managed or managed as a single development.

Site means a lot, tract or parcel of land considered as one land unit for purpose of this article. For a single-family residence, the site shall be the subdivided lot on which it is located. For multifamily projects, the site shall be all land occupied by the buildings in the project and adjoining such property and under common ownership with it. For a vacant land, the site shall be all of the adjoining vacant land under single ownership. For single-occupancy, nonresidential properties, the site shall be the subdivided lot that is occupied. For multiple-occupancy properties, the site shall be all land included under the original "site plan" or "subdivision plan" approval under the Code, or all land included under the original sign permit application approval under this article or its predecessor, whichever land area is larger. The intent of this definition is to treat as one site an entire project as planned and developed together.

Stake sign means a temporary sign not permanently affixed or mounted into the natural ground. Such sign shall be considered but not limited to a sign face affixed to supporting structure typically a wooden stake, metal rod, and such that can be placed in and/or removed from the ground by a single individual with reasonable force without any aid from any tools or devices.

Temporary sign means any sign that is used for a limited period of time, thirty (30) days and is not permanently mounted.

Traffic sign means a sign indicating federal, state or municipal regulations for automobile, truck, bicycle or pedestrian movement.

Wall, exterior, means a vertical, structural component of a building which encloses habitable or usable space; a parapet extending not more than 12 inches above a flat roof shall be considered part of the exterior wall for purposes of determining signage. Wall sign means any sign painted on or attached to and extending not more than six inches from an exterior wall in a parallel manner.

Wall sign means any sign painted on or attached to and extending not more than six inches from an exterior wall in a parallel manner.

Window sign means a sign affixed to the interior or exterior of a window or placed immediately behind a windowpane.

Section 2 Prohibited signs and devices

All signs hereunder are prohibited within the city limits and within its extraterritorial jurisdiction. Such signs include, but are not limited to:

- A. All signs hereunder are prohibited within the city limits and within its extraterritorial jurisdiction. Such signs include, but are not limited to:
 - 1. Abandoned signs, or dilapidated signs;
 - 2. Any sign that copies or imitates an official sign or purports to have official status;
 - 3. Any sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress to any building;
 - 4. Signs imitating standard public traffic, regulatory or emergency signs or signals;
 - 5. Signs using the words, "stop," "danger" or any other word, symbol or character in a manner, which may mislead, confuse or distract the driver of a motor vehicle;
 - 6. Off-premises signs and billboards constructed after the date of enactment of the ordinance from which this article is derived, including, but not limited to, a new off-premises changeable electronic variable message sign or the conversion of an existing non changeable electronic variable message sign to a changeable electronic variable message sign, within the city limits or within the extraterritorial jurisdiction of the city as described in Section 9 of this article.
 - 7. Any sign placed in or projecting in or over the public right-of-way or on a utility pole in the public right-of-way as described in Subsection (C) of this section.
 - 8. Advertising vehicle
 - 9. Home occupation sign
 - 10. Signs which use supports such as trees, rocks, bridges, fences, windmill towers or dilapidated buildings.
 - 11. Electronic animated signs shall not be permitted.
- B. Any such prohibited signs shall be removed at the discretion of the code official and/or his/her designee. If not removed by owners or occupants of the property within ten (10) days of notice, the code official and/or his designee shall cause the signs to be otherwise removed and the cost of removal shall become a lien against the property until satisfied.
- C. Only the following signs shall be allowed on a city street, easement or right-of-way within the city limits or on a public street, easement or public right-of-way within the city's extraterritorial jurisdiction:
 - 1. Public signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;
 - 2. Bus stop signs erected by a public transit company;
 - 3. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;

4. Signs appurtenant to a use of public property permitted under a franchise or lease agreement with the city;
5. Signs posted in association with municipal, county, state or federal authorities for crime prevention or public safety and health;
6. Legal notices erected by or on behalf of a governmental body; and
7. Emergency warning signs erected by a government agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way. Any other sign placed in or projecting in or over the public right-of-way or on a utility pole in the public right-of-way in violation of this article shall be deemed a public nuisance and may be seized by the code official or his/her designee, and the person owning or placing the sign may be charged both with a violation of this article and with the cost of removing and disposing of the sign. If the person or entity placing the sign cannot otherwise be determined for purposes of enforcement, it will be presumed that the name of the person or entity appearing on the sign, or the owner or occupant of the premises depicted on the sign directed the placement and is subject to enforcement as described hereunder.

Section 3 Signs exempt from regulation

The following signs shall be exempt from regulation under this article:

- A. Any official or public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance, by a public utility company or by order of a court of competent jurisdiction.
- B. Traffic signs on private property, such as stop, yield or similar signs, which meet department of transportation standards and contain no commercial message.
- C. Holiday decorations with no commercial message displayed as long as said decorations are displayed within a holiday season.
- D. "No trespassing," "No hunting," "No fishing" or "No loitering" signs, which shall not exceed one square foot in area.
- E. Any governmental signs.
- F. Incidental signs placed for informational purposes without commercial message and limited to one square foot in area.
- G. The changing of advertising copy or message on a painted sign, including theater marquee signs and similar signs specifically designed for the use of replaceable copy, change of face panel, or where the sign frame was designed for replaceable plates, shall not require a permit. For off-premise advertising the sign structure shall be removed if the sign structure becomes so dilapidated as to violate Section 7 (B) of this ordinance.

Section 4 Temporary signs not requiring permit

The following signs are considered temporary in nature and do not require a permit. They are, however, subject to the restrictions in construction or design indicated.

- A. *Banners.* On-premises banner 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 banners 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 may be placed no longer than thirty (30) days.
- B. *Portable signs.* Portable signs and similar temporary 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 banners 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. Other than sidewalk signs regulated within the Downtown District, portable signs may be placed no longer than thirty (30) days.
- C. *Garage sale signs.* Signs for garage sales shall be allowed only on private property with the permission of the property owner.
- D. *Political signs.* Political signs are considered temporary signs and shall be allowed under the following provisions:
 - 1. Such signs shall not be located in the public right-of-way or on other public property or on any utility pole or tree, except that signs may be located on city or other governmental property within specified proximity of polling places during elections at which the specific city or other governmental property is designated as a polling place.
 - 2. Such signs shall comply with all requirements as provided by the Texas Election Code.
 - 3. Signs must be removed within three (3) days following the election.
- E. *Real estate signs.* Real estate signs, including those indicating sale, rental or lease, are allowed under the following provisions:
 - 1. On-premises real estate signs are allowed in residential and commercial developments for a maximum of three hundred sixty-five (365) days.
 - 2. A real estate sign for a single-family dwelling shall not exceed one (1) per lot; in size, the sign shall not exceed forty-two (42) inches in height and a maximum of five (5) square feet in area.
 - 3. A real estate sign for commercial property shall not exceed ten (10) feet in height and a maximum of thirty-two (32) square feet. A maximum of one (1) real estate sign shall be permitted on tracts of three (3) acres or less; a maximum of two (2) real estate signs shall be permitted larger than three (3) acres but less than fifty (50) acres; and a maximum of three (3) real estate signs shall be permitted on a tract of fifty (50) acres or larger.
- F. *Residential signs.* Residential signs are considered temporary signs and shall be allowed under the following provisions:
 - 1. Such signs shall not exceed four (4) square feet in area and forty-two (42) inches in height.
 - 2. There shall be no more than three (3) residential signs on any site containing a single dwelling unit.
 - 3. Such signs shall be posted at least ten (10) feet from any public right-of-way and shall not be posted in a public right-of-way, easement, or on any private common area.

4. Stake signs shall have a maximum of six (6) square feet in effective area and a maximum height of four (4) feet.

Section 5 Violations; penalty

When any sign is erected, constructed, built, reconstructed, altered or maintained in violation of these regulations, the property owner, his/her agent, lessee, management and/or tenant shall give written notice to remove or alter the structure so as to comply with the standards set forth in these regulations as follows:

- A. The property owner, his/her agent, lessee, management and/or tenant shall be served with a written notice that states the violation and requires compliance with this article not more than ten (10) days from the date the notice is served. The notice may be served in person or by depositing the same as certified in the United States Postal Service addressed to the property owner at the owner's address as shown on the most current tax roll of the city, or the tenant as shown on the utility billing records of the city. If the municipality mails the notice to the property owner and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected, and the notice is considered as delivered.
- B. Furthermore, after all provisions of Section 5 (A) have been followed the property owner, his/her agent, lessee, management and/or tenant shall be subject to a fine not exceed five hundred dollars (\$500.00) for each provision violated and each day that there is a failure to comply with the terms of any provision of this article is declared to a separate offense. For violations of the provisions of this article that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2000.00) per day, per violation.

Section 6 Sign permits

- A. *Required.* If a sign requiring a permit under this article is to be placed, constructed, erected or modified on a site, a contractor licensed by the state to erect signs, or where otherwise permitted by law, the owner of the lot, or with the owner's written permission, the owner's designee, shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of this article. If the applicant is someone other than the legal owner of the property, said applicant shall be required to submit the property owner's written verification acknowledging permission for placement of the sign on the property.

Commercial general liability insurance with a minimum aggregate of \$600,000.00 and a per occurrence minimum of \$300,000.00, and such insurance shall be written by an insurance carrier licensed to do business in this state and shall provide that coverage afforded under the policy will not be canceled, suspended, voided or reduced until at least thirty (30) days prior

written notice has been endeavored to be given to the city via certified mail, return receipt requested.

B. Application requirements.

1. An application for a sign permit may be filed only by a contractor licensed by the state to erect signs, or where otherwise permitted by law, the owner of the lot, or with the owner's written permission, the owner's designee, and if not the owner, the applicant must include the owner's written verification acknowledging permission for placement of the sign on the property.
2. An application for a sign permit shall be filed with the building official on a form prescribed by the building official, along with the approved fees incident to the application and permit.
3. Each application for sign permit shall contain the information required on the application form, and such other information regarding the proposed sign as the building official may deem necessary in order to determine whether the proposed sign complies with the applicable requirements of this article and other applicable ordinances of the city. The application shall contain the following:
 - a. One set of plan plans;
 - b. A description of the proposed sign;
 - c. All existing buildings on the property;
 - d. The location by street and number of the proposed sign structure;
 - e. The distance from the curb to the sign;
 - f. Size and height of the sign;
 - g. Whether the sign is electrical;
 - h. The name, address and telephone number of the property owner;
 - i. The name, address, telephone number and license number of the registered sign contractor or erector;
4. The building official shall determine whether the application is complete. If the application is determined to be incomplete, the building official shall notify the applicant of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied.
5. Notwithstanding Section 5 (b), the application fee or a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.

C. Approval procedure. Signs shall be erected, installed or created only in accordance with a duly issued and valid sign permit from the building official. Such permit shall be issued only in accordance with the following requirements and procedures:

1. An application for the construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by a detailed drawing showing the dimensions, design, structure and location of each particular sign, and such other information as is required to comply with this article. A separate application and permit is required for each sign.
2. The building official shall cause an inspection of the site for which each permit for a new sign or modification of an existing sign is issued within six (6) months following issuance

- of a permit, or at such earlier date that the owner may request. The sign permit shall be valid for 180 days from date of issuance.
3. Within forty-eight (48) hours, beginning at 9:00 a.m. on the next working day, of receiving an application for a sign permit, the building official shall review the application for completeness. Within ten (10) business days of finding an application to be incomplete, the building official shall provide written notice to the applicant detailing the specific deficiencies in the application, with appropriate references to this article.
 4. Within twenty (20) business days of receipt of a complete application for a sign permit, the building official shall either:
 - a. Issue the sign permit, if the sign conforms in every respect to the requirements of this article and the sign permit application; or
 - b. Deny the sign permit, if the sign fails to conform to either the requirements of this article or the sign permit application. If the sign permit is denied, the building official shall then give written notice to the applicant detailing the specific deficiencies, with appropriate references to this article.
 5. Any person may appeal a decision of the building official concerning enforcement of the provisions of this article by filing such appeal with the city manager within ten (10) business days after the decision by the building official. The appeal will then be scheduled to be heard by the planning and zoning commission at a regular or specially called meeting, with public hearing scheduled thereon, and following such public hearing, the planning and zoning commission at such meeting will then take action on the appeal by either deferring, rejecting or approving the appeal as submitted thence referring the decision to the city council for final approval or disapproval. If the decision of the building official is to be appealed respecting a sign in existence, no action shall be taken on the sign while the decision is being appealed to the planning and zoning commission, unless the sign, by virtue of its physical condition, presents an immediate and significant threat to public safety.
 6. *As part of a variance request where the literal application of this chapter would create an undue hardship for the sign user and following criteria are met:*
 - a. A literal application of this chapter would not allow the property to be used.
 - b. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
 - c. Any hardship is not in any way the result of the applicant's own action or the result of a self-created or personal hardship or for financial reason alone. Simply dividing a building into multiple occupancies shall not be sufficient grounds for granting a variance. Hardship caused the sign user under a literal interpretation of this chapter is due to conditions unique to that property and does not apply generally to the city.
 - d. Applicants for a variance may only be accepted when the site complies with this chapter. A variance request shall not be accepted after a sign is installed in violation of this chapter.
 - e. The granting of the variance would not be contrary to the general objectives of this chapter.
- D. Lapse of permit.* A sign permit shall lapse if the use of a building or premises by a specified business or other establishment is discontinued by the owner or occupant for a period of

ninety (90) days or more. Any sign for which a permit lapses shall be considered an abandoned sign and shall be removed as provided by this article.

- E. *Removal of signs.* Abandoned signs and signs which do not conform to the requirements of this article shall be removed. Any sign permit application for a premises which is not in conflict with the requirements of this article or which has not otherwise lapsed shall remain in effect for the premises.
- F. *Substitution of message.* On a commercial sign that is otherwise allowed under this article, any commercial or noncommercial message may be substituted, in whole or in part, without permitting or approval being required therefore, if no alteration is made of the size or structure of the sign.
- G. *Downtown District.* A sign requiring a permit under this article which is to be placed, constructed, erected or modified on a site within the Downtown District shall require advance approval of the Downtown District Advisory Board, as described in Section 10.

Section 7 Construction and design

- A. *Construction standards.* Notwithstanding such additional restrictions as may be applicable to signs placed within the Downtown District, as described in Section 10, all signs shall be designed, constructed and maintained in accordance with the following standards:
 1. All signs shall comply with provisions of the building code as then adopted by the city.
 2. 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. 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 signs (freestanding signs) shall be enclosed by material designed to prevent rust. Sign should appear as a solid mass or base, such as a cylinder, block, rectangle or square. Pole should be covered from undisturbed natural ground level to the highest portion of the sign.
 4. All sign foundations shall be designed for 110-mile per hour winds, or most current adopted code, the plan for which must bear a professional engineer's calculations and seal.
 5. 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 7(C), 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, prime facie proof of undue brightness is the illumination of a portion of the sign in excess of the intensity levels specified below:

Day: 5,000 nits

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 ordinance 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 ordinance 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 premise.
 - h. No electronic message center attached to a freestanding sign shall exceed fifty percent (50 %) of the total allowable sign face area for any on-premise freestanding sign.
 - i. 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.
 - j. The addition of any electronic message center to any nonconforming freestanding sign is prohibited.
 - k. Electronic animated signs shall not be permitted.
 - l. By definition, a changeable copy signs which displays time, temperature or price shall be allowed as on-premise signs.
6. 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. No freestanding sign shall exceed thirty-five (35) feet in height.
8. Wall signs shall be regulated by the following:

Maximum Area	Maximum Height
15% of wall area	3 feet above building roof

9. Multi-tenant signs shall be allowed and shall follow the requirements of Section 7(A)(6) furthermore, each sign incorporated in the total signage allowed shall be equally proportioned among the business establishments.
10. The height of a monument style sign shall not exceed twelve (12) feet in height.
11. The coverage area of a window shall not exceed thirty percent (30%).

B. Maintenance standards. Notwithstanding such additional restrictions as may be applicable to signs placed within the Downtown District, as described in Section 10, all signs shall be maintained in good structural condition, in compliance with all building and electrical codes, in conformance with this article, and subject to the following provisions:

1. A sign shall have no more than twenty percent (20 %) of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than thirty (30) days.
2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than fifteen (15) degrees from vertical for a period of more than ten (10) days.
3. A sign shall not have weeds, trees, vines or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than ten (10) days.
4. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than thirty (30) days.
5. Flags shall not be faded, tattered or torn.
6. Sign illumination shall be placed and shielded so as not to directly cast light rays into nearby residences, sleeping accommodations or into the eyes of motor vehicle drivers.

7. All signs and sign structures shall be kept in good repair and unless of galvanized or non-corroding metal treated with appropriate wood preservative, shall be thoroughly painted as often as necessary, consistent with good maintenance. All signs, sign structures and surrounding area shall be maintained in a safe, clean, sanitary and no offensive condition, and shall be kept free and clear of all obnoxious substances and rubbish. All braces, belts, clips, supporting frames, fastenings and systems shall be free from deterioration, termite infestation, rot or loosening. All signs shall be able to withstand safely at all times the wind pressure specified in this chapter and any other applicable ordinances of the City of Liberty. If any sign is not so maintained, the code official or his/her designee shall give written notice to the owner or lessee thereof to so maintain the sign or to remove the sign.
8. Signs may not create a traffic hazard, and shall be constructed and maintained as follows:
 - a. Clear sight triangle. No sign shall be erected in the clear sight triangle. Signs shall be erected so as not to obstruct or impair motor vehicle driver vision at business ingress or egress points or at street intersections.
 - b. Other hazards. No sign shall be erected, and there shall be no lighting of signs or premises thereof, in such a manner or in such location as to obstruct the view of, or to be confused with, any authorized traffic signal, notice or control device. Signs using the words "stop," "danger" or any other word, symbol or character in a manner which may mislead, confuse or distract the driver of a motor vehicle are strictly prohibited.
 - c. Notwithstanding other provisions of this article, any such sign or light source constituting a traffic hazard shall be removed at the direction of the building official and/or his/her designee. If not removed by the owner or occupant of the property within ten (10) days of notice, unless otherwise deemed an immediate hazard, the building official and/or his/her designee shall cause the sign to be otherwise removed, and the cost of removal shall become a lien against the property from which it was removed until payment for removal is satisfied.

C. Lighting.

1. *Illumination.* Notwithstanding such additional restrictions as may be applicable to signs placed within the Downtown District, as described in Section 10, the following regulations shall apply to signs where lighting is included:
 - a. Sign illumination shall be placed and shielded so as not to directly cast light rays into nearby residences, sleeping accommodations or the eyes of motor vehicle drivers.
 - b. Electrical requirements pertaining to signs shall be as prescribed under the National Electrical Code as adopted.
 - c. Neon lighting shall only be permitted in signs for retail and restaurant establishments.
 - d. No sign regulated by this chapter shall utilize an exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion in excess of fifty (50) watts; or unless wattage does not exceed ten (10) watts.
 - e. A higher wattage incandescent lamp may be used with no diffuser for lane open or closed designation.
 - f. No sign shall use any revolving beacon light, flashing light or strobes.
2. *Uniformity.* Lighting on signs shall be consistent throughout a project, and no sign or portion thereof shall be illuminated differently from any other sign, except as allowed otherwise in this article.

Section 8 Nonconforming signs; protection and limitation standards

A sign lawfully erected prior to adoption of the ordinance from which this article is derived but which does not conform in one or more respects with the requirements of this article may remain in use, subject to the requirements of this section and other applicable requirements of city ordinances, under the following limitations:

- A. *Abandonment.* Any sign or sign structure related to a use or business that ceases to exist or operate for a continuous period of ninety (90) days shall be considered nonconforming and shall not be reused for sign purposes unless and until it is in full conformity with the provisions of this article, subject to issuance of a new sign permit.

If an abandoned sign or sign structure no longer advertises a bona fide business or that has become dysfunctional due to closing of a business for a period of ninety (90) consecutive days the sign shall be declared in violation of this article and such sign shall be restored to use or removed by the owner, lessee or person responsible for the sign or the owner's agent within thirty (30) days after notice of violation. If the owner, lessee or person responsible for the sign or the owner's agent fails to restore the sign or sign structure to use or remove the abandoned sign or sign structure within the specified thirty (30) days, the code official or his/her designee shall remove the abandoned sign or sign structure at the property owners expense under the provisions as set forth in Subsection (D) (1) (2) (3) below.

- B. *Change of copy.* No change of copy shall be permitted, except on a changeable copy sign, without bringing the sign into full conformance with this article and with the applicable sign permit application.
- C. *Other sign permits on premises.* For single occupant properties, the issuance of a sign permit for a new or replacement sign shall be subject to the condition that all nonconforming signs on that property shall be removed or brought into conformance as part of the work of installing the new or replacement sign. For multi-occupant properties, the issuance of a sign permit for a new or replacement sign for any occupant shall be subject to the condition that all nonconforming signs for that occupant shall be removed or brought into conformance as part of the work of installing the new or replacement sign.
- D. *Unsafe signs* If any sign or sign structure, in the opinion of the code official or his/her designee, becomes insecure or in danger of falling or otherwise unsafe, the code official or his/her designee shall give written notice on the condition of the sign to the person owning, leasing, or responsible for the sign. The person so notified shall correct the unsafe condition of the sign in a manner to be approved by the code official or his/her designee in conformity with this chapter and any other applicable code of the City of Liberty. When a sign or sign structure poses an immediate danger or threat to public safety, the code official or his/her designee shall make a reasonable effort to contact the owner or lessee to remove or repair within twenty-four (24) hours. The code official or his/her designee shall take the necessary steps to abate the nuisance at the property owner, tenant, and/or agent's expense either by using the following provisions:

1. Whenever the property owner, agent, lessee or tenant fails to abate the unsafe or dangerous, the code official or his/her designee shall abate the nuisance at the city's expense;
 2. The charge shall the actual cost of abatement, plus applicable sales taxes, and an administrative fee of \$75.00 shall be assessed for each charge; and
 3. The owner of the property, agent, lessee, or tenant shall be billed for all expenses incurred and will submit payment within thirty (30) days after billing. If actual charges and administrative fees are not paid within specified time, the city shall file a lien against the property. Said lien shall be filed in the Deed Records of Liberty County, Texas. The charges shown on the lien shall bear interest at the rate of ten percent (10%) per annum from the due date until paid. The lien shall be inferior only to tax liens and liens for street improvements.
- E. All off-premise signs as defined herein shall not be allowed for reconstruction and/or remodel.

Section 9 Enforcement within city's extraterritorial jurisdiction

Pursuant to V.T.C.A., Local Government Code § 216.902, the provisions of this article shall be enforced in and extend to the city's extraterritorial jurisdiction.

Section 10 Signs within the Downtown District

- A. *Prohibited signs and devices.* In addition to those signs prohibited by Section 2, the following signs are prohibited within the Downtown District:
1. Backlit signs;
 2. Electronic message board signs;
 3. Flashing signs;
 4. Portable signs designed to be transported by wheels; and
 5. Roof signs.
- B. *Signs not requiring permit.*
1. *Sidewalk signs.* In addition to the restrictions in placement, construction or design contained in Section 4 sidewalk signs in the Downtown District shall not require a permit or advance approval but shall conform to the following requirements:
 - a. The maximum height of the sign shall be four (4) feet;
 - b. The maximum width of the sign shall be three (3) feet;
 - c. In addition to conforming to the requirements of Section 2(A), a minimum clear sidewalk width of four (4) feet shall be maintained;
 - d. The sign must be properly anchored or weighted against wind;
 - e. The sign may not contain changeable letter on tracks; and
 - f. The sign must be removed after business hours.
 2. *Banners.* A banner may not exceed twenty-four (24) square feet in area.
- C. *Construction, design and placement.* All signs placed within the Downtown District shall be designed, constructed and maintained in accordance with the standards described in Section 7, and in addition thereto, shall adhere to the following standards:

1. An alley sign shall not exceed six (6) square feet in area.
 2. An awning sign shall not exceed sixteen (16) square feet in area.
 3. A hanging sign shall not exceed eight (8) square feet per face, and shall provide a minimum of eight (8) feet clearance between the sidewalk surface and the bottom of the sign. The sign must hang perpendicular to the facade of the building.
 4. A projecting sign shall not exceed twenty-five (25) square feet per face, and the top of the sign shall be located below the roofline of the building to which it is attached; the base of the sign shall be no less than eight (8) feet above the ground; and the sign shall not project more than six (6) feet from the exterior wall of the building.
 5. A wall sign shall be limited in size as follows:
 - a. For a sign placed on the same side as the building's primary entrance, and based upon the linear measurement of the wall containing said primary entrance, sign shall be no more than fifteen percent (15 %) of the total wall area the sign is to be placed on.
 - b. Any sign placed on a building's secondary side or the side facing any side street not containing the primary entrance of the building shall be no larger than the size of a sign on the wall containing the primary entrance of the building.
 6. The coverage area of a window sign shall not exceed thirty percent (30 %) of the area of the window in which it is placed.
 7. Each premise may have no more than two (2) signs and one (1) sidewalk sign for each street entrance, with the exception of the following:
 - a. A building located on the corner of two (2) named streets may also have one (1) sign and one (1) sidewalk sign oriented to its secondary or side street frontage; and
 - b. A building containing a public rear entrance may also have one (1) sign and one (1) sidewalk sign oriented to the rear of the building.
 8. No sign in the Downtown District shall cover or otherwise obstruct any distinctive architectural feature of the building on which it is placed or painted.
 9. No more than thirty percent (30 %) of any exterior wall of a building may be covered by signage.
 10. Projecting signs and awnings shall be anchored to withstand 110-mile per hour winds, and shall be built pursuant to plan bearing a professional engineer's calculations and seal.
- D. *Approval procedure.* If a sign requiring a permit under this article is to be placed, constructed, erected or modified on a site within the Downtown District, in addition to the requirements for permit described in Section 6, prior approval of the Downtown District Advisory Board must be obtained with proof thereof submitted to the building official.
1. As applicant, the building owner, or, with the owner's written permission, the owner's designee shall meet with the building official to determine the requirements for a sign to be placed, constructed, erected or modified on a site within the Downtown District.
 2. The applicant shall then complete any written application for a sign as required by the Downtown District Advisory Board, and submit the application, with all attachments required, to the building official for review as required by the Downtown District Advisory Board.
 3. The applicant shall attend such meetings as may be scheduled by the Downtown District Advisory Board for the purpose of presenting the application for sign for approval.
 4. Upon approval by the Downtown District Advisory Board, the applicant shall secure such

permits as may be required for construction, placement or modification from the building official.

5. Within sixty (60) days of grant of permit from the building official, construction shall commence as described in the approved application. Work must be completed within 180 days.

E. Downtown district area. The area of downtown beginning at the intersection of Dr. Martin Luther King, Jr. Blvd and Milam heading North on Milam to the intersection of Milam and Grand thence continue heading East on Grand to the intersection of Grand and San Jacinto thence continue heading South on San Jacinto to the intersection of San Jacinto and Dr. Martin Luther King, Jr. Blvd thence heading West on Dr. Martin Luther King, Jr. Blvd. to the intersection of Dr. Martin Luther King, Jr. Blvd. and Milam.

Section 11 Dispensing with Two Readings

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

Section 12 Effective Date

This ordinance shall be in full force and effect from and after the date of its passage and publication.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this 14th day of July, 2009.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Budget Items

COUNCIL ACTION 2009-52

DOC ID: 1369

Consider Approval of the Liberty Community Development Corporation Budget for FY 09-10.

EXPLANATION:

The Corporation Bylaws state that at least 90 days prior to October 1, the Board shall adopt a budget for the next fiscal year, which shall be considered adopted upon formal approval of the City Council.

Dianne Tidwell

LIBERTY COMMUNITY DEVELOPMENT CORPORATION
BUDGET FOR THE FISCAL YEAR ENDING
September 30, 2010

REVENUES	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	AMENDED BUDGET 2008-2009	ESTIMATED ACTUAL 2008-2009	PROJECTED BUDGET 2009-2010
Sales Tax	960,000	985,000	1,126,971	1,126,971	1,000,000
Interest Income	52,000	52,000	11,140	11,140	10,000
TOTAL REVENUES	1,012,000	1,037,000	1,138,111	1,138,111	1,010,000
EXPENDITURES					
Debt Service-City of Liberty					
03 Bond Principal	285,000	295,000	2,315,000	2,315,000	0
03 Interest	88,110	79,850	44,226	44,226	0
Director's Insurance	500	500	500	500	500
Levee Maintenance Expenses	12,000	12,000	12,000	12,000	12,000
Office Supplies	200	200	200	200	200
Misc.	20,000	1,000	3,000	3,000	3,000
Workforce Contribution	25,000	25,000	25,000	25,000	25,000
Capital Outlay- Infrastructure Project	0	0	0	0	
TOTAL EXPENDITURES	430,810	413,550	2,399,926	2,399,926	40,700
REVENUES OVER EXPENDITURES	581,190	623,450	-1,261,815	-1,261,815	969,300
FUND BALANCE BEGINNING OF YEAR				\$3,001,688	\$1,739,873
NET CHANGE IN FUND BALANCE				-\$1,261,815	\$969,300
ANTICIPATED FUND BALANCE END OF YEAR				\$1,739,873	\$2,709,173

Attachment # 5: LCDC Budget 09-10 (CA-2009-52 : LCDC Budget FY 09-10)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION 2009-53

DOC ID: 1373

Consider Approval of a Process for Selection of a New City Manager.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 07/14/09 06:00 PM

Department: Administration
Category: Personnel

COUNCIL ACTION 2009-54

DOC ID: 1374

Consider the Appointment of a City Manager.