



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, October 13, 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

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

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. ITEMS OF INTEREST

A. Information Item 2009-61

TVE Opening Day Parade

- TVE Parade Info 2009(PDF)

B. Information Item 2009-62

Comcast Cable

- Comcast Info Sept. 09(PDF)

VI. PRESENTATIONS / REPORTS

A. Information Item 2009-63

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

B. Information Item 2009-64

Financial Report/ Sept 2009 - N. Herrington

C. Information Item 2009-65

Humphreys Cultural Center Expansion - Project Worksheet - N. Herrington

- Library Construction thru Aug09 (XLSX)

D. Information Item 2009-66

Recycling Report - Councilperson Huddleston

E. Information Item 2009-67

Proposed Permit Fee Schedule- Candice Parker

- Fee Schedules and Example Permits (PDF)

VII. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, September 08, 2009
2. Wednesday, September 23, 2009
3. Tuesday, September 29, 2009

B. Council Action 2009-87

Consider Approval of an Interlocal Agreement with National Joint Powers Alliance for Cooperative Purchasing.

FISCAL IMPACT:

No impact at this level.

C. Council Action 2009-88

Consider Ratification of an Expenditure for Purchase of a New Ambulance.

FISCAL IMPACT:

This is a budgeted item.

D. Council Action 2009-89

Consider Approval of the New City Manager's Employment Contract.

E. Council Action 2009-90

Consider Approval of Some or All of the Proposed Charter Amendments, as Recommended by the 2009 Charter Review Commission.

- Charter Rev Comm Final Report 2009 (DOC)

F. Ordinance 2009-19

Consider an Ordinance Adopting Liberty Municipal Airport Hazard Zoning Regulations.

G. Resolution 2009-17

Consider and Approve a Resolution for Reimbursement of Expenditures for Facility Costs.

VIII. REGULAR AGENDA**A. Regular Session****1. Ordinance 2009-20**

Consider Adoption of an Ordinance Regarding the Discharge of Firearms in the City of Liberty.

2. Council Action 2009-91

Consider Approval of a Contract with PGAL Architects for Architecturer and Design Services for a New Police Department Facility.

3. Council Action 2009-92

Consider Approval of a Change Order for Construction of a New Bell Tower and Associated Expenses.

FISCAL IMPACT:

The funds for this project are included in the proposed Certificates to be issued in January, 2010.

- Bell Tower Letter R. Edwards (PDF)

4. Ordinance 2009-21

Consider Adoption of an Ordinance Regulating the Operation of EMS Services Operating in the City of Liberty.

5. Council Action 2009-93

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

- CAD ARB Nominations 2009 (PDF)

B. Executive Session

Deliberation Regarding Economic Development Negotiation.

Gov. Code §551.087

Deliberation Regarding Real Property. Gov. Code §551.072

Consultation With Attorney. Gov. Code §551.071

1. Discussion of real property acquisition for economic development purposes.

2. Discussion of real property acquisition for Fire Department purposes.

Consultation With Attorney. Gov. Code §551.071

3. Consultation with attorney regarding litigation to collect delinquent taxes and utilities from the Liberty-Dayton Community Hospital and/or its owners.

C. Reconvene into Regular Session

1. Council Action 2009-94

Consider Acquisition of Real Property for Economic Development And/Or Fire Department Purposes.

2. Council Action 2009-95

Consider Possible Action Regarding Litigation with the Liberty-Dayton Community Hospital And/Or Its Owners Regarding Monies Owed to the City of Liberty.

IX. COUNCIL MEAL

X. ADJOURNMENT

A. 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 9th day of October, 2009 at 2:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

Notice given to The Vindicator, Liberty Gazette, and KSHN Radio.

NOTICE

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

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2009.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Events

INFORMATION ITEM 2009-61

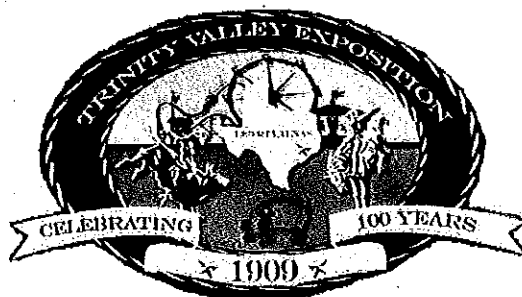
DOC ID: 1464

TVE Opening Day Parade

EXPLANATION:

Attached is information regarding participation in the 2009 TVE Opening Day Parade.

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September 25, 2009

Dear Participant:

Please join us for the Annual Trinity Valley Exposition **OPENING DAY PARADE** which is scheduled for Wednesday, October 14, 2009 at 10:00 a.m. in Liberty, Texas.

We wanted to take the time to extend this invitation to you and yours to participate in this colorful and exciting event. We will be honoring Mr. E.B. Baker as our Grand Marshall this year.

Also, if you have family or friends with children kindergarten or younger, please encourage them to participate in one of Texas' only baby parades. The **TVE Baby Parade** will be held Saturday, October 10, 2009. This wonderful tradition will fade away without everyone's help. The theme this year is

Old Westerns.

For information on either parade, please call Chairman, Becky Brand, at 936-336-5741 or after 5:30 pm at 713-540-3708 or 936-334-9687. If there is no answer, leave a message and your call will be returned. Or you can go online to www.tvefair.com. Return completed entry forms by October 8, 2009 to:

**TVE PARADE
P. O. BOX 9021
LIBERTY, TX 77575**

Or by fax to (936) 336-5743

We are looking forward to seeing you at the Parade!!

Sincerely,

Becky Brand
Chairman

Attachment: TVE Parade Info 2009 (INF-2009-61 : TVE Opening Day Parade)



Parade Committee use only

Entry # _____

Called _____

TVE Opening Day Parade Entry Form

Name of entry: _____

Type (Automobile, Float, Horseback, Walking, etc.): _____

(VEHICLE AND SIGN MUST BE PROVIDED BY PARTICIPANT)

Name of persons entered: _____

Detailed information that can be announced about your entry (duties, etc.):

Contact person: _____

Day phone number: _____

*Night phone number: _____

*This is the phone number we will call to inform you of your entry number.
You will be contacted **after 6:00 p. m. on Monday evening, October 12, 2009.**

Return to:
Opening Day Parade
P. O. Box 9021
Liberty, Texas 77575
Fax # 936-336-5743

Attachment: TVE Parade Info 2009 (INF-2009-61 : TVE Opening Day Parade)



RULES FOR OPENING DAY PARADE

1. No one may ride on top of the vehicle.
2. No candy, gum, etc. may be distributed during the parade.
3. All trucks, trailers, and floats must have guard rails.
4. The Parade will not stop for any type of exhibition.
5. There is no set theme for the Opening Day Parade.
6. All entries must be approved by the Parade Committee.

All participants will be contacted after 6:00 p. m. on Monday, October 12, 2009 to inform you of your parade entry number.

All participants must be at their designated site by 9:15 a. m. to line up on Wednesday, October 14, 2009.

THE PARADE WILL BEGIN PROMPTLY AT 10:00 a. m.

Return to:
TVE Opening Day Parade
P. O. Box 9021
Liberty, TX 77575

Or fax to 936-336-5743

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Correspondence

INFORMATION ITEM 2009-62

DOC ID: 1465

Comcast Cable

EXPLANATION:

Attached is information from, Comcast Cable, regarding the new "Comcast Customer Guarantee".



Comcast Cable
8590 W. Tidwell
Houston, TX 77040

September 30, 2009

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

RE: Comcast Customer Guarantee

Dear City Secretary:

We are excited to announce the launch of our "Comcast Customer Guarantee" on September 30, 2009. The Guarantee is one part of a massive effort that the entire company is focused on to serve our customers better. We are doing this because we are constantly looking to improve the customer experience.

The "Comcast Customer Guarantee" lets customers know what they can and should expect from Comcast and outlines the customers' rights if we don't live up to their expectations. Some of the key guarantee promises are:

- A 30-day, money-back guarantee on all our services. This means that if a customer is not satisfied, he or she can cancel service within the first 30 days after it's been installed, and we'll refund the monthly recurring fee for the first 30 days of service and any standard installation charges that were paid.
- After the first visit to a customer's home, if we do not satisfactorily complete installation or can't resolve a routine issue, we will extend a complimentary service to their account. We also won't charge them for a service visit that results from a Comcast equipment or network problem.
- If we fail to arrive for a scheduled visit during the promised appointment window, we will apply a \$20 credit to the customer's account.

The Customer Guarantee is Comcast's promise that we will hold our products, service and employees to the highest standards and that our goal is to provide a superior customer experience the first time, every time. Among the many improvements Comcast is making, we:

- Are giving our employees the tools, innovative new technologies and systems they need to fix issues, answer questions and give customers what they need. For example, our new Grand Slam automated diagnostic/troubleshooting portal fosters first-time resolution by letting our representatives perform remote health checks on customers' services when they call us.

Attachment: Comcast Info Sept. 09 (INF-2009-62 : Comcast Cable)



Comcast Cable
8590 W. Tidwell
Houston, TX 77040

- Have given mobile handheld devices to all of our 1,100 field technicians to help address a critical issue in customer service - on-time reliability.
- Are focusing on switching from fixing a problem once the customer contacts us to proactively managing our products and systems so we can correct issues before they impact customers.
- Are listening to customers online (blogs, online forums and Twitter) and answering their questions and solving their problems. We have a team of employees dedicated to searching the web, listening and responding to customers and offering them help in real time.
- Are making it easier for customers to share their feedback with us – from 24x7 phone support to communicating online with a redesigned Help and Support page on Comcast.com that gives customers more info on the "6 Ways to Get Help" at Comcast, including sending a letter to the head of Customer Care. We also are opening and expanding our online customer forums to all customers on Comcast.com.
- Recently launched a company blog, called "Comcast Voices," where people can hear straight talk on news, change at our company and our thoughts on what's important in our industry from product managers and programmers to business unit leaders and technical specialists.
- Are increasing and improving training for new employees and providing ongoing training for current employees.
- Hired 400 new customer service agents and technicians over the past three years.
- Work on Saturdays and Sundays so customers can schedule appointments when it's most convenient for them.
- Offer shorter appointment windows and increased availability of two and three-hour appointments.

While we try to deliver great customer service every time, there are certainly times when we do make mistakes. When that happens, it's important for customers to know what they can expect from us. Please feel free to contact Giovanni Garibay in our Government Affairs team should you have any questions at 713.895.1265.

Sincerely,

Craig D'Agostini
Senior Director

Attachment: Comcast Info Sept. 09 (INF-2009-62 : Comcast Cable)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-63

DOC ID: 1450

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

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Finance
Category: Reports

INFORMATION ITEM 2009-64

DOC ID: 1447

Financial Report/ Sept 2009 - N. Herrington

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Finance
Category: Reports

INFORMATION ITEM 2009-65

DOC ID: 1446

Humphreys Cultural Center Expansion - Project Worksheet - N. Herrington

LIBRARY CONSTRUCTION CONTRACTORS PAYMENT APPLICATION THRU 08/31/09

	DESCRIPTION OF WORK	VALUE	BILLED	LESS RETAINAGE	PAID TO CONTRACTOR	BALANCE TO FINISH	% OF WORK
	Contingency	\$30,000.00	\$19,766.37	\$1,976.64	\$17,789.73	\$10,233.63	65.89%
	Sitework	\$140,197.14	\$111,434.40	\$11,143.44	\$100,290.96	\$28,762.74	79.48%
	Concrete	\$260,947.44	\$246,618.81	\$24,661.88	\$221,956.93	\$14,328.63	94.51%
	Masonry	\$131,508.00	\$27,425.00	\$2,742.50		\$104,083.00	
	Metals	\$234,854.18	\$217,878.64	\$21,787.86	\$196,090.78	\$16,975.54	92.77%
	Woods & Plastic	\$10,849.97	\$10,000.00	\$1,000.00	\$9,000.00	\$849.97	92.17%
	Thermal & Moisture Protection	\$175,500.23	\$119,164.00	\$11,916.40	\$107,247.60	\$56,336.23	67.90%
	Doors & Windows	\$126,444.38	\$1,539.88	\$153.99	\$1,385.89	\$124,904.50	1.22%
	Finishes	\$332,822.00	\$61,952.00	\$6,195.20	\$55,756.80	\$270,870.00	18.61%
	Specialties	\$22,839.68				\$22,839.68	
	Equipment	\$13,637.50				\$13,637.50	
	Furnishings	\$91,027.14	\$6,878.88	\$687.89	\$6,190.99	\$84,148.26	7.56%
	Conveying System	\$70,250.00	\$24,587.50	\$2,458.75	\$22,128.75	\$45,662.50	35.00%
	Mechanical	\$178,474.33	\$30,888.14	\$3,088.81		\$147,586.19	
	Fire Protection	\$74,184.00	\$40,680.00	\$4,068.00		\$33,504.00	
	Plumbing	\$149,492.00	\$113,256.00	\$11,325.60	\$101,930.40	\$36,236.00	75.76%
	Electrical	\$381,036.01	\$173,456.76	\$17,345.68	\$156,111.08	\$207,579.25	45.52%
	Special Systems	\$24,736.00	\$1,124.00	\$112.40	\$1,011.60	\$23,612.00	4.54%
	Totals	\$2,448,800.00	\$1,206,650.38	\$120,665.04	\$1,085,985.34	\$1,242,149.62	49.28%

	Contingency/Change Orders	\$30,000.00					
	Demo of Bell Tower	\$12,719.00	\$12,719.00			\$0.00	
	Misc. Changes	\$5,497.06	\$11,949.38			-\$6,452.32	
	Changes Assoc. with Folding Part	\$898.37	\$582.96			\$315.41	
	Ramp Changes/Pier Adj	-\$3,554.97	-\$5,484.97			\$1,930.00	
	Totals	\$15,559.46	\$19,766.37			-\$4,206.91	

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM 2009-66

DOC ID: 1451

Recycling Report - Councilperson Huddleston

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Inspection
Category: Reports

INFORMATION ITEM 2009-67

DOC ID: 1460

Proposed Permit Fee Schedule- Candice Parker

EXPLANATION:

Upon reviewing fee schedules from other cities, I have compared the City of Liberty's fee schedule to the City of Cleveland's fee schedule and am proposing a rate increase that would be both lucrative to the City but still manageable for our contractors working in Liberty.

After much consideration and review, the largest cost difference is that other cities charge an issuing fee on top of the permit fees. Most issuing fees are \$20.00 to \$25.00 over and above the permit fee. Instead of imposing an issuing fee, I propose that we raise the cost of the permits by \$25.00 dollars in order to have a more comparable rate with other cities. For example, this fee increase would be like the minimum charges that are on the utility bills but not necessarily itemized on the bill.

The City of Liberty calculates a plumbing permit by how many fixtures will be installed in the home, and is a typical way of other cities. However, electrical permits are typically figured in a similar way, but not figured that way in Liberty. We currently only charge a flat rate for the temporary pole for construction and flat rate to wire the home and to set the main service. I recommend that we start charging by the outlet as other cities do so that the permit fees are comparable to the permit fees that plumbers pay.

I have enclosed some compared fees schedules and example permit calculations for your review. If you should have any questions regarding the calculations, please give me a call. I will be attending the Council Meeting for any additional questions.

C. Parker

Building Permits

Liberty

No issuing fee

\$100.00 and less

Fee is \$5.00

\$101.00-\$2,000.00

Fee is \$2,000.00

\$2,001.00-\$15,000.00

\$20.00 for the first \$2,000.00
plus \$10.00 for each additional
thousand or fraction thereof,
to and including \$15,000.00

\$15,001-\$99,999.99

\$150.00 for the first \$15,000.00
plus \$3.00 for each additional
thousand or fraction thereof,
to and including \$100,000.00

\$100,000.00-\$500,000.00

\$405.00 for the first \$100,000.00
plus \$2.75 for each additional
thousand or fraction thereof,
to and including \$500,000.00

\$500,001.00 and above

\$1,505.00.00 for the first \$500,000.00
plus \$2.50 for each additional
thousand or fraction thereof

Moving Permit

\$50.00

Demolition Permit

\$0.00

Cleveland

\$25.00 issuing fee

Up to \$500.00

Fee is \$25.00 for each required inspection

\$501.00 to \$50,000.00

\$25.00 for the first \$500.00
plus \$4.00 for each additional
thousand or fraction thereof,
to and including \$50,000.00

\$50,001.00-\$100,000.00

\$225.00 for the first \$50,001.00
plus \$3.00 for each additional
thousand or fraction thereof,
to and including \$100,000.00

\$100,001.00-\$500,000.00

\$375.00 for the first \$100,001.00
plus \$2.00 for each additional
thousand or fraction thereof,
to and including \$500,000.00

\$500,001.00 and up

\$1,660.00 for the first \$500,001.00
plus \$2.00 for each additional
thousand or fraction thereof

Moving Permit

\$50.00

Demolition Permit

\$25.00

Building Permits

For Example:

Liberty

Remodel permit fee based on a
\$2,000.00 valuation

Permit fee is **\$20.00**

Remodel/building permit fee based
on a \$15,000.00 valuation

Permit fee is **\$150.00**

Building permit fee based on a
\$135,000.00 valuation
\$135,000.00-\$100,000.00=\$35,000.00
35X2.75=\$96.25+\$405.00=**\$501.25**

Building permit fee based on a
\$525,000.00 valuation
\$525,000.00-\$500,000.00=\$25,000.00
25x2.50=\$62.50+\$1,505.00=**\$1,567.50**

Cleveland

For the same permit:

\$2,000.00-\$500.00=\$1,500.00

2X4=\$8.00+\$25.00=\$33.00

\$33.00+\$25.00=**\$58.00**

For the same permit:

\$15,000.00-\$2,000.00=\$13,000

13X4=\$52.00+\$25.00=\$77.00

\$77.00+\$25.00=**\$102.00**

For the same permit:

\$135,000.00-\$100,000.00=\$35,000.00

35X2.00=\$70.00+\$375.00=\$445.00

\$445.00+\$25.00=**\$470.00**

For the same permit:

\$525,000.00-\$500,000.00=\$25,000.00

25X2.00=\$50.00+\$1,660.00=\$1,710.00

\$1,710.00+\$25.00=**\$1,735.00**

Electrical Permits

Liberty

No issuing fee

Electrical Permit

Temporary Pole **\$15.00**

Meter Loop **\$20.00**

100, 150 or 200 amp service
and wire new home

The City of Liberty does not currently
charge by the fixture.

Cleveland

Issuing fee for electrical permits **\$20.00**

Electrical Permit

Temporary Pole **\$10.00**

Meter Loop **\$10.00**

First four outlets	\$9.00
Next 21 outlets	\$15.00
Each outlet over 25	\$0.50
Each transformer	\$5.00
Each Motor or generator	\$8.00
Electric signs or other equipment	
in connection herewith	\$15.00
Electric fans, either exhaust or	
ventilating, 24" or more in diameter	
the first fan is	\$8.00
Each additional fan	\$5.00
Each moving picture machine and all	
operating devices used in connection	
therewith	\$15.00

For Example:

Typically the electrical contractor will
pull a permit for a single family dwelling
that will include wiring the home and
a temporary pole for service during
construction of the home.

Permit fee for this permit is **\$35.00**

Permit fees for the same permit in Cleveland
would be figured like this:

Based on 2,000 sq ft home with a 200 amp service and 50 outlets

Issuing fee	\$20.00
Temporary Pole	\$10.00
200 amp main service	\$10.00
First four outlets	\$9.00
Next 21 outlets	\$15.00
Last 25 outlets at \$.50	\$12.50
Two attic fans	\$13.00
Central air and heat	\$10.00
Rough-in for air and heat	\$15.00
Range	\$4.00
Dryer	\$4.00
	\$122.50

Mechanical Permits

Liberty

No issuing fee

Residential mechanical permit fee **\$15.00**

Commercial mechanical permit fee
is charged per unit: **\$15.00**

Cleveland

Issuing fee for mechanical permits **\$25.00**

Residential heat and air conditioning
is charged per ton **\$8.00**

Commercial heat and air conditioning
is charges per ton.
The first 25 tons **\$8.00**
over 25 tons **\$4.00**

For Example:

Liberty

Permit fees on a single family
dwelling with a three ton unit **\$15.00**

Permit fees on a commercial
establishment with four units that
1 three ton, 1 four ton, 2 five tons **\$60.00**

Cleveland

issuing fee of **\$25.00**

Permit fees on a single family
dwelling with a three ton unit **\$49.00**

Permit fees on a commercial
establishment with four units that
1 three ton, 1 four ton, 2 five tons **\$161.00**

Plumbing Permit

Liberty

No issuing fee

Fixtures are charged as followed:	
Fixtures 1-4	\$10.00
Each additional over 4	\$3.00
Water Heater Inspection	\$15.00
Water/Sewer Line Combination	\$20.00
Water Line Inspection	\$15.00
Sewer Line Inspection	\$15.00
Sprinkler system	\$15.00
Gas piping inspection 1 to 4 drops	\$10.00
Each additional gas drops over 4	\$3.00
Gas Test	\$20.00

Cleveland

Issuing fee for electrical permits **\$25.00**

Commode	\$3.00
Urinal	\$3.00
Lavatory	\$3.00
Kitchen Sink	\$3.00
Water Heater	\$3.00
Bar sink	\$3.00
Tub	\$3.00
Shower	\$3.00
Floor Drain	\$3.00
Washer	\$3.00
Dishwasher	\$3.00
Drinking Fountain	\$3.00
Other	\$2.00
Water Line Inspection	\$4.00
Sewer Line Inspection	\$4.00
Sprinkler system with 5 heads	\$5.00
Each additional sprinkler head	\$1.00
Gas piping inspection 1 to 5 drops	\$6.00
Each additional gas drop 6 and over	\$2.00
Gas Test	\$6.00

Attachment: Fee Schedules and Example Permits (INF-2009-67 : Proposed Permit Fee Schedule)

Plumbing Permit

For Example:

Liberty

No issuing fee

A single family dwelling with 14 fixtures and six gas drops would be figured as followed:

The first four plumbing fixtures	\$10.00
Ten additional fixtures	\$30.00
The first four plumbing fixtures	\$10.00
Two additional gas drops	\$6.00
Gas Test	\$20.00
Water/Sewer combination	\$20.00
Water heater inspection	\$15.00
Total Permit Fee	\$111.00

Gas Test	\$20.00
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Water/Sewer combination	\$20.00
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Water heater inspection	\$15.00
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Cleveland

Issuing fee \$25.00

The same permit in Cleveland would be figured as followed:

Fourteen fixtures	\$42.00
First five gas drops	\$6.00
Additional gas drop	\$2.00
Gas test	\$6.00
Water line inspection	\$4.00
Sewer line inspection	\$4.00
Issuing fee	\$25.00
Total Permit Fee	\$89.00

Gas Test	\$31.00
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Water/Sewer combination	\$29.00
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Water heater inspection	\$28.00
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Utility Tap Permits

Liberty

No issuing fee

Water Tap Fees	Regular Rates	Highway Rates
3/4"	\$375.00	\$1,310.00
1"	\$575.00	\$1,510.00
1 1/2"	\$875.00	\$1,810.00
2"	\$950.00	\$1,885.00
Sewer Tap Fees	Regular Rates	
4"	\$400.00	
6"	\$450.00	
8"	\$500.00	

Denton

No issuing fee

Water Tap Fees	Regular Rates	Highway Rates
3/4"	\$595.00	\$1,410.00
1"	\$730.00	\$1,625.00
1 1/2"	\$1,085.00	\$2,055.00
2"	\$1,410.00	\$2,275.00
Sewer Tap Fees	Regular Rates	Highway Rates
4"	\$1,410.00	\$2,000.00
6"	\$1,570.00	\$2,110.00
8"	\$1,730.00	\$2,280.00

Cleveland

No issuing fee

The City of Cleveland will issue a work order to the Public Works Department that will result in a quote for the developer that will include total cost to install water and sewer taps to the location.



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, September 8, 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 September 8, 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

The Invocation was given by Angelica Martinez, Liberty High School Senior.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Barrett Guynn, Liberty High School Senior.

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 a 1) schedule provided by Liberty-Dayton Chamber of Commerce, of revenue and expenses relative to the Country Christmas event, which the city contributes \$5000 from hotel-motel tax; and 2) information regarding upcoming appointments to the CAD Appraisal Review Board.

V. PRESENTATIONS / REPORTS

A. Information Item 2009-54

Fire Department Public Service Award

Minutes Acceptance: Minutes of Sep 8, 2009 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

Fire Chief Fred Collins presented to Mr. Justin Ezell, an award for unselfish bravery for saving the life of a resident during a house fire, at Milam & Lynch, on August 18, 2009.

Mayor Pickett, on behalf of the City of Liberty and the City Council, thanked Mr. Ezell for his humanitarian efforts.

B. Information Item 2009-60**EMS Billing Report - Chief Collins****COMMENTS - Current Meeting:**

Fire Chief Fred Collins addressed the Council regarding EMS billing and collections. Chief Collins stated that of the three EMS providers in Liberty County, the City of Liberty has the lowest collection rate. The Chief further stated that the City's contractor, in 2008, billed out \$697,270 and collected \$258,000.

Chief Collins reported that options for raising collection rates include changing billing & collection services, or billing in-house. The Chief reported, that after research, the billing company he prefers has much higher collection rates. This company ran numbers based on the City's current run ratio and gave a conservative estimate of collecting \$35,000 per month. The billing company, also ran numbers for another EMS provider they service; average collection ratio is approximately \$551 per run; the City currently receiving only \$186 per run.

Further discussion included an increase in the charge from 8% to 9%, automated system, purchase of tough book computers, additional revenue, and other related issues. This item will be brought before Council for consideration, at a future meeting.

C. Information Item 2009-55**Alarm Ordinance Update - Chief Tidwell****COMMENTS - Current Meeting:**

Police Chief Billy Tidwell was present to address Council regarding an alarm ordinance, adopted in 2008 but not implemented, due to Hurricane Ike. Chief Tidwell reported that this ordinance is relative to false alarms, permits, and alarm systems at any residence or business location. Chief Tidwell briefly discussed the fees and other associated issues relative to the ordinance.

In the near future a process will be instituted by which alarms are permitted and false alarms are billed.

D. Information Item 2009-56**Bell Tower Expense - Interim City Manager Larry Shaw****COMMENTS - Current Meeting:**

Interim City Manager Larry Shaw reported on options and costs for construction of a new bell tower. Cost estimate for the change order from the contractor, GTT, Inc. is 1) \$225,800 to rebuild on the original south side of the Humphreys Cultural Center and 2) \$191,000 to build on the City Hall grounds.

Discussion included site plans, parking and walkways, bond counsel and funding, insurance, Woods Family and the original agreement, preference for constructing this tower on the City Hall site, and other relative issues.

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.

Motion was made to approve the Consent Agenda. The Consent Agenda item regarding expenditures for the Humphreys Cultural Center Furniture and Equipment was moved to the Regular Agenda.

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

A. Minutes Approval

1. Tuesday, August 11, 2009
2. Tuesday, August 18, 2009
3. Tuesday, August 25, 2009
4. Tuesday, September 01, 2009

B. Council Action 2009-73

Consider Approval of the Final Plat of the Fontenot Cove Subdivision.

ATTACHMENTS:

- Final Plat of the Fontenot Cove Subdivision (PDF)

C. Council Action 2009-74

Consider Appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

The following individuals were reappointed to the Liberty Municipal Library Board: Donna Barranco, Margaret Gardzina, Paul Henry, and Jerry Ursprung.

D. Resolution 2009-13

Consider a Resolution Appointing a Representative to the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

Mr. Bruce Halstead was reappointed to the Sam Rayburn Municipal Power Agency Board of Directors.

E. Resolution 2009-14

Minutes Acceptance: Minutes of Sep 8, 2009 6:00 PM (Minutes Approval)

Consider a Resolution Regarding a Nomination/S to the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

Council nominated Mr. Mike Van Etta for a position on the Liberty County Central Appraisal District Board of Directors.

ATTACHMENTS:

- CAD Info 2009 (PDF)

F. Resolution 2009-15

Consider a Resolution Designating the City of Liberty as a Designated Management Agency for Wastewater Collection and Treatment.

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-75

Consider Approval of Expenditure for Humphreys Cultural Center Furnishings and Equipment.

FISCAL IMPACT:

Total cost furniture and equipment: \$243,695 Budgeted: \$150,000 Grant award: \$50,000 Final cost from contingency funds: \$193,695

COMMENTS - Current Meeting:

Mr. Shaw reported the original budget for furniture for the Humphreys Cultural Center Expansion Project was \$400,000. After discussion, it was reduced to \$150,000, in hopes of obtaining the remainder of items through grants. \$50,000 was achieved through grants, leaving a shortfall of \$43,695 from the original budget, proposed to be taken from the contingency fund.

Motion was made to approve expenditures for Humphreys Cultural Center furnishings and equipment, in the amount of \$243,695, of which \$150,000 is already budgeted, a grant for \$50,000 having already been received, and \$43,695 be charged to the Contingency Fund for this project.

ATTACHMENTS:

- 82109 Liberty Library Furniture Proposal rev1 (PDF)
- FF&E spread sheet (XLS)
- theater seating (JPG)

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

2. Council Action 2009-76

Consider Approval of a Lease Agreement for Use of the Liberty Center and Related Rules and Regulations for the Liberty Center and Daniel Pavilion.

Minutes Acceptance: Minutes of Sep 8, 2009 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

Mr. Shaw reported that this document had been given to Council at a previous meeting; several changes having been made since that time. One additional provision is that there will be no raising of, or campaigning for, political funds. After brief discussion, a motion was made to approve the proposed agreement, and rules and regulations for use of the Liberty Center and Daniel Pavilion.

ATTACHMENTS:

- Lease Agreement for Liberty Center (PDF)
- Rules and Regulations for Liberty Center and Daniel Pavilion (PDF)

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

3. Council Action 2009-77

Consider Approval for Hay Baling at the Liberty Municipal Airport.

COMMENTS - Current Meeting:

Airport Director Avon Moore was present to address Council regarding the proposed issue of baling hay at the Liberty Municipal Airport. Lengthy discussion was held regarding options for contracting, costs and number of cuttings, mowing distance from the runway, the current mowing and maintenance contract, safety concerns, and related issues.

Council directed Mr. Moore to further investigate mowing costs, price per bale, mowing distances, and other airport practices.

There was no action taken.

ATTACHMENTS:

- Hay Baling Agreement (PDF)

4. Ordinance 2009-12

Consider Adoption of an Ordinance Establishing Regulations for the Issuance of Citations for Criminal Violations of the City's Code of Ordinances.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ESTABLISHING REGULATIONS FOR THE ISSUANCE OF CITATIONS STEMMING FROM ALLEGED CRIMINAL VIOLATIONS OF ORDINANCES; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; AND CRIMINAL PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; 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."

This ordinance authorizes ticket writing ability, by non-peace officers, for code violations.

Minutes Acceptance: Minutes of Sep 8, 2009 6:00 PM (Minutes Approval)

Motion was made to adopt Ordinance No. 2009-12.

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

5. Council Action 2009-78

Consider Appointments to the 2010 Houston-Galveston Area Council General Assembly.

COMMENTS - Current Meeting:

Motion was made to appoint Councilperson McCarty and Mayor Pickett, respectively, as the representative and alternate to the HGAC 2010 General Assembly.

ATTACHMENTS:

- HGAC Gen Assem Info 2009 (PDF)

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

6. Ordinance 2009-13

Consider an Ordinance Establishing Fees for Heavy Trash Collection and Fees for Various Parks Department Facilities.

COMMENTS - Current Meeting:

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

"AN ORDINANCE ESTABLISHING THE FEES CHARGED BY THE CITY OF LIBERTY SOLID WASTE DEPARTMENT FOR COLLECTION OF HEAVY TRASH; ESTABLISHING FEES FOR RENTAL OF VARIOUS PARKS DEPARTMENT FACILITIES; PROVIDING THAT ALL PRIOR ORDINANCES ESTABLISHING SUCH FEES ARE HEREBY REPEALED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Mr. Shaw reported that during the budget work session, Council consensus included increasing several city fees. Mr. Shaw recommended approval of the proposed fees for heavy trash pickup and various Parks Department facilities.

Motion was made to adopt Ordinance No. 2009-13.

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

7. Ordinance 2009-14

Consider an Ordinance Adopting the Tax Rate for Fiscal Year 2009-2010.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows: "TAX RATE ADOPTION."

A tax rate for FY 2009-2010, of \$0.5900 per \$100 was proposed; \$0.3379 for maintenance and operations and \$0.2521 for debt service.

Motion was made to adopt Ordinance No. 2009-14; adopting a tax rate of \$0.5900 per \$100.

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

8. Ordinance 2009-15

Consider an Ordinance Adopting the Budget for Fiscal Year 2009-2010.

COMMENTS - Current Meeting:

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

"SETTING AND ESTABLISHING THE 2010 FISCAL YEAR OPERATING BUDGET."

Motion was made to adopt Ordinance No. 2009-15.

On behalf of the City Council, Mayor Pickett expressed appreciation to Interim City Manager Larry Shaw, Finance Director Naomi Herrington and her staff, for hard work during the budget process.

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

9. Ordinance 2009-16

Consider an Ordinance Amending the Fiscal Year 2009 Budget.

COMMENTS - Current Meeting:

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

"APPLYING ADJUSTMENTS FOR AMENDING THE FISCAL YEAR 2009 BUDGET AND FINANCIAL PLAN AS PER THE FISCAL YEAR PROJECTIONS AND ESTIMATED ACTUALS IN THE PROPOSED FISCAL YEAR 2010 BUDGET AND FINANCIAL PLAN."

Finance Director Naomi Herrington stated the purpose of this amendment is to adopt the actuals as the budget for the current year, as of September 30, 2009.

Motion was made to adopt Ordinance No. 2009-16.

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

10. Ordinance 2009-17

Consider a Resolution Regarding Tax Roll Approval and the Tax Levy.

COMMENTS - Current Meeting:

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

"TAX ROLL APPROVAL AND TAX LEVY."

Motion was made to adopt Ordinance No. 2009-17, approving the 2009 tax roll and levy.

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

11. Ordinance 2009-18

Consider Adoption of an Ordinance to Abandon a Dedicated Street in the City of Liberty.

COMMENTS - Current Meeting:

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

"AUTHORIZING THE VACATING AND ABANDONMENT OF A STREET, STREETS, AND/OR PUBLIC RIGHTS-OF-WAY, OR A PORTION THEREOF; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH THEREOF; AUTHORIZING THE INTERIM CITY MANAGER OR CITY MANAGER TO EXECUTE A QUITCLAIM DEED, DIRECTING THAT THE BENEFICIARIES OF THE ABATEMENT PAY ANY APPLICABLE SURVEY, DEED, FAIR MARKET VALUE AS DETERMINED BY APPRAISAL, AND OTHER COSTS RELATED TO THE ABANDONMENT; AND 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."

Minutes Acceptance: Minutes of Sep 8, 2009 6:00 PM (Minutes Approval)

This abandonment is a result of two pending sales of property, known as the old Chevrolet dealership on Main Street. There are two streets, that were originally layed out that go into this property. This ordinance authorizes the city manager to execute a quitclaim deed, with beneficiaries directed to pay survey, deed, attorney fees, and fair market value relative to the abandonment.

There will be no cost to the City; the city retains a full utility easement, and funds paid by the beneneficiary are to be deposited in the street maintenance fund as required by the Local Government Code.

Motion was made to adopt Ordinance No. 2009-18.

ATTACHMENTS:

- Abandon Street Info (PDF)

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

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:30 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Sep 8, 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

Wednesday, September 23, 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 September 23, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:02 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 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.

Ms. Sandra Pickett addressed the Council regarding the Liberty Bell and the Bell Tower; speaking in favor of rebuilding the tower on the south grounds of the Humphreys Cultural Center, and placing the bell in a ringing bell tower. As a member of the Bicentennial Commission of 1976, and former Chair of the Liberty County Historical Commission, Ms. Pickett gave a history of the bell, the bell tower, and its significance to the community. Ms. Pickett further detailed reasons for rebuilding on the original location.

V. PRESENTATIONS / REPORTS

A. Information Item 2009-57

Charter Review Commission - Frank Jordan, Chairman

Minutes Acceptance: Minutes of Sep 23, 2009 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

Frank Jordan, Chairman of the 2009 Charter Review Commission, remarked that the Commission has completed their work and presented to Council its final report. Mr. Jordan reviewed the document with Council, stating that it had been reviewed by the City Attorney, with no objections. Mr. Jordan acknowledged the members of the Commission and thanked them for their work. This document will be brought before the Council, at the next meeting, for further review.

B. Information Item 2009-58**Salary Plan & Website Updates - Interim City Manager Larry Shaw****COMMENTS - Current Meeting:**

Interim City Manager Larry Shaw remarked that the City had, prior to his arrival, retained the Waters Group to do a market salary study and job descriptions for the city. Council was asked to approve a raise package, which they did, however, in the beginning stages of implementation, management found a series of omissions and errors. Mr. Shaw

In regard to these positions, since there is no comparison, no study made, and no consideration given for these positions, leaves a question as to whether or not they are in or outside of the market. Mr. Shaw stated that he is troubled by the study and the product, and that he does not intend to implement this program until all issues are rectified. Management is working with the Waters Group to correct the situation.

Mr. Shaw also reported that the city's new website was up, had received many hits, and would be a continuous on-going project; assuring that the site remains current. Mr. Shaw remarked that any comments, suggestions, or new ideas would be welcome. Also discussed, were password protected employee pages, access to utility accounts, streaming video of council meetings, and other related issues.

C. Information Item 2009-59**Humphreys Cultural Center Expansion Project - Interim City Manager Larry Shaw****COMMENTS - Current Meeting:**

Mr. Shaw remarked that there are two sets of contingency funds relative to the Humphreys Cultural Center Expansion Project; 1) 10% contingency inside the \$2.4 million budget and 2) \$30,000 contingency that the contractor and architect have imbedded in their contract.

Mr. Shaw reported on the current spreadsheet; which serves as a track record of intended expenditures for the expansion project. This is to be used as starting point, and will be modified, as there are other expenditures outside the scope of \$2.4 million contract. Total cost is estimated at slightly over \$3 million.

ATTACHMENTS:

- Humphreys CC Expansion Update Sept 09 (PDF)

VI. REGULAR AGENDA**A. Regular Session****1. Council Action 2009-83**

Consider Approval to Issue 'Notice to Terminate Contract' with Health Claims Plus for EMS Billing and Collection Services.

COMMENTS - Current Meeting:

Fire Chief Fred Collins reported to Council that he had researched changing EMS billing and collection companies, and would like to opt out of the current contract with Health Claims Plus. Chief Collins stated that revenues would increase by making this change.

Motion was made to approve issuance of "Notice to Terminate" contract with Health Claims Plus for EMS billing and collections.

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

2. Council Action 2009-84

Consider Approval of an Agreement with A/R Concepts, Inc. for EMS Billing and Collection Services.

COMMENTS - Current Meeting:

Chief Collins reported on several changes to the contract document with A/R Concepts, Inc. for EMS billing and collection services.

Motion was made to approve a contract, subject to City Manager and City Attorney modifications, with A/R Concepts, Inc., for EMS billing and collection services.

ATTACHMENTS:

- EMS Billing Svs AR Concepts (DOC)
- EMS-AR Concept-Revisions (DOC)

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

3. Council Action 2009-85

Consider Approval of a Lease Agreement Between SUNOCO PIPELINE, LLP and the City of Liberty for Use of a Tower Located on SUNOCO Property for Police and Fire Radio Operations.

COMMENTS - Current Meeting:

Police Chief Billy Tidwell reported on an agreement whereby SUNOCO PIPELINE, INC. allows public agencies to use SUNOCO radio towers for public safety antennas. After research, it was concluded that the cost to construct a new tower and relocate equipment from the old Police Department facility, damaged during Hurricane Ike, would be \$100,000. Due to the availability of the SUNOCO tower, the cost for relocating this equipment from the old police department on San Jacinto Street, reduces to \$10,000. This cost includes new antennas, wiring and moving radios and repeaters. SUNOCO PIPELINE will donate the tower space.

Motion was made to approve a lease agreement with SUNOCO PIPELINE, INC. for use of a radio tower for police and fire radio operations.

At this point in the agenda, Mayor Pickett moved to the Work Session portion of the agenda; the Executive Session to follow the Work Session.

ATTACHMENTS:

- Radio Tower - Sun Oil (PDF)

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

B. Executive Session

Personnel Matters. Gov. Code §551.074.

1. Discussion of candidates for the position of City Manager.

At 8:22 p.m. Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

C. Reconvene into Regular Session

At 9:25 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

VII. WORK SESSION

A. Work Session 2009-11

Discussion of Infrastructure Improvement Policy for Economic and Community Development.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw reported on the City's ordinance regarding a developer's responsibility to pay for infrastructure improvements for property intended for development. This ordinance states that the developer should pay for improvements to, on, and around their property. Over the past, the city itself has provided for improvements to water & sewer lines, electric, etc. Mr. Shaw reported that it is not a customary practice for municipalities to bear the cost of these improvements. Mr. Shaw stated that the developer should assume the cost of infrastructure improvements, according to current industry standards. Therefore, Mr. Shaw recommended that the ordinance be followed or that a policy be developed that is more practical, thereby avoiding unnecessary expenditures and saving city funds. Also discussed, at length, were pro rata agreements and related issues.

B. Work Session 2009-12

Discussion of Proposed Food Inspections.

COMMENTS - Current Meeting:

Mr. Shaw reported that small cities typically need to provide their own food/health/sanitary inspection process. The State currently provides this service, charging a fee to the vendor. The City could provide a permitting process, assess a fee, and conduct inspections for permanent and temporary food establishments, including mobile food, and roadside vendors; described as non-packaged foods.

Discussion included the use of contracting with a registered sanitarian, the services that the sanitarian could provide; such as reviewing plans for new or remodeled food establishments, training food servers, complaint based inspections, annual inspections of food establishments, permit suspension for issues that constitute an imminent

hazard to public health, fee schedules, and other related topics. This item will be brought before the Council at a later date.

C. Work Session 2009-13

Discussion of Dispensing with Surplus Real Property.

COMMENTS - Current Meeting:

Mr. Shaw reported that there are several city-owned properties that could be placed on the market for sale, removing them from the city's area of responsibility, and getting these properties back on the tax roll. Properties discussed include the old Police Department building on San Jacinto Street, property at Bowie/Edgewood on the south side of the detention pond, west end of Holly Street on east side of the pond, and the old 60-acre landfill site on FM 1909. Management will further investigate the options for the sale of these properties.

D. Work Session 2009-14

Discussion of Proposed Ordinance Regarding Mowing Regulations.

COMMENTS - Current Meeting:

Mr. Shaw reported that many cities have mowing requirements that require the property owner to maintain their property, not only to property line, but out to the pavement. The City does not have the staff, nor the funds to maintain someone's property line to the curb.

Mr. Shaw recommended that the city's ordinance be amended to make it a requirement for property owners to maintain the land, beyond their property line, to the curb or the street. Further discussion included utility easements, consideration for drainage ditches, undeveloped property, mowing liens, and other related issues. This topic will be brought before the Council for consideration, at a later date.

E. Work Session 2009-15

Discussion of Proposed Council Rules and Procedures.

COMMENTS - Current Meeting:

Mr. Shaw reported on a proposed set of rules and procedures by which the Council could operate. This document addresses numerous issues, including council responsibilities, agenda items, time frames for public comment, council and staff relations, etc.

Mr. Shaw stated this document was brought before the Council for review, and, upon request, can be placed on a future agenda for possible adoption.

At the conclusion of this last item of the Work Session, Mayor Pickett moved to the Executive Session portion of the agenda.

ATTACHMENTS:

- Council Rules of Procedure (DOC)

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 9:25 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Sep 23, 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

Tuesday, September 29, 2009

5:00 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 September 29, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 5:00 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 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.

V. REGULAR AGENDA

A. Regular Session

1. Resolution 2009-16

Consider a Resolution Authorizing the City Manager to Enter into Agreements with the Texas Department of Transportation for the Temporary Closure of Main Street During Trinity Valley Fair & Exposition Parades.

Minutes Acceptance: Minutes of Sep 29, 2009 5:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

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

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ESTABLISHING THAT THE TRINITY VALLEY FAIR & EXPOSITION, AND ITS RELATED EVENTS SERVE A PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF LIBERTY, TO ENTER INTO AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF A PORTION OF STATE RIGHT-OF-WAY DURING TVE PARADES."

This Resolution authorizes the closure of Main Street, from Jefferson Drive to Sam Houston Street, during the TVE Baby Parade and Opening Day Parade.

Motion was made to approve the Resolution.

ATTACHMENTS:

- TVE Rd Closure Agreement Baby Parade (DOC)
- TVE Rd Closure Agreement Opening Day Parade (DOC)

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

B. Executive Session

Personnel Matters. Interviews with finalists for the position of City Manager. Gov. Code 551.074.

At 5:11 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 10:47 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2009-86

Consider the Appointment of a City Manager.

COMMENTS - Current Meeting:

Motion made was to offer the City Manager's position to Mr. Gary Broz, and grant Interim City Manager Larry Shaw the authority to negotiate terms and conditions of the contract.

Mayor Pickett thanked Interim City Manager Larry Shaw, and the Texas First Group, for an outstanding job in bringing high quality candidates to the city, and also thanked the remaining two candidates for their involvement in the process, wishing them the best in their future endeavors.

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

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 10:49 p.m.

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

 Carl Pickett, Mayor

ATTEST:

 Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Sep 29, 2009 5:00 PM (Minutes Approval)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION 2009-87

DOC ID: 1448

Consider Approval of an Interlocal Agreement with National Joint Powers Alliance for Cooperative Purchasing.

National Joint Powers Alliance (NJPA) is a national level purchasing cooperative. The general purpose of the NJPA is to create and host a national municipal association's purchasing alliance.

Melody Fisher

FISCAL IMPACT:

No impact at this level.

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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Expenditures

COUNCIL ACTION 2009-88

DOC ID: 1452

Consider Ratification of an Expenditure for Purchase of a New Ambulance.

FISCAL IMPACT:

This is a budgeted item.

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**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Contracts

COUNCIL ACTION 2009-89

DOC ID: 1455

Consider Approval of the New City Manager's Employment Contract.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Charter Review Comm

COUNCIL ACTION 2009-90

DOC ID: 1454

Consider Approval of Some or All of the Proposed Charter Amendments, as Recommended by the 2009 Charter Review Commission.

EXPLANATION:

The final report of the 2009 Charter Review Commission was presented to Council on September 23rd, by Chairman Frank Jordan. This item is placed on the agenda for further discussion and a determination of which, or all, of the amendments should be submitted to the voters.

D. Tidwell

Charter Review Commission Report – 2009 - City of Liberty, Texas

Members: Frank Jordan, Chairman, Jamie Carter, Clarence Martin, Marsha LaFour, and Victor Barranco.

Proposed changes in bold italics: deletions with strikethrough line. Discussion both Positive and Negative follow each proposed change.

Sec. 1.03. Change of boundaries and residents' rights.

2.b. Disannexation of territory. ...However, any detached territory shall remain liable for its ~~prorate~~ ***prorated*** share of indebtedness incurred...

Discussion: Incorrect spelling correction.

Sec. 3.06. Powers of the city council

...(i) Adopt, modify and carry out plans proposed by the city planning and zoning commission ~~for the clearance of slum districts and rehabilitation of blighted areas~~ ***related to properties and improvements in non-compliance with city ordinances within the city jurisdiction.***

Discussion:

Positive – Present wording is archaic and restrictive in coverage and the city now has a compliance officer to contribute to determination for the city planning and zoning commission of such properties related to condition and ordinance compliance.

Negative – None.

Sec. 3.08. Meetings ***and agenda items*** of the city council.

“The city council will from time to time at discretion of the city council establish policies approved by majority vote for calling meetings and setting agendas of the city council.”

Discussion:

Positive – The proposed change gives City Council members at any given time the flexibility to make changes by majority vote while avoiding the necessity of making charter amendments. Any policy on agendas should require properly noticed items to be heard in the next scheduled meeting in which the item could be legally heard by the City Council.

Negative – None.

Sec. 3.13. Audit and examination **with reporting** of city books and accounts.

“The city council shall cause a continuous audit to be made of the books and accounts of each and every department of the city. At the close of each fiscal year a complete audit shall be made by a certified public accountant, who shall be selected by the city council, ~~and each audit shall include recapitulation of all audits made during the course of each fiscal year,~~ and all audit reports shall be filed with the city council, shall be available for public inspection, and shall be made a part of the archives of the city **within a reasonable time**. Such accountants so selected shall not maintain or keep any of the city’s accounts or records.”

The City Manager shall be responsible for providing accurate accounting reports compiled by acceptable accounting principles each month of the fiscal year for review by the city council and all such financial reports shall be filed timely with the city council, shall be available for public inspection, and shall be made a part of the archives of the city.

Discussion:

Positive – The current Sec. 3.13 indicates the annual audit team is also involved in the audits made during the year in which they are not involved nor allowed to be, if the independent status is maintained for the annual 3rd Party audit. The archaic provision must be changed to make Sec. 3.13 lawful today. The addition provides direction and responsibility to the City Manager to provide accurate accounting reports to the City Council on a timely basis.

Negative: None.

Sec. 4.04. Municipal court.

(b) The judge of said court shall be a qualified voter of the City of Liberty, shall ~~he~~ **be** appointed by the city council, ...

Discussion: Correction of incorrect spelling.

Sec. 6.03. Form of recall petition.

...Notary Public in and for ~~Liberty County,~~ **the State of** Texas.

Discussion: Update Notary designation with change from archaic wording at present in the "Sworn and subscribed" portion of Sec. 6.03.

Sec. 9.12. Contingent appropriation.

"Provision shall be made in the annual budget and in the appropriation ordinance for the contingent appropriation in an amount not more than ~~three (3)~~ **ten (10)** per centum of the total budget, to be used in case of unforeseen items of expenditure. "

Discussion:

Positive - The hurricanes have demonstrated 3% is not an adequate contingent appropriation amount for major emergencies that have unfortunately become frequent in recent years. The increase in the upper limit of any contingent appropriation was deemed appropriate by the most recent City Manager as a needed ceiling increase and not a mandatory amount or fixed percentage.

Negative – The 10% amount substantially increases possible undesignated budget spending at time of budget approval.

Note: Incorrect spellings still in the reviewed version of the City Charter of Liberty, Texas include in Sec. 3.05. wherein the word "vote" is now spelled as "note" and in Sec 3.09, the word "dote" should be "vote;" both corrections previously approved by election and in process of being changed.

All suggested changes have been reviewed by the City Attorney prior to presentation for final discussion and approval in final form by the City Council of Liberty. If approved by the City Council of Liberty, the suggested changes to the Liberty City Charter will be submitted to qualified voters of Liberty, Texas in accord with provisions of the City Charter for approval or disapproval.

Frank Jordan, Chairman

2009 Charter Review Commission for the City of Liberty

Presentation to be made at the Liberty City Council Meeting on September 23, 2009



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Municipal Airport

ORDINANCE 2009-19

DOC ID: 1453

Consider an Ordinance Adopting Liberty Municipal Airport Hazard Zoning Regulations.

EXPLANATION:

This ordinance regulates and restricts the height of structures and natural growth, in and around the Liberty Municipal Airport; also placing restrictions on the use of property in this area.

These rules and regulations were adopted by the Liberty Municipal Airport Hazard Zoning Board on September 22, 2009.

D. Tidwell

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF THE LIBERTY MUNICIPAL AIRPORT, LIBERTY, TEXAS, BY CREATING THE APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR RESTRICTIONS OF SUCH ZONES AND THE ENFORCEMENT OF SUCH RESTRICTIONS; DEFINING CERTAIN TERMS USED HEREIN; REFERRING TO THE LIBERTY MUNICIPAL AIRPORT HAZARD ZONING MAP PREPARED BY THE TXDOT AVIATION DIVISION, DATED AUGUST 3, 2009, WHICH IS INCORPORATED IN AND MADE A PART OF THESE REGULATIONS; PROVIDING FOR A BOARD OF ADJUSTMENT; PROVIDING FOR PENALTIES, AND DISPENSING OF THE REQUIRMENTS OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

Whereas, these regulations are adopted pursuant to the authority conferred by the Airport Zoning Act, Texas Local Government Code, §§241.001 et seq.

Whereas, the Legislature of the State of Texas finds that:

- an airport hazard endangers the lives and property of users of the airport and of occupants of land in the vicinity of the airport;
- an airport hazard that is an obstruction reduces the size of the area available for the landing, taking off, and maneuvering of aircraft, tending to destroy or impair the utility of the airport and the public investment in the airport;
- the creation of an airport hazard is a public nuisance and an injury to the community served by the airport affected by the hazard;

- it is necessary in the interest of the public health, public safety, and general welfare to prevent the creation of an airport hazard;
- the creation of an airport hazard should be prevented, to the extent legally possible, by the exercise of the police power without compensation; and
- the prevention of the creation of an airport hazard and the elimination, the removal, the alteration, the mitigation, or the marking and lighting of an airport hazard are public purposes for which a political subdivision may raise and spend public funds and acquire land or interests in land.

Accordingly, it is declared that the City of Liberty, the City of Ames, and Liberty County benefits from the use of the Liberty Municipal Airport and the City Council of the City of Liberty permits the Liberty Municipal Airport to be used by the public to an extent that the airport fulfills an essential community purpose; therefore, the Liberty Municipal Airport is **used in the interest of the public**.

Therefore, be it ordered by the Liberty Municipal Airport Joint Zoning Board of the City Council of the City of Liberty, Texas, the City Council of the City of Ames, and the Commissioners Court of Liberty County, Texas:

Section 1. Short Title

These regulations shall be known and may be cited as the “**Liberty Municipal Airport Hazard Zoning Regulations**.”

Section 2. Definitions

As used in these regulations, unless the context otherwise requires:

- A. Administrative Agency** — The appropriate person or office of a political subdivision which is responsible for the administration and enforcement of the regulations prescribed herein. The administrative agency is set forth in Section 3 of these regulations.
- B. Airport** — The Liberty Municipal Airport, Liberty, Texas; including the ultimate development of that facility.
- C. Airport Elevation** — The established elevation of the highest point on the runway, either existing or planned, at the airport measured in feet above mean sea level (MSL). The airport elevation of the Liberty Municipal Airport is 68.5 feet above mean sea level (MSL).
- D. Airport Hazard** — Any structure, tree, or use of land which obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.

- E. **Approach Surface** — A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 5 of these regulations. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
- F. **Approach, Conical, Horizontal, and Transitional Zones** — These zones are set forth in Section 4 of these regulations.
- G. **Board of Adjustment** — A board so designated by these regulations as provided in Texas Local Government Code, §241.032. Provisions for the board of adjustment are set forth in Section 9 of these regulations.
- H. **Conical Surface** — A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally for each one (1) foot vertically for a horizontal distance of four-thousand (4,000) feet.
- I. **Hazard to Air Navigation** — An obstruction or use of land determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.
- J. **Height** — For the purpose of determining the height limits in all zones set forth in these regulations and shown on the hazard zoning map, the datum shall be height above mean sea level (MSL) elevation as measured in feet.
- K. **Horizontal Surface** — A horizontal plane one-hundred fifty (150) feet above the established airport elevation which in plan coincides with the perimeter of the horizontal zone.
- L. **Nonconforming Use, Structure, or Tree** — Any structure, tree, or use of land which is inconsistent with the provisions of these regulations and which is existing as of the effective date of these regulations.
- M. **Nonprecision Instrument Runway** — A runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment that provides only horizontal guidance or area type navigation equipment. This also includes a runway for which a nonprecision instrument approach procedure has been approved or planned. Runway 16-34 is considered a nonprecision instrument runway.
- N. **Obstruction** — Any structure, tree, or other object, including a mobile object, which exceeds a limiting height set forth in Section 5 of these regulations or is an airport hazard.
- O. **Other than Utility Runway** — A runway designed for and intended to be used by propeller driven aircraft of more than twelve-thousand five-hundred (12,500) pounds maximum gross weight and jet powered aircraft. Runway 16-34 at the Liberty Municipal Airport is considered an other than utility runway.
- P. **Person** — An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

- Q. Precision Instrument Runway** — A runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment which provide both horizontal and vertical guidance. This also includes a runway for which a precision instrument approach procedure has been approved or planned.
- R. Primary Surface** — A 500 foot wide surface longitudinally centered on the runway extending the full length of the ultimate runway configuration plus two-hundred (200) feet beyond each ultimate end of the runway. The elevation of any point on the primary surface is the same as the nearest point on the existing or ultimate runway centerline.
- S. Runway** — A defined area on the airport prepared for the landing and taking off of aircraft along its length. The zoned length of Runway 16-34 at the Liberty Municipal Airport is 5,000 feet.
- T. Structure** — An object, including a mobile object, constructed or installed by man including, but not limited to, buildings, towers, cranes, smokestacks, poles, earth formations, overhead power lines, and traverse ways. Traverse ways are considered to be the heights set forth in 14 C.F.R. Part 77.23.
- U. Transitional Surfaces** — Surfaces extending perpendicular to the runway centerline and the extended runway centerline outward from the edges of the primary surface and the approach surfaces at a slope of seven (7) feet horizontally for each one (1) foot vertically to where they intersect the horizontal surface.
- V. Tree** — Any type of flora and an object of natural growth.

Section 3. Administrative Agency

It shall be the duty of the City Manager of the City of Liberty, or his designee, to administer and enforce the regulations prescribed herein. The Manager or his/her designee is hereby designated as the administrator of this article. The duties of the administrative agency shall include:

- (a) To promulgate rules and forms as necessary to administer and enforce the provisions of this article;
- (b) To review and approve or disapprove applications for airport land use permits in accordance with the provisions and timelines of this article and Chapter 241; and
- (c) To charge and collect applicable fees, as set by the city commission, for processing each airport land use permit.

Section 4. Zones

In order to carry out the provisions of these regulations, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, conical surface, horizontal surface, and transitional surfaces as they apply to the airport. Such surfaces are shown on the Liberty Municipal Airport Hazard Zoning Map consisting of one (1) sheet, prepared by the TxDOT Aviation Division and dated August 03, 2009, which is hereby attached to these regulations and made a part hereof. An area located in more than one of the following zones is

considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. Approach Zones** — Approach zones are hereby established beneath the approach surfaces at each end of Runway 16-34 at the airport for an other than utility runway with instrument landings. The approach surface shall have an inner edge width of 500 feet, which coincides with the width of the primary surface, at a distance of two-hundred (200) feet beyond each runway end, widening thereafter uniformly to a width of three thousand five-hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet beyond the end of the primary surface. The centerline of the approach surface is the continuation of the centerline of the runway.
- B. Conical Zone** — A conical zone is hereby established beneath the conical surface at the airport which extends outward from the periphery of the horizontal surface for a horizontal distance of four-thousand (4,000) feet.
- C. Horizontal Zone** — A horizontal zone is hereby established beneath the horizontal surface at the airport which is a plane one-hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of ten-thousand (10,000) feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.
- D. Transitional Zones** — Transitional zones are hereby established beneath the transitional surfaces at the airport. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the Liberty Municipal Airport Hazard Zoning Map. Transitional surfaces extend outward perpendicular to the runway centerline and the extended runway centerline from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface.

Section 5. Height Limitations

Except as otherwise provided in Section 8 of these regulations, no structure shall be erected, altered, or replaced and no tree shall be allowed to grow in any zone created by these regulations to a height in excess of the applicable height limitations herein established for such zone. Applicable height limitations are hereby established for each of the zones in question as follows:

- A. Approach Zones** — Slope one (1) foot in height for each thirty-four (34) feet in horizontal distance beginning at the end of and at the same elevation as the primary surface and extending to a point ten-thousand (10,000) feet beyond the end of the primary surface.
- B. Conical Zone** — Slopes one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the periphery of the horizontal zone and at one-hundred fifty (150) feet above the airport elevation and extending to a height of three-hundred fifty (350) feet above the airport elevation, or to a height of 419.5 feet above mean sea level.
- C. Horizontal Zone** — Established at one-hundred fifty (150) feet above the airport elevation, or at a height of 219.5 feet above mean sea level.

- D. Transitional Zones — Slope one (1) foot in height for each seven (7) feet in horizontal distance beginning at the sides of and at the same elevations as the primary surface and the approach surfaces.
- E. Excepted Height Limitation — *nothing contained in these regulations shall be construed as prohibiting the growth, construction, or maintenance of any structure or tree to a height of up to forty (40) feet above the surface of the land at its location.*

Section 6. Land Use Restrictions

Except as provided in Section 7 of these regulations, no use may be made of land or water within any zone established by these regulations in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create potential bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.

Section 7. Nonconforming Uses, Structures, and Trees

- A. **Nonconforming Uses** — Nothing contained in these regulations shall be construed as requiring changes in or interference with the continuance of any nonconforming use of land.
- B. **Nonconforming Structures** — Nothing contained in these regulations shall be construed as to require the removal, lowering, or other change to any existing nonconforming structure including all phases or elements of a multiphase structure the construction of which was begun prior to the effective date of these regulations and is diligently prosecuted.
- C. **Nonconforming Trees** — Nothing in these regulations shall be construed as to require the removal, lowering, or other change to any nonconforming tree. However, any nonconforming tree which grows to a greater height than it was as of the effective date of these regulations is subject to the provisions of these regulations as described in Section 5 herein above.

Section 8. Permits and Variances

- A. **Permits** — Any person who desires to replace, rebuild, substantially change, or repair a nonconforming structure or replace or replant a nonconforming tree must apply for and receive a permit, and **the permit shall be granted**. However, no permit shall be granted which would allow the establishment of an airport hazard or allow a nonconforming structure or tree to exceed its original height or become a greater hazard to air navigation than it was at the time of the adoption of these regulations. Applications for permits shall be applied to and issued by the administrative agency.
- B. **Variances** — Any person who desires to erect, substantially change, or increase the height of any structure or establish or allow the growth of any tree which would exceed the height limitations set forth in Section 5 of these regulations or change the use of

property in such a way as to create a hazardous condition as described in Section 6 of these regulations must apply to the board of adjustment and receive a variance. The application for variance must be accompanied by a determination from the Federal Aviation Administration under 14 C.F.R. Part 77 as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship and the granting of relief would result in substantial justice, not be contrary to the public interest, and be in accordance with the spirit of these regulations.

C. Requirements and Reasonable Conditions

- (1) Any permit granted may, at the discretion of the administrative agency, impose a requirement to allow the installation and maintenance, at the expense of the administrative agency, of any markers or lights as may be necessary to indicate to flyers the presence of an airport hazard.
- (2) Any variance granted may, at the discretion of the board of adjustment, impose **any reasonable conditions** as may be necessary to accomplish the purpose of these regulations.

Section 9. Board of Adjustment

- A.** The Board of Adjustment of the City of Liberty is hereby designated as the board of adjustment for the purposes of these regulations and shall have and exercise the following powers:
 - (1) to hear and decide appeals from any order, requirement, decision, or determination made by the Administrative Agency in the administration or enforcement of these regulations;
 - (2) to hear and decide special exceptions to the terms of these regulations when the board is required to do so; and
 - (3) to hear and decide specific variances.
- B.** The board of adjustment shall be comprised of five (5) members and shall adopt rules for its governance and procedure in harmony with the provisions of these regulations. Meetings of the board of adjustment shall be held at the call of the chairman and at such times as the board of adjustment may determine. The chairman, or in his/her absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The board of adjustment shall keep minutes of its proceedings showing the vote of each member upon each question or if any member is absent or fails to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the board of adjustment or in the office of the City Manager, City of Liberty. All such records shall be public records.
- C.** The board of adjustment shall make written findings of fact and conclusions of law

stating the facts upon which it relied when making its legal conclusions in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of these regulations.

- D. The concurring vote of four (4) members of the board of adjustment shall be necessary to reverse any order, requirement, decision, or determination of the administrative agency, to decide in favor of the applicant on any matter upon which it is required to pass under these regulations, or to effect any variance to these regulations.

Section 10. Appeals

- A. Any person aggrieved or any taxpayer affected by a decision of the administrative agency made in the administration of these regulations may appeal to the board of adjustment if that person or taxpayer is of the opinion that a decision of the administrative agency is an improper application of these regulations. This same right of appeal is extended to the governing bodies of the City of Liberty and Liberty County, Texas, and to the Liberty Municipal Airport Joint Zoning Board.
- B. All appeals hereunder must be taken within a reasonable time as provided by the rules of the board of adjustment by filing a notice of appeal with the board of adjustment and the administrative agency specifying the grounds for the appeal. The administrative agency shall forthwith transmit to the board of adjustment all papers constituting the record upon which the action appealed was taken.
- C. An appeal shall stay all proceedings in furtherance of the action appealed unless the administrative agency certifies in writing to the board of adjustment that by reason of the facts stated in the certificate, a stay would, in the opinion of the administrative agency, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the administrative agency and on due cause shown.
- D. The board of adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, and/or by attorney.
- E. The board of adjustment may reverse or affirm, in whole or in part, or modify the administrative agency's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for this purpose the board of adjustment has the same authority as the administrative agency.

Section 11. Judicial Review

Any person aggrieved or any taxpayer affected by a decision of the board of adjustment may present to a court of record a petition stating that the decision of the board of adjustment is illegal and specifying the grounds of the illegality as provided by and in accordance with the provisions of Texas Local Government Code, §241.041. This same right of appeal is extended to the governing bodies of the City of Liberty, Texas, the City of Ames, Texas, and Liberty County, Texas, and to the Liberty Joint Airport Zoning Board.

Section 12. Enforcement and Remedies

The governing bodies of the City of Liberty, Texas, the City of Ames, Texas or Liberty County, Texas, or the Liberty Joint Airport Zoning Board may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of these regulations or of any order or ruling made in connection with their administration or enforcement including, but not limited to, an action for injunctive relief.

Section 13. Penalties

Each violation of these regulations or of any order or ruling promulgated hereunder shall constitute a misdemeanor and upon conviction shall be punishable by a **fine of not more than \$200** and each day a violation continues to exist shall constitute a separate offense.

Section 14. Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed herein and any other regulation applicable to the same area, whether the conflict is with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall control.

Section 15. Severability

If any of the provisions of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application and to this end, the provisions of these regulations are declared to be severable.

Section 16. Adherence with State Laws

Any actions brought forth by any person or taxpayer as a result of the administration, enforcement, or the contesting these regulations will be in accordance with the provisions of Texas Local Government Code, §§241.001 et seq and other applicable State laws.

Section 17. Duties of Joint Airport Zoning Board

Sixty (60) days following the date of adoption of the Liberty Municipal Airport Hazard Zoning Ordinance, the duties, responsibilities, and authority of the Liberty Joint Airport Zoning Board will cease and the Liberty Joint Airport Zoning Board shall be dissolved.

Section 18. Repeal of Existing Airport Zoning Ordinance

The Liberty Municipal Airport Hazard Zoning Ordinance, dated August 11, 1970, adopted by the Liberty Joint Airport Zoning Board is repealed the effective date of this ordinance.

Section 19. Effective Date

Whereas, the immediate operation of the provisions of these regulations is necessary for the preservation of the public health, safety, and general welfare, an **emergency** is hereby declared to exist and these regulations shall be in full force and effect from and after their adoption by the Liberty Joint Airport Zoning Board.

Section 20. Dispensing of Second Reading

That the requirement in Section 3.10 of the Home Rule Charter of the City of Liberty that all ordinances be read on two separate days is hereby dispensed with and all member present vote affirmatively for the adoption of this ordinance.

Passed and Adopted by the City Council of the City of Liberty, Texas this 13th day of October, 2009.

Carl Pickett, Mayor

Attest: _____
Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Certificates

RESOLUTION 2009-17

DOC ID: 1461

Consider and Approve a Resolution for Reimbursement of Expenditures for Facility Costs.

EXPLANATION:

This resolution makes it possible for the City of Liberty to be reimbursed for any expenses that they incur before the closing of the certificates of obligation on these projects. Estimated closing date on the certificates is January 2010.

N. Herrington

RESOLUTION FOR REIMBURSEMENT OF EXPENDITURES FOR FACILITY COSTS

WHEREAS, City of Liberty, Texas (the “*Issuer*”) is a local government subdivision of the State of Texas;

WHEREAS, the Issuer may borrow the proceeds of obligations the interest on which is excludable from gross income for federal income tax purposes (“tax exempt obligations”), pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “*Code*”);

WHEREAS, the Issuer is engaged in the (i) design, construction and equipping of a police station, (ii) the design, construction, renovation and equipping of a theatre within the city library, (iii) construction of sidewalks around the local schools, (iv) design, construction and renovation of the city bell tower, and (v) design, construction and equipping of the City Garage Office building (the “*Facilities*”);

WHEREAS, the Issuer currently intends to incur additional tax-exempt obligations (the “*Future Debt*”) to finance the costs of the Facilities; and

WHEREAS, the Issuer desires to reimburse itself from proceeds of the Future Debt for certain costs which it is about to pay from its operating funds;

NOW, THEREFORE, be it resolved by the Issuer that:

Section 1. The Issuer hereby expresses its intent to reimburse itself from the proceeds of the Future Debt for all Facility costs in an amount estimated not to exceed \$950,000.

Section 2. In lieu of incurring debt at this time, the Issuer is authorized to pay the Reimbursable Costs from operating funds of the Issuer.

Section 3. The maximum principal amount of tax exempt obligations to be issued to finance costs of acquisition of the Facilities is estimated to be no more than \$3,000,000.

ADOPTED, PASSED, AND APPROVED this _____.

CITY OF LIBERTY, TEXAS

Mayor

ATTEST:

City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Firearms

ORDINANCE 2009-20

DOC ID: 1456 B

Consider Adoption of an Ordinance Regarding the Discharge of Firearms in the City of Liberty.

EXPLANATION:

The City Attorney and I have revised the ordinance regarding the discharge of firearms in the city limits to more closely resemble state law regarding firearms discharge. Discharge of rifles and handguns is permitted on 50 or more acre tracts of land. Both situations have distance and permission requirements.

In addition, a section has been added to regulate the discharge of BB guns, air rifles, and bow and arrows. Projectiles must not leave the property from which they are fired and require owner permission for discharge.

Exceptions have been made for law enforcement duties, life threatening situations, charitable events and shooting ranges.

B. Tidwell

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS REGULATING THE DISCHARGE OF FIREARMS, PELLET GUNS, BB GUNS, AND BOWS AND ARROWS WITHIN THE CITY LIMITS OF LIBERTY AND ITS EXTRA TERRITORIAL JURISDICTION, AND PROVIDING PENALTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

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

WHEREAS, the City Council of the City of Liberty desires to protect the safety and security of the citizens of Liberty without undue infringement on their liberty, and;

WHEREAS, the City Council of the City of Liberty, Texas recognizes the danger of using firearms in confined areas within the City Limits, and;

WHEREAS, it is recognized that although dangerous, certain circumstances may justify the discharge of a firearm by posing an even greater threat or danger to one or more members of the community, and;

WHEREAS, it is also recognized that new guidelines are required to support Texas law allowing possession of concealed handguns, and the discharge of firearms on larger parcels within the incorporated limits of a City, and;

WHEREAS, it is also recognized that exhibitions and indoor shooting ranges take measures to mitigate the dangers of firearms discharge,

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

SECTION I - USE AND DISCHARGE OF CENTER FIRE OR RIM FIRE RIFLES OR PISTOLS:

It shall be unlawful for any person, firm, corporation or association to discharge, or cause to be discharged, any center fire or rim fire rifle or pistol on any tract of land within the City limits of Liberty that is less than 50 acres, or within 1000 feet of a residence or occupied building located on another property, or in a manner that permits the projectile of the firearm to cross the boundary of the tract of property, or without permission of the land owner.

SECTION II - USE AND DISCHARGE OF SHOTGUNS:

It shall be unlawful for any person, firm, corporation or association to discharge, or cause to be discharged, any shotgun on any tract of land within the City limits of Liberty that is less than 10 acres, or within 150 feet of a residence or occupied building located on another property, or in a manner that permits the projectile of the firearm to cross the boundary of the tract of property, or without permission of the property owner.

SECTION III - AIR RIFLE OR PISTOL, BB GUN, OR BOW AND ARROW:

It shall be unlawful for any person, firm, corporation or association to discharge, or cause to be discharged, any air rifle or pistol, BB gun, or bow and arrow in a manner that permits the projectile to cross the boundary of the tract of property, or without permission of the property owner within the City of Liberty.

SECTION IV - EXCEPTIONS:

Nothing herein shall be construed to apply to the use of firearms:

- a. In exhibitions of charitable contests conducted under conditions and supervision approved by the City Council after application has been made to the City and permit has been issued;
- b. By duly qualified and commissioned peace officers in the performance of the official duties of their office;

- c. For the protection of a person or property in or about his home in accordance with the laws of the State of Texas.
- d. By persons who discharged a weapon as an act of deadly force to:
 - (1) Defend their own lives.
 - (2) Defend the life of another person.
 - (3) Prevent the imminent commission or stop the commission of Murder; Aggravated Sexual Assault; Sexual Assault, Arson, Aggravated Kidnapping, Robbery; and Aggravated Robbery.
- e. By persons on the firing line of a licensed indoor shooting range that has been inspected by the City of Liberty and granted a Certificate of Occupancy for weapons firing. However, weapons shall be unloaded and cased at all places and times away from the firing line of an indoor shooting range. No weapon shall be in plain view outside the building housing the shooting range.

SECTION V - PENALTIES:

Any person or corporation or association violating any of the provisions of this ordinance or failing to observe any of the provisions hereof, shall be deemed guilty of a Class C misdemeanor and upon conviction shall be fined in any sum not more than five hundred (\$500.00) dollars, and each violation shall be a separate offense.

SECTION VI - AUTHORIZATION TO EXECUTE:

That the Mayor of the City of Liberty is authorized to execute and the City Secretary is authorized to attest to this Order on behalf of the City Council.

SECTION VII - 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 VIII - EFFECTIVE DATE:

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

PASSED AND ADOPTED at a special meeting of the City Council of the City of

Liberty, this _____ day of _____, 2009.

THE CITY OF LIBERTY:

Attest:

By: Carl Pickett, Mayor

Dianne Tidwell, City Secretary

Approved as to form:

Randall Gunter
City Attorney

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Contracts

COUNCIL ACTION 2009-91

DOC ID: 1457

**Consider Approval of a Contract with PGAL Architects for
Architecturer and Design Services for a New Police
Department Facility.**

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Expenditures

COUNCIL ACTION 2009-92

DOC ID: 1458

Consider Approval of a Change Order for Construction of a New Bell Tower and Associated Expenses.

EXPLANATION:

Please see the attachment for further information.

FISCAL IMPACT:

The funds for this project are included in the proposed Certificates to be issued in January, 2010.

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August 20, 2009

**Mr. Larry Shaw
Interim City Manager
City of Liberty
1829 Sam Houston
Liberty, Texas 77575**

RE: New Bell Tower at Geraldine D. Humphreys Cultural Center

Dear Mr. Shaw:

Per discussions with you and City Council on Tuesday, August 18th, it is my understanding that if the tower remains at the Liberty site, it will be in the back and the scheme selected to develop in more detail is scheme #4, with the concrete block columns and standing seam metal roof, with plaster cornice and soffit. This scheme can also be used if the location changes to the City Hall site, with the concrete block color changing to match the split-faced limestone color on the City Hall base.

The cost estimate received from G.T.T., Inc., the General Contractor on the Library, for scheme #4 is as follows:

Bell Tower & Plaza around it -	\$185,000.00
Parking and adjacent walk, and walk	
and gathering pods leading to the tower -	<u>\$ 40,800.00</u>
	\$ 225,800.00

Parking & 5' walk to Library without Tower and pods - \$ 34,000.00

Mr. Larry Shaw
Page 2

If the Tower was put on the City Hall site, the price for the Tower and basic plaza would increase by approximately \$6,000 to provide construction fencing and site clearing, making the cost around \$191,000. The City would need to provide electrical power close to the Tower location for the Contractor to tie in to. This cost does not include cost for walks and planting or special plaza materials developed to create a park-like setting for the Tower.

Enclosed is the preliminary elevation of the selected scheme, a site plan of the Library site showing the Tower locations and an enlarged plan of the back scheme.

We will stop our work until the City can review the relocation option.

If you have any questions, please call.

Best Regards,

EDWARDS ASSOCIATES, PLLC



Richard W. Edwards

CC: Dana Abshier, Scott Cunningham

Attachment: Bell Tower Letter R. Edwards (CA-2009-92 : HCC Proj Change Order)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: EMS Services

ORDINANCE 2009-21

DOC ID: 1459 B

Consider Adoption of an Ordinance Regulating the Operation of EMS Services Operating in the City of Liberty.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS REGULATING THE OPERATION OF EMS SERVICES OPERATING IN THE CITY OF LIBERTY; PROVIDING REQUIREMENTS FOR PERMITS, PROCEDURES FOR HEARINGS AND INSPECTIONS; AND REGULATIONS FOR MEDICAL EMERGENCIES, MUTUAL AID, AND MEDICAL CARE FOR SPECIAL EVENTS; AND DISPENSING OF THE REQUIREMENTS OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

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

SECTION 1. - Definitions

(As used in this article, the following terms shall have the respective meanings ascribed to them)

Ambulance: Any motor vehicle used, designed, or redesigned, and equipped for the primary purpose of transportation of sick or injured persons.

Ambulance Permit: The permit issued under this article.

Ambulance Service: An organization or business, or ambulance vehicle operated by an organization or business, that responds to medical emergencies for the purposes of providing medical care and transportation for the sick and injured, under circumstances that constitute or are represented as an emergency.

Available: Not dispatched or assigned to a call. Not in contact with a patient.

City: The City of Liberty and its corporate limits.

City EMS: The Emergency Medical Service operated by the City of Liberty Fire Department.

Dispatch: City of Liberty Police Department dispatch office, the City of Liberty Fire

Department dispatch office, or any other dispatch office responsible for dispatching of City of Liberty EMS units.

Emergency Ambulance: Any motor vehicle used designed or redesigned, and equipped for the primary purpose of transporting sick or injured persons under emergency circumstances, and the rendering of first aid or the performance of rescue work, or both, under such circumstances.

Emergency Ambulance Service: A trip made by an emergency ambulance responding to a medical emergency, performance of any necessary rescue operations, rendering of any necessary first aid assistance and the trip to the hospital or other place for medical attention. An ambulance is being operated in emergency ambulance service if all or any part of the above described trip to the place of emergency and any subsequent trip to the hospital is made on the streets within the corporate limits of the City. An emergency ambulance shall be considered to be rendering emergency ambulance service when it is responding to a call for emergency assistance even though, upon arrival at the place of emergency, it is found that the call was falsely made or that no further emergency ambulance assistance is required or when it is responding to a call for routine ambulance service and during such trip a medical emergency develops.

Medical Emergency: An actual or perceived injury or illness, acute or chronic, which causes or poses risk of pain, suffering, or threat to health or life, and which requires evaluation, treatment, or transport by Emergency Medical Service personnel, including but not limited to 911 emergencies.

Section 2. - Operating Ambulance Without A Permit

No person shall drive an ambulance or operate an ambulance service for the purpose of transporting the sick and injured for hire upon the public streets of the City of Liberty unless there is attached to the windshield of each ambulance operated by such ambulance service a valid ambulance permit issued for such ambulance service by the City Manager or his designee. This permitting requirement shall apply to all ambulances engaged in transportation of persons from a location within the City to another location within the City. City EMS ambulances which are owned and operated by the City shall be exempt from this permitting requirement. There shall also be exempted from the provisions of the permit requirements of this article those

ambulances which exclusively transport persons from a location outside the City of Liberty into the City of Liberty; those ambulances which exclusively pick up persons inside the City of Liberty and transport said persons outside the City of Liberty if the transport does not originate from a medical emergency; and those ambulances which exclusively transport persons only through the City of Liberty.

Section 3. - Ambulance Service Permit; Application

All private ambulance services, which seek to transport patients from a location within the City of Liberty to another location within the City of Liberty, or seek to exclusively pick up persons inside the City of Liberty and transport said persons outside the City of Liberty and the transport originates from a medical emergency, must apply for a permit to operate in the City. Applications are to be made with the City Manager of the City of Liberty. Every person, partnership or corporation desiring to obtain an ambulance service permit shall make application in writing on a form provided by the City for that purpose to the City Manager or his designee. Such application shall contain the name, address, and telephone number of the applicant, the owner of the ambulance service for which the permit is to be issued and the address and telephone number of the location from which the ambulance service is to be operated. The application shall also show the make and model, motor number, and correct state license number of all ambulances operated by the ambulance service for which the permit is being requested. Every application when filed shall be sworn to by the applicant and shall be accompanied by a permit fee as developed by the City Manager and approved by the City Council. No permit shall be transferable, and every annual permit shall expire one year from the date of issuance. See Section 18 regarding procedures for temporary permits for special events.

Section 4. - Permit Application - Review Hearing

Upon application for a permit, the City Council will set the time for a public hearing thereon, but in no event later than thirty days from the application, and receive evidence as to whether the public convenience and necessity justify granting the application as well as any other relevant facts bearing on whether granting the application will be in the public interest. The City Council shall grant the application for issuance of the permit or shall refuse to grant the same in accordance with the Council findings as to whether the public interest will be served.

In all hearings, the burden of proof shall be upon the applicants to establish that a need in the community exists for their services.

Section 5. - Conditions For Issuance of Ambulance Service Permit

No ambulance permit shall be issued unless the applicant has been issued a permit by the Texas Department of Health as per state law.

Section 6. - Insurance

Applicants are required to secure insurance in the amount of \$1,000,000.00. The City of Liberty shall be named as co-insured for the entire amount. A certificate of insurance for a period of at least one year shall be submitted with each application. Such certificate shall state on its face that the policy shall not be cancelled without thirty (30) days prior notice to the City of Liberty. Insurance must be carried at all times that applicant is operating under a permit in the City.

Section 7. - Equipment

As a minimum requirement, every ambulance shall be equipped with the equipment required by the rules and regulations of the Texas Department of Health for the level of care provided by that ambulance (Basic Life Support/Advanced Life Support/Mobile Intensive Care Unit) and authorized by said ambulance's Texas Department of Health permit. Such equipment shall be permanently labeled in some manner so as to indicate that the equipment is owned by the ambulance company whose ambulance is being inspected. The rules and regulations of the Texas Department of Health concerning equipment on ambulances are incorporated by reference as if set out in full at this point. The presence of equipment owned by the City of Liberty Fire Department/EMS found stocked on any permitted ambulance at any time without express written permission from the City EMS shall constitute cause for immediate revocation of said ambulance's permit.

Section 8. - Certified Personnel

Every ambulance, when in service shall be staffed with at least two personnel, both of whom must be certified by the Texas Department of Health as an Emergency Care Attendant, Emergency Medical Technician, EMT-Intermediate, EMT-Paramedic, or licensed as an EMT-Licensed Paramedic, according to the level of care permitted by the Texas Department of Health for said ambulance.

Section 9. - Communications

Private ambulances may be equipped with radios and radio frequencies capable of communicating directly with City dispatch centers. The specific frequencies, which may be used to communicate with City dispatch centers, must be individually authorized by the Emergency Management Coordinator. Private ambulances are authorized to communicate directly with the City dispatch centers under the following circumstances:

1. When responding to a medical emergency at the request of a City dispatch center, and
2. To report a medical emergency to a City dispatch center.

Private ambulances and/or services may not use information obtained from City radio communications for commercial gain, regardless of how that information was obtained.

Section 10. - Traffic Rules

Ambulances involved in emergency responses or transports shall travel within the city limits of the City of Liberty at no more than ten (10) miles per hour over the posted speed limits. School zone speed limits will be observed at all times. Emergency vehicles should not exceed a speed of five miles per hour below the school zone posted speed limits in effect at the time of the emergency.

Section 11. - Scene Authority

The ranking City EMS medic or officer or, when applicable, the Incident Commander as authorized by the Emergency Management Coordinator of the City, on the scene of a medical emergency in the City has the responsibility and authority over all aspects of the medical operations and medical care at the incident. This authority includes, but is not limited to, assigning patient care and transport responsibilities, and directing the transport destination of patients.

Section 12. - Ambulance Inspection

Permitted ambulances may be inspected randomly for compliance with this ordinance and for eligibility for re-permitting.

Section 13. - Suspension or Revocation of Ambulance Permit

Should City Council at any time conclude that the public convenience and necessity is no longer served by the permit(s) issued under this ordinance, said permit or permits may be revoked.

An ambulance permit may be suspended on the authority of the City Manager or his designee for any period of time from one day to thirty (30) days or may be revoked.

The City Manager or his designee shall give written notice of the proposed suspension or revocation to the holder of an ambulance permit. The notice of proposed suspension shall include the dates of the proposed suspension and the reasons therefore. The notice of proposed revocation shall include the reasons for the proposed revocation. The holder of an ambulance permit may request a hearing by written notice to the City Manager or his designee within five (5) days of receipt of notice of suspension or revocation. The suspension or revocation shall be automatic if a hearing is not requested within the stated period of time. Upon receipt of written request for hearing, the City Manager or his designee shall notify the permit holder of a time and place for a hearing to be held not less than five (5) nor more than fifteen (15) days after receipt of

request for a hearing. After hearing, the City Manager or his designee may, upon a finding that one or more grounds for revocation or suspension exist(s), revoke or suspend the permit. If no grounds for revocation or suspension are found by the City Manager or his designee, he shall overrule the proposed revocation or suspension. A record shall be made of any hearing held under this section, and all costs associated with such hearing shall be paid by the permit holder. The City Manager or his designee shall render his decision in writing within ten (10) days of the conclusion of the hearing. The violation of any provision of this ordinance by a permit holder, an employer, or any employee of the permit holder shall be grounds for revocation or suspension of an ambulance permit by the City Manager or his designee.

Section 14. - Appeal

Appeal of the decision to revoke or suspend an ambulance service permit by the City Manager or his designee shall be made to City Council and shall be heard only upon the record made of the hearing before the City Manager or his designee. The substantial evidence rule shall apply. The City Council shall hear appeal upon receipt of a request in writing for such appeal received within fifteen (15) days after the date of the decision of revocation by the City Manager or his designee. The record of the hearing before the City Manager or his designee shall be attached as a part of the request for appeal to the City Council. The decision of the City Council shall be final.

Section 15. - Requirement to Notify City EMS of Medical Emergencies

If a private ambulance encounters a medical emergency in the City, the private ambulance must immediately notify the City dispatch of said emergency. The private ambulance personnel shall render appropriate medical care to the patient(s) at the scene. Unless specifically instructed otherwise by a City dispatch center, the private ambulance is to remain on the scene until a City EMS unit arrives on the scene and assumes control.

Private ambulances may not respond to medical emergencies in the City, except when specifically requested to do so by a City dispatch center. Should a private ambulance service receive a call requesting an ambulance response to a medical emergency, the private ambulance service must immediately notify the City dispatch center of the nature and location of the call.

Section 16. - General

The operation of emergency ambulances on the streets of the City of Liberty for the purpose of furnishing emergency ambulance service is hereby declared to be a governmental function of the City to be performed by the EMS Division of the City of Liberty Fire Department. It shall be unlawful for any person, other than the City EMS or those expressly authorized by the City Manager or his designee, to furnish or attempt to furnish emergency ambulance service or to

operate or drive or cause to be operated or driven any ambulance on the streets of the City for the purposes of furnishing emergency ambulance service in the City of Liberty.

Section 17. - Mutual Aid

Nothing in this ordinance shall be construed as to prevent the response of a private ambulance company to incidents or emergencies within the City in the event that there are no available City EMS units or when an incident has occurred which overwhelms the available resources, requiring additional EMS resources be summoned under the principle of mutual aid.

Section 18. - Medical Care at Special Events

Unless already issued a permit under this ordinance, a private ambulance service wishing to provide “stand by” medical services at a special event must obtain a temporary permit from the Emergency Management Coordinator. The temporary permit shall specify the effective dates, location(s), and times for the events. The issuance of a temporary permit shall be dependent on review of the plan for medical event coverage and approval by the Fire Chief/EMS Director as provided for in Section 507 of the Standard Fire Prevention Code. An ambulance service providing care under a temporary permit shall abide by the provisions of the remainder of this ordinance.

Section 19.

That the requirement in Section 3.10 of the Home Rule Charter of the City of Liberty that all ordinances be read on two separate days is hereby dispensed with and all members present vote affirmatively for the adoption of this ordinance; and that this ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, THIS ____ DAY OF _____ AND ALL COUNCILMEMBERS VOTING “AYE”.

Carl Pickett, Mayor, City of Liberty

ATTEST:

City Secretary

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION 2009-93

DOC ID: 1463

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

EXPLANATION:

Three positions on the Central Appraisal District, Appraisal Review Board, will expire the end of this year. The City of Liberty, as a taxing entity, has been asked to make a nomination(s) to this board. The Board consists of 6 members who serve two-year staggered terms.

These nominations must be submitted by October 16th, along with the nominee's completed application. However, if a current Board member is nominated, they are not required to complete the application again. The nominee must be a resident of the Appraisal District for two years; an officer or employee of the taxing entity is ineligible to serve.

To date, the CAD has received the following nominations for these positions:

Kenneth Riggs - Cleveland, Tx.
James May - Daisetta, Tx.

D. Tidwell

**LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT
P.O. BOX 10016/2030 SAM HOUSTON
LIBERTY, TEXAS 77575
(936) 336-5722 FAX (936) 336-8390**

August 21, 2009

Re: ARB Nominations

Dear Taxing Units:

The two (2) year term of the following three (3) positions on the Liberty County Appraisal Review Board (ARB) will expire December 31, 2009.

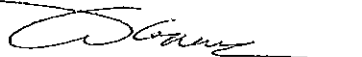
<u>County Pct.#</u>	<u>Board Member</u>
At Large	Leroy Hanel
4	Curtis Laird
At Large	Mable McKnight (ineligible to serve)

The Board of Directors has requested you submit a nominee from your area to the district office by 5:00 P.M. on October 16, 2009. The Board will make appointments at their regularly scheduled meeting on Thursday, October 22, 2009 at 9:30 A.M. Please have your nominee **complete the enclosed application** unless they are currently serving on the ARB.

According to Sec. 6.41(c) of the Property Tax Code, to be eligible to serve on the Appraisal Review Board, an individual must be a resident of the Appraisal District for two (2) years, cannot be an officer or an employee of the Appraisal District or a Taxing Unit and can only serve three (3) consecutive terms. Additionally, the law also bars from service a person who contracts for any purpose with the Appraisal District or a Taxing Unit. In addition, new members will be required to attend an ARB training session.

If you should have any questions concerning these nominations, please give me a call. If your nomination is someone currently on the Board, please do not require them to complete the attached application.

Sincerely,



Alan D. Conner
Chief Administrator

ADC/lan

Attachment: CAD ARB Nominations 2009 (CA-2009-93 : CAD Appraisal Review Brd)

STATEMENT OF POLICY

131

RE: QUALIFICATIONS OF APPOINTMENT OF ARB MEMBERS**ELIGIBILITY**

TO BE ELIGIBLE TO SERVE ON THE APPRAISAL REVIEW BOARD AN INDIVIDUAL MUST BE A RESIDENT OF THE APPRAISAL DISTRICT FOR AT LEAST TWO (2) YEARS. A MEMBER OF THE BOARD OF DIRECTORS OR AN OFFICER OR EMPLOYEE OF THE COMPTROLLER'S OFFICE, THE APPRAISAL OFFICE, OR A TAXING UNIT IS INELIGIBLE TO SERVE.

AN INDIVIDUAL IS ALSO INELIGIBLE TO SERVE IF THE INDIVIDUAL IS RELATED WITHIN THE SECOND DEGREE OF CONSANGUINITY OR AFFINITY TO AN INDIVIDUAL WHO APPRAISES PROPERTY FOR COMPENSATION FOR USE IN A PROTEST HEARING OR OF REPRESENTING PROPERTY OWNERS FOR COMPENSATION IN A PROCEEDING IN LIBERTY COUNTY.

AN INDIVIDUAL IS ALSO INELIGIBLE TO BE APPOINTED TO OR TO SERVE ON THE APPRAISAL REVIEW BOARD IF THE INDIVIDUAL OR A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HAS A SUBSTANTIAL INTEREST IS A PARTY TO A CONTRACT WITH THE DISTRICT OR WITH A TAXING UNIT THAT PARTICIPATES IN THE DISTRICT. SUBSTANTIAL INTEREST SHALL BE DEFINED AS THE COMBINED OWNERSHIP OF THE INDIVIDUAL AND THE INDIVIDUAL'S SPOUSE OF AT LEAST 10 PERCENT OF THE VOTING STOCK OR SHARES OF THE BUSINESS ENTITY OR THE INDIVIDUAL'S SPOUSE IS A PARTNER, OR OFFICER OF THE BUSINESS ENTITY.

A PERSON WHO HAS SERVED FOR ALL OR PART OF THREE CONSECUTIVE TERMS AS A BOARD MEMBER IS INELIGIBLE TO SERVE ON THE APPRAISAL REVIEW BOARD DURING A TERM THAT BEGINS ON THE NEXT JANUARY 1 FOLLOWING THIRD OF THOSE CONSECUTIVE TERMS.

TERMS

THE LIBERTY COUNTY APPRAISAL REVIEW BOARD WILL CONSIST OF SIX (6) MEMBERS WHO SHALL SERVE TWO (2) YEAR, STAGGERED TERMS WITH TERMS OF AS CLOSE TO ONE-HALF (1/2) OF THE MEMBERS EXPIRING EACH YEAR. AN INDIVIDUAL WHO IS INELIGIBLE TO SERVE ON THE BOARD BECAUSE HE HAS SERVED FOR ALL OR PART OF THREE (3) PREVIOUS TERMS ON THE APPRAISAL REVIEW BOARD MAY BE REAPPOINTED TO THE BOARD AFTER THE EXPIRATION OF ONE (1) TWO YEAR TERM.

STATEMENT OF POLICY (CONTINUED)

131

METHOD OF SELECTION

IT IS THE DESIRE OF THE BOARD OF DIRECTORS FOR THE APPRAISAL REVIEW BOARD MEMBERS TO REPRESENT THE DIFFERENT GEOGRAPHIC AREAS OF THE COUNTY. THEREFORE, THE DIRECTORS WILL STRIVE TO APPOINT ONE RESIDENT MEMBER FROM EACH OF THE FOUR COUNTY PRECINCTS AND AN ADDITIONAL TWO MEMBERS DESIGNATED AS AT LARGE MEMBERS. THE BOARD RESERVES THE RIGHT TO SELECT THE MOST QUALIFIED MEMBER REGARDLESS OF PRECINCT RESIDENCY.

THE BOARD OF DIRECTORS WILL SOLICIT NOMINATIONS FOR EACH ARB POSITION FROM THESE VOTING TAXING UNITS LOCATED IN THE PRECINCT IN WHICH THE POSITION IS LOCATED OR FROM THE LIBERTY COUNTY COMMISSIONERS COURT FOR THE AT-LARGE POSITIONS. THE DIRECTORS, UPON THEIR OWN INITIATIVE, MAY PLACE A NAME OR NAMES IN NOMINATION. A VACANCY ON THE APPRAISAL REVIEW BOARD IS FILLED IN THE SAME MANNER.

COMPENSATION

APPRAISAL REVIEW BOARD MEMBERS SHALL BE COMPENSATED AS PROVIDED BY THE APPRAISAL DISTRICT'S BUDGET. MEMBERS SHALL BE ENTITLED TO RECEIVE ONE HUNDRED (\$100.00) PER MEETING BEGINNING JANUARY 1, 2005.

DUTIES AND RESPONSIBILITIES

THE APPRAISAL REVIEW BOARD IS STATUTORILY RESPONSIBLE FOR THE REVIEW OF THE APPRAISAL RECORDS FOR ACCURACY AND UNIFORMITY AND FOR THE HEARING OF TAXPAYER PROTEST AND TAXING UNIT CHALLENGES. THE APPRAISAL REVIEW BOARD SHALL ADOPT RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF THEIR MEETINGS.

IMPROPER COMMUNICATION

A MEMBER OF THE APPRAISAL REVIEW BOARD MAY NOT COMMUNICATE WITH ANOTHER PERSON CONCERNING A PROPERTY THAT IS SUBJECT OF A PROTEST EXCEPT DURING A HEARING ON ANOTHER PROTEST OR OTHER PROCEEDING BEFORE THE BOARD WHICH THE PROPERTY IS COMPARED TO OTHER PROPERTY OR USED IN A SAMPLE OF PROPERTIES. IF A BOARD MEMBER HAS COMMUNICATED WITH ANOTHER PERSON IN VIOLATION OF THIS PROVISION, THE MEMBER MUST BE EXCUSED FROM THE

STATEMENT OF POLICY (CONTINUED)**131**

PROCEEDING AND MAY NOT HEAR, DELIBERATE ON, OR VOTE ON THE DETERMINATION OF PROTEST. A BOARD MEMBER WHO IS EXCUSED MAY STATEMENT OF POLICY

BE TEMPORARILY REPLACED BY ANY PERSON WHO HAS PREVIOUSLY SERVED ON THE APPRAISAL REVIEW BOARD, AND STILL MEETS THE OTHER ELIGIBILITY REQUIREMENTS. IF NO OTHER FORMER MEMBER IS AVAILABLE, THE CHAIRMAN OF THE APPRAISAL REVIEW BOARD MAY SELECT ANY PERSON WHO IS OTHERWISE QUALIFIED FOR MEMBERSHIP AS A TEMPORARY REPLACEMENT. AN ALTERNATE MEMBER WILL BE PAID THE SAME AS A REGULAR APPRAISAL REVIEW MEMBER.

REMOVAL OF ARB MEMBER

ACCORDING TO SEC. 6.41(F) OF THE PROPERTY TAX CODE, AN ARB MEMBER MAY BE REMOVED BY MAJORITY VOTE OF THE BOARD OF DIRECTORS GROUNDS FOR REMOVAL ARE:

1. A VIOLATION OF SECTION 6.412 OR 6.413;
2. GOOD CAUSE RELATING TO ATTENDANCE AT CALLED MEETINGS, MEMBERS ARE REQUIRED TO ATTEND AT LEAST 66 2/3 % OF CALLED MEETINGS.

TRAINING

A MEMBER OF THE APPRAISAL REVIEW BOARD MAY NOT PARTICIPATE IN A HEARING CONDUCTED BY THE BOARD UNLESS THE PERSON HAS COMPLETED AN ARB TRAINING COURSE AS PROVIDED BY SECTION 5.041 OF THE TEXAS PROPERTY TAX CODE.

**APPLICATION FOR APPRAISAL REVIEW BOARD APPOINTMENT
LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT**

8.A.5.a

APPLICANT INFORMATION

LAST NAME	FIRST NAME	MIDDLE INITIAL
ADDRESS		
CITY		ZIP CODE
SOCIAL SECURITY NUMBER	TELEPHONE NUMBERS: DAYTIME ()	EVENING ()

APPRIASAL REVIEW BOARD QUALIFICATION STATEMENT

Please answer the following questions by checking "Yes" or "No"

- Are you a resident of the Liberty County Central Appraisal District and have you resided within the District for the past two years? Yes _____ No _____
- Are you currently employed by or are you an officer or director of the State Comptroller's Office, an appraisal district, or a taxing unit (i.e. county, school district, or special district) in any capacity? Yes _____ No _____
If you answered "Yes" please indicate in what capacity you are employed or serve below:

- Have you even been employed by or been an officer or director of the Liberty County Central Appraisal District or any taxing unit (i.e. county, school district, city or special district) served by the Liberty County Central Appraisal District? Yes _____ No _____
- Do you, or does any relative of yours within the second degree by either blood or marriage, do business in the Liberty County Central Appraisal District as a paid property tax agent or as an appraiser who performs appraisals for use in property tax proceedings? Yes _____ No _____

These are the degrees of relationship included:
1st Degree by Consanguinity (blood): Parents, children
1st Degree by Affinity (marriage): Spouse, spouses of relatives listed under consanguinity, stepparents, spouse's children, and stepchildren
2nd Degree by Consanguinity (blood): Grandparents, grandchildren, brothers, and sisters
2nd Degree by Affinity (marriage): Spouse's grandparents, spouse's brothers and sisters
- Are you, or a business in which you hold substantial interest, a party to a contract with the Appraisal District or with a taxing unit in the District? A substantial interest means that you and your spouse together own at least 10% of the voting stock or shares in the business, or that either of you is a partner, limited partner, or officer of the business entity. Yes _____ No _____
- Is any relative of either you or your spouse employed by the Liberty County Central Appraisal District?
Relative's Name: _____
Degree of Relationship: _____
- Do you own property in Liberty County? Yes _____ No _____
If "Yes" are the property taxes current? Yes _____ No _____

PERSONAL BACKGROUND

1. Have you ever been convicted of a felony or of a misdemeanor involving moral turpitude, or are you presently under indictment or other legal accusation of theft or for any felony? If "Yes" explain below the nature of the offense, date, and location: Yes _____ No _____

2. Are you a U.S. citizen? Yes _____ No _____
 If "No" are you eligible to be employed under a visa or entry permit? Yes _____ No _____
3. Use the space below to list professional society memberships, job related licenses registrations, certificates (with their numbers), and expiration dates. Provide additional comments or information that would be of assistance in considering you for this position.

EDUCATION AND TRAINING

Please indicate your level of education below:

Less than high school education _____ High school education _____ College education _____
 Number of years attended college _____
 Degree(s) attained _____

WORK HISTORY

(List most recent jobs first)

Include paid or verifiable non-paid experience including military service. If you have had more than one position with the same employer, please list each position separately.

Company Name _____	Address _____	
Type of Business _____	Position Held _____	Yrs of Service _____
Company Name _____	Address _____	
Type of Business _____	Position Held _____	Yrs of Service _____
Company Name _____	Address _____	
Type of Business _____	Position Held _____	Yrs of Service _____
Company Name _____	Address _____	
Type of Business _____	Position Held _____	Yrs of Service _____

In your own words, please explain why you would like to serve on the Appraisal Review Board:

I affirm that the information provided in this application is true and correct. I further affirm that to the best of my knowledge and belief, I am not disqualified by law from accepting an appointment to the Appraisal Review Board for the Liberty County Central Appraisal District.

Signature: _____ Date: _____

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Property Acquisition

COUNCIL ACTION 2009-94

DOC ID: 1466

Consider Acquisition of Real Property for Economic Development And/Or Fire Department Purposes.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/13/09 06:00 PM

Department: Administration
Category: Hospital

COUNCIL ACTION 2009-95

DOC ID: 1467

**Consider Possible Action Regarding Litigation with the
Liberty-Dayton Community Hospital And/Or Its Owners
Regarding Monies Owed to the City of Liberty.**