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, September 13, 2011 | **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	¨	¨	¨	
Mayor Pro-Tem Mike McCarty	¨	¨	¨	
Councilperson Dennis Beasley	¨	¨	¨	
Councilperson Diane Huddleston	¨	¨	¨	
Councilperson Frank Jordan	¨	¨	¨	
Councilperson Louie Potetz	¨	¨	¨	
Councilperson Libby Simonson	¨	¨	¨	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2169)

Boomerang Tube, LLC - Mr. Greg Eisenberg

B. Information Item (ID # 2170)

Various Project Updates - City Manager Gary Broz

C. Information Item (ID # 2171)

Recycling Report - Councilperson Diane Huddleston

D. Information Item (ID # 2172)

Central Appraisal District - Appraisal Review Board

- CAD App Rev Brd Info 2011 (PDF)

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, August 09, 2011

2. Tuesday, August 23, 2011

3. Wednesday, August 31, 2011

B. Council Action 2011-94

Consider an Interlocal Agreement with Liberty County Precinct 1 for Maintenance of Streets, Roads, Ditches, and Recreational Areas.

- Interlocal Agrement Liberty Co. #1 2011 (PDF)

C. Council Action 2011-95

Consider Extending the Bank Depository Services Contract with Prosperity Bank for One Additional Year.

D. Council Action 2011-96

Consider Adoption of a New City of Liberty Purchasing Policy.

E. Council Action 2011-97

Consider Ratifying the Liberty Community Development Corporation's Action to Expend Funds in the Amount of $15,000 to the Liberty County Rural Rail District #1, for a Preliminary Evaluation of the Proposed Rail Spur Purchase.

- Interlocal Agreement Rural Rail Dist. 2011 (PDF)

VII. REGULAR AGENDA

A. Regular Session

1. Council Action (ID # 2159)

Consider Appointments to the Liberty Municipal Library Board.

2. Resolution 2011-15

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

3. Council Action 2011-98

Consider Appointments to the 2012 Houston-Galveston Area Council General Assembly.

- HGAC Gen Assembly Info 2011 (PDF)

4. Ordinance 2011-7

Consider an Ordinance Adopting the Budget for Fiscal Year 2011-2012.

5. Council Action (ID # 2176)

Consider Ratification of the Property Tax Revenue Increase Reflected in the FY 2011-2012 Budget.

6. Ordinance 2011-8

Consider an Ordinance Adopting the Tax Rate for FY 2011-2012.

7. Ordinance 2011-9

Consider an Ordinance Regarding Tax Roll Approval and the Tax Levy.

8. Resolution 2011-16

Consider a Resolution to Set Hearings Regarding Hazardous/Substandard Building Demolition Liens.

9. Ordinance 2011-10

Consider Adoption of an Ordinance Amending Fees Charged by the City of Liberty for Collection and Disposal of Garbage and Rubbish.

10. Council Action (ID # 2184)

Consider Letting Bids for Water Line Replacement in the Ridgewood, Minglewood, and Layl Subdivisions.

- Water System Imp. 2011 Pg. 1 (PDF)
- Water System Imp. 2011 Pg. 2 (PDF)
- Water System Imp. 2011 Pg. 3 (PDF)

11. Council Action (ID # 2185)

Consider Ratifying the Liberty Community Development Corporation’s Bid Award for the Fire Department Substation Building.

- FD Substation Info Sept 2011 (PDF)

12. Resolution (ID # 2179)

Consider and Approve a Nomination to the Liberty County Central Appraisal District Board of Directors.

- CAD Board Info 2011 (PDF)

B. Executive Session

Personnel Matters. Gov. Code §551.074
Deliberation Regarding Real Property. Gov. Code §551.072
Consultation With Attorney. Gov. Code §551.071

1. Discussion of the City Manager's annual evaluation.
2. Discussion regarding proposed rail spur purchase.

C. Reconvene into Regular Session

1. Council Action (ID # 2186)

Consider and Take Action, If Any, on the City Manager’s Annual Evaluation.

2. Council Action (ID # 2187)

Consider and Take Action, If Any, on the Proposed Rail Spur Purchase.

VIII. 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 September, 2011 at 3:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

____
Dianne Tidwell, City Secretary

NOTICE

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 ____________________, 2011.

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 2169)

DOC ID: 2169

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Project Updates

INFORMATION ITEM (ID # 2170)

DOC ID: 2170

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2171)

DOC ID: 2171

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

Meeting: 09/13/11 06:00 PM
Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2172)

DOC ID: 2172 A

EXPLANATION:
The CAD is requesting a nomination from each taxing entity, from their respective county precinct, to the Appraisal Review Board. To serve on this Board, individuals must be a resident of the Appraisal District for 2 years, and cannot be an officer or employee of the Appraisal District or any Taxing Entity. Members serve two-year staggered terms, meeting once a month and twice weekly during May and June. Members are paid $150 per day. Nomination(s) to be made are for the At Large positions. This nomination must be submitted by October 21.

FYI - The current Precinct 1 Representative is Bill Brackin.

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

August 30, 2011

To: All Voting Taxing Units

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, 2011.

County Pct.#	Board Member
4	Curtis Laird
At Large	Kenneth Riggs
At Large	Winn Skidmore

The Board of Directors has requested you submit a nominee from your area to the district office by 5:00 P.M. on October 21, 2011. The Board will make appointments at their regularly scheduled meeting on Thursday, October 27, 2011 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, all members will be required to attend an ARB training session.

Typically, the ARB meets at 9:00 A.M. once a month and at least twice a week during the months of May and June. ARB members are paid one hundred and fifty dollars per day.

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

APPLICATION FOR APPRAISAL REVIEW BOARD APPOINTMENT
LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT

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"

1. 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 _____

2. 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:
   ____

3. 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 _____

4. 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

5. 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 _____

6. Is any relative of either you or your spouse employed by the Liberty County Central Appraisal District?
   Relative's Name: ______________________________
   Degree of Relationship: ______________________________

7. 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: ____________________

STATEMENT OF POLICY **131**

RE: QUALIFICATIONS AND APPOINTMENT OF ARB MEMBERS

ELIGIBILITY

TO BE ELGIBLE 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 SEVEN (7) 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.

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 THREE 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 ENTITILED TO RECEIVE ONE HUNDRED ($150.00) PER MEETING BEGINNING JUNE 26, 2008.

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

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

<u>REMOVAL OF ARB MEMBER</u>

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.

<u>TRAINING</u>

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.

REVISED 06/26/08
REVISED 07/22/10

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, August 9, 2011 **6:00 PM** **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on August 9, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:02 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Absent	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Counsel	Present	

II. INVOCATION

The Invocation was given by Richard Ayers, Liberty County Veterans Service Officer and pastor of St. John's Baptist Church, Silsbee, Texas.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Liberty resident, Mr. Neal Thornton.

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. There were no comments from the audience.

Mayor Pickett reported on the Texas Municipal League Region XVI Meeting sponsored by the City of Liberty on July 28th. Mayor Pickett reported this meeting was well attended by officials from fourteen different municipalities.

City Manager Gary Broz reported that the Texas Municipal League Annual Conference will be held October 11-14, in Houston. Mr. Broz requested that any Council Member wishing to attend contact the City Secretary.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2131)

Police Chief Presentation - TeleCommunicators

COMMENTS - Current Meeting:

Police Chief Billy Tidwell introduced to Council, the Liberty Police Department Telecommunicators. Chief Tidwell stated that these are a dedicated and professional group of individuals that most citizens never see or are even aware of exactly what their job entails. Chief Tidwell cited some recent events that different dispatchers participated in, with life-saving results.

Mayor Pickett thanked these employees for their dedication to their profession and expressed his pride in their work at the Liberty Police Department.

B. Information Item (ID # 2128)

Various Project Updates - City Manager Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the handout of various City projects and their status as follows:

1) meter changeout - new water meter installation almost complete, electric meters are 50-55% complete,

2) water storage tank on Monta is still being painted, with the City experiencing fluctuating water pressure. Project and water pressure should be complete and back to normal by mid-September.

3) sewer plant project - almost complete, with start up procedures on new equipment to begin soon,

4) installation of generators in various locations is still taking place.

C. Information Item (ID # 2129)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the Shred-It Event held at City Hall on Saturday July 30 was a huge success. Ms. Huddleston reported that the event was held from 9:00 a.m. until Noon, and thanked City employees that assisted with this event. Another Shred-It Day will be planned prior to the end of the year.

D. Information Item (ID # 2130)

Abated Structures - Neighborhood Services Director R. Hood

COMMENTS - Current Meeting:

Neighborhood Services Director Robbie Hood reported on success stories for recently abated structures, by use of a power point presentation. Mr. Hood reported on the following properties showing before and after pictures, along with associated demolition costs:

1)	839 Washington Street	$2450
2)	902 Washington Street	$2100
3)	507 Trinity Street	$2800

4) 3603 Beaumont Avenue $4800

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 minutes and the low quote, from Enviro Remediation, for emergency repairs to the sewer line at Jefferson Drive and San Jacinto Street.

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

A. Minutes Approval

1. Tuesday, July 12, 2011

B. Council Action 2011-80

Consider Ratifying the Expenditure of Funds for Emergency Repairs to the Collapsed Sewer Line on Jefferson and San Jacinto.

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 2133)

Mr. James R. Daniels Will be Present to Discuss with Council the Public Works Service Center, Associated Expenditures, and Other Matters Related Thereto.

COMMENTS - Current Meeting:

Mr. James Daniels was present to address the Council regarding funds expended for the City's purchase and rehabilitation of the Public Works Service Center. Mr. Daniels questioned the source of funding for this facility, commented on the fencing, inquired about future plans for a new Police Department facility and related costs. Mr. Daniels questions were answered by City Manager Gary Broz and various members of the City Council.

Mr. Daniels responded by expressing his appreciation for being able to address Council, and asked that consideration be given to finding ways in which to communicate various issues to the citizens, which would ultimately enhance future relations with all citizens.

ATTACHMENTS:

- Daniels Request - Council (PDF)

2. Resolution 2011-14

Consider a Resolution Renaming the Hwy. 146 Bypass to Veterans Memorial Highway.

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 RENAMING THE SH 146 BY-PASS BETWEEN U.S. HWY. 90 AND LOOP 227 AS VETERANS MEMORIAL HIGHWAY".

Mr. Broz stated that the action of renaming the street would take place with no change of addresses. Motion was made to approve the Resolution as presented.

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

3. Council Action 2011-81

Consider an Agreement with the Texas Department of Transportation for Signage on the Proposed Veterans Memorial Highway.

COMMENTS - Current Meeting:

Mr. Broz reported on a proposed agreement for signage, with TXDOT for the Veterans Memorial Highway. The Texas Department of Transportation will construct and install a 48 X 72 break-away sign at each end of the highway, for a total cost of $1700. These signs should be complete and in place by Veterans Day, November 11, 2011.

ATTACHMENTS:

- Agreement -Veterans Memorial Hwy. (PDF)

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

4. Public Hearing (ID # 2122)

Public Hearing on the Condemnation of the Structure Located at 4201 Sandune Road.

COMMENTS - Current Meeting:

At 6:45 p.m., Mayor Pickett opened the Public Hearing on condemnation of the structure located at 4201 Sandune Road. After a Power Point presentation of the property was reviewed, the City's Counsel Brandon Davis directed questions to Neighborhood Services Director Robbie Hood confirming that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Davis further questioned Mr. Hood regarding the structure being identified as a nuisance, a fire and health hazard, and its dilapidated/substandard condition. Mr. Hood reported that the property owner has requested a 90-day extension to remove the structure himself. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 6:50 p.m.

ATTACHMENTS:

- PH 4201 Sandune Rd. (PDF)

5. Council Action 2011-82

Consider an Order of Abtement for the Structure Located at 4201 Sandune Road.

COMMENTS - Current Meeting:

Motion was made to approve the 90-day extension to the property owner for removal of the structure at 4201 Sandune Rd., however, if not completed within the allotted time period, the City will move forward with the condemnation process.

ATTACHMENTS:

- Order of Abatement 4201 Sandune Rd. (DOC)

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

6. Public Hearing (ID # 2124)

Public Hearing on the Condemnation of the Structure Located at 106 Carter Street.

COMMENTS - Current Meeting:

At 6:51 p.m., Mayor Pickett opened the Public Hearing on condemnation of the structure located at 106 Carter Street. After a Power Point presentation of the property was reviewed, the City's Counsel Brandon Davis directed questions to Neighborhood Services Director Robbie Hood confirming that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Davis further questioned Mr. Hood regarding the structure being identified as a nuisance, a fire and health hazard, and its dilapidated/substandard condition. Mr. Hood reported that he has had no response from the property owner in regard to notice of condemnation. After further discussion of the structure in question, including property taxes, Mayor Pickett closed the Public Hearing at 7:00 p.m.

ATTACHMENTS:

- PH 106 Carter Street (PDF)

7. Council Action 2011-83

Consider an Order of Abatement for the Structure Located at 106 Carter Street.

COMMENTS - Current Meeting:

A motion was made to approve the Order of Abatement for 106 Carter Street.

ATTACHMENTS:

- Order of Abatement 106 Carter (DOC)

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

8. Council Action 2011-84

Consider Setting the Date, Time and Location for a Public Hearing on the Proposed Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Mr. Broz recommended that the Public Hearing on the proposed budget for FY 2011-2012 be held on Tuesday, August 23rd, 6:00 p.m., in the Council Chambers. Motion was made to approve the City Manager's recommendation.

ATTACHMENTS:

- 2011 BUDGET AND TAX RATE SCHEDULE (DOC)

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

9. Council Action 2011-85

Consider Approval of the Proposed Tax Rate for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Discussion was held regarding the proposed tax rate of $.5900, the effective tax rate, and other related figures. City Manager Gary Broz stated that the proposed tax rate is not an increase, but remains the same as the previous fiscal year. Mr. Broz further explained that individual property taxes may increase based on the changing taxable value of one's property, however, the City's proposed tax rate is not an increase.

Mr. Broz remarked that this rate may be subject to change prior to final adoption on September 13, 2011. A motion was made to approve the proposed rate of $.5900.

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

10. Council Action 2011-86

Consider Setting the Date, Time and Location for Public Hearings on the Proposed Tax Rate for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Mr. Broz recommended that in consideration of timetables for required publications on the proposed tax rate, that those public hearings be held on August 23 and August 31, 2011 at 6:00 p.m., in the City Council Chambers.

Motion was made to approve the City Manager's recommendation.

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

11. Council Action 2011-87

Consider Approval of March 23 & 24 as Dates for the 2012 Liberty Jubilee.

COMMENTS - Current Meeting:

After brief discussion, a motion was made to approve the dates of Friday and Saturday, March 23 & 24 for the 2012 Liberty Jubilee.

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

12. Council Action 2011-88

Consider Approval of Change Order #2 for the Round 1 Disaster Funds Project.

COMMENTS - Current Meeting:

Mr. Rick Bourque, Schaumburg & Polk, Inc. was present to report on Change Order #2 for the Round 1 Disaster Fund Project. Mr. Bourque stated this change order specifically addresses modifications at the Wastewater Treatment Plant. These changes provide for improvements to the electric service by resetting a transformer on new poles to include new wiring, and improved access to the generator for maintenance and fueling. These changes will increase the contract time from 180 days to 305 days. Change Order #2 increases the contract price by $196,342, for a total contract price of $1,349,128.83.

Motion made to approve the change order as presented.

ATTACHMENTS:

- CO #2 TDRA generators (PDF)
- CO #2 TDRA drawings (PDF)

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

13. Council Action 2011-89

Consider Award of Bid, and Approval of Contract, for the Fire Department Substation Building to be Located on Bowie Street.

COMMENTS - Current Meeting:

This agenda item was passed on until a later date.

ATTACHMENTS:

- Bid Tab - FD Substation Bldg (PDF)

RESULT:	**NO ACTION TAKEN**

14. Council Action 2011-90

Consider Contract Award and Expenditure of Funds for Water Line Replacement in the Ridgewood Subdivision.

COMMENTS - Current Meeting:

This agenda item was passed on until a later date.

RESULT:	**NO ACTION TAKEN**

B. Executive Session

Deliberation Regarding Real Property. Gov. Code §551.072

1. Discussion regarding acquisition of real estate.

At 7:25 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:32 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2011-91

Consider and Take Action, If Any, on the Items as Discussed in the Executive Session.

COMMENTS - Current Meeting:

Motion was made to enter into an Interlocal Agreement with the Liberty County Rural Rail District No. 1 as presented in the closed session, and allow the City Manager to proceed which includes writing a letter to begin the process, and placing a $15,000 cap on expenditures.

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:35 p.m.

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

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____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, August 23, 2011 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on August 23, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Absent	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Counsel	Present	

II. 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. There were no comments from the audience.

Mayor Pickett reported on the following items:

1) the Texas Municipal League Annual Conference will be held October 11-14 in Houston,
2) Fire Chief Fred Collins made a presentation to the weekly meeting of the Liberty Rotary Club,
3) "Hoses for Heroes", a fundraiser 9 (dinner and dance) for the Liberty Volunteer Fire Department will be held September 10, in the Liberty Center,
4) and thanked Wisconsin college student, Kurtis Leffelman for his work and internship as an Urban Planner with the City of Liberty.

City Manager Gary Broz reported on the following:

1) nominations to the Central Appraisal District Board of Directors will be made at the September Council Meeting, and
2) the second Public Hearing on the proposed tax rate will be held on Wednesday, August 31, along with a presentation from the Brazos Transit District.

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 2144)

Various Project Updates

COMMENTS - Current Meeting:

City Manager Gary Broz reported on several of the City's current projects as follows, stating that information on other current projects is included in the Council handout:

1) the Monta Elevated Tank project is nearing completion, with the valve replacement project to begin September 6, and by mid-September the entire project should be complete and the water facilities back in working order,

2) start up of new equipment (belt press, bar screen) at the Wastewater Treatment Plant should begin this week,

3) new generators currently being placed at the Wastewater Treatment Plant, water wells, and select lift stations, and

4) the new electric and water smart meter installation is still in progress.

B. Information Item (ID # 2145)

Financial Report

COMMENTS - Current Meeting:

This item will be discussed at the Council Meeting to be held on Wednesday, August 31, 2011.

IV. WORK SESSION

1. Work Session (ID # 2146)

Discussion of the Proposed Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding revenues for the upcoming fiscal year, the various funds, possible revenue from the sale of various City properties, maintenance and operation and sinking funds, the proposed tax rate of $.5900, risks of adopting the effective tax rate, Central Appraisal District property values, transfers, bond indebtedness, and numerous additional budget related items.

V. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 2147)

Proposed Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

At 7:03 p.m., Mayor Pickett opened the Public Hearing on the proposed budget for Fiscal Year 2011-2012. Discussion was continued from the work session on the proposed budget to include the electric fund, the SRMPA buy down, Boomerang Tube electric adder, and additional financial related items. Fire Chief Fred Collins and Electric Department Director Randy Wiggins spoke in favor of a pay raise on behalf of the employees in their respective departments. Council responded by saying that though all City employees deserved such salary increases, there are not adequate funds contained within the proposed budget. Mayor Pickett followed by expressing appreciation for the City employees and the work they do.

At 7:11 p.m., Mayor Pickett closed the public hearing.

2. Council Action 2011-92

Consider Postponement of Final Vote on the Fiscal Year Budget 2011-2012 Until September 13, 2011.

COMMENTS - Current Meeting:

Motion was made to postpone the final vote on the FY 2011-2012 Budget until September 13, 2011.

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

3. Public Hearing (ID # 2149)

Proposed Tax Rate for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

At 7:14 p.m., Mayor Pickett opened the Public Hearing on the proposed tax rate for FY 2011-2012. Discussion was held regarding the proposed tax rate of $.5900 per $100 valuation, the possibility of reducing the tax rate along with associated risks, and review of the budget and tax rate adoption schedule.

At 7:16 p.m., Mayor Pickett closed the public hearing.

4. Council Action 2011-93

Declare Miscellaneous Water and Electric Meters as Surplus Property.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that in regard to the new smart meter replacement project, he would like to request that the old water and electric meters be declared surplus property. Mr. Broz stated that the City would place these items for sale and receive approximately $5.00 per meter.

Motion was made to declare the old water and electric meters as surplus property.

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

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:19 p.m.

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

.

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

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

Dianne Tidwell
City Secretary
(936) 336-3684

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

Wednesday, August 31, 2011 **6:00 PM** **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on August 31, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:01 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Counsel	Present	

II. 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. There were no comments from the audience.

Mayor Pickett reported on the following items:
1) the next regular Council Meeting which will include adoption of the new fiscal year budget and the tax rate will be held Tuesday, September 13, and
2) "Hoses for Heroes", a fundraiser (dinner and dance) for the Volunteer Fire Department will be held on September 10, in the Liberty Center.

City Manager Gary Broz reported on a handout of frequently asked questions regarding Lake Livingston and its operations for Council's review, and called upon Sgt. Ewing of the Liberty Police Department to introduce the department's newest officer, David Davis.

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 2152)

Various Project Updates

COMMENTS - Current Meeting:

City Manager Gary Broz reported that there has not been a significant change in the status of the various City projects from last week's Council Meeting, however, he reported on numerous water related issues. Mr. Broz stated there have been numerous water line breaks, but that the

Water Department is working diligently and doing a good job of making repairs and controlling the leaks.

Mr. Broz explained that the water tank levels are holding steady and that tomorrow the City takes over management and operations of the Wastewater Treatment Plant from the current contractor. He stated that the improvements are complete, new equipment is up and running, and the facility looks good. Mr. Broz also reported that Phase II of the Water Development Board Project is in progress and sewer lines are being replaced from Sandune Road to the Bypass, Avenue G to Hwy. 563, and Hwy. 563 to FM 3361 and the Treatment Plant. This project also includes rehabilitation of the Wallisville and Washington Street lift stations.

Mr. Broz concluded by saying that last minute touch-ups are being made to the Monta Street Water Tower, the Monta Street Valve Replacement Project is underway, with those facilities being back in operation by September 15.

Discussion was held regarding the placement of current projects on the City's website for the public's review.

B. Information Item (ID # 2153)

Financial Report

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reviewed the financial report for July, 2011 stating that sales tax figures look good, with revenues having increased over the previous year. Sales tax revenues were budgeted at $1.7 million, and as of July, 2011 the City is approximately 10% above that amount. Ms. Herrington further reported on the year-to-date revenues and expenditures of the various funds:

Current Budget - Revenues and Expenditures:

General Fund: 77% 78%

$168,130 in expenses over revenues.

Water Fund: 86% 71%

$396,000 revenues over expenditures.

Electric Fund: 60% 56%

$756,000 revenue over expenditures.

Garbage Fund: 121% 104%

$77,000 revenues over expenditures.

Additional discussion included sales tax revenue projections, an end of year transfer from the Electric Department to assist the General Fund, interest payment on bonds due from the Water Fund, Boomerang Tube electric revenue, and other fiscal issues.

IV. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 2151)

Discussion and Report from the Brazos Transit District Regarding Operation and Transportation Issues.

COMMENTS - Current Meeting:

Ms. Wendy Weedon and Ms. Margie Lucas, Brazos Transit District representatives were present to report on various aspects of the District's operations. A power point program was presented reviewing the history, facilities, funding, ridership, different services, projects, and financial issues related to this public transportation.

2. Public Hearing (ID # 2154)

Proposed Tax Rate for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

At 6:40 p.m., Mayor Pickett opened the second Public Hearing held on the proposed tax rate for Fiscal Year 2011-2012. Discussion was held regarding the proposed rate of $.5900 per $100 valuation, property values,the effective tax rate of $.5819, other entities tax rates, maintenance and operations and sinking funds, and various fiscal matters related thereto.

At 6:52 p.m., Mayor Pickett closed the Public Hearing.

V. WORK SESSION

1. Work Session (ID # 2155)

Discussion of Proposed Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Mr. Broz recapped the new fiscal year budget by stating that the proposed General Fund is a balanced budget in the amount of $6,301,467. Mr. Broz further reported that the following funds proposed are also balanced budgets:

Solid Waste -	$461,400
Electric -	$20,748,500
Water/Wastewater -	$2,971,000

Mr. Broz explained that the only capital items contained in the proposed budget are for Electric Department equipment, and the budget does not include any salary increases.

2. Work Session (ID # 2156)

Discussion of Various Water Related Issues.

COMMENTS - Current Meeting:

Mr. Broz reported on the 2010 Certificates of Obligation, issued for $1.2 million, and related water projects. Mr. Broz reported that from the $1.2 million, the following funds have been expended:

Monta Tower/Tank	$513,000
Eng.-Tower/Tank (SPI)	$ 62,000
Monta Valve Replacement	$119,650
Eng. - Valve Replacement (SPI)	$ 15,700
Total Funds Expended:	$710,350
Balance:	$489,650

Mr. Broz reported that he had discussed with the engineers (Schaumburg & Polk, Inc.), and staff, uses for the remaining funds and proposed the following water line replacement projects:

Ridgewood Subdivision	$170,000
Minglewood Subdivision	$ 67,000
Layls Subdivision	$ 75,000

Mr. Broz explained that he would also like to use $55,000 of the $1.2 million funds as an addition to the $160,000 received from the Round 1 Disaster Funds for the upgrade of the SCADA (Supervisory Control and Data Acquisition) System on the North and South Water Wells. This will also provide funding to add a SCADA System to the wells on Palmer Street and San Jacinto Street. Mr. Broz further explained that the SCADA is a computer system that monitors the wells, tank levels, and other related information, that can also be remotely accessed. Mr. Broz explained that this system is a valuable tool with which to manage the water system. The final balance of the $1.2 million, in the amount of $122,650, will be used toward a future project.

3. Work Session (ID # 2157)

Discussion of Code Book Codification.

COMMENTS - Current Meeting:

Mr. Broz explained that several sections and various issues related to the Code Book Codification have not been recently reviewed by Council. Mr. Broz distributed copies of the following:

1) Subdivision Ordinance,
2) Manufactured Homes and Manufactured Home Parks,
3) Oil and Gas Drilling regulations,

4) Mobile Food Vendors,

5) Appeals process for building and electrical inspections.

Brief discussion was held regarding manufactured home parks and their current conditions, health standards and reporting requirements for tattoo studios, and other related items. Mr. Broz requested that Council review the distributed information for discussion at the Council Meeting to be held on September 27.

4. Work Session (ID # 2158)

Discussion of City Purchasing Policy.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City's current purchasing policy needs updating to provide more stringent controls and accountability for all expenditures. Mr. Broz reported that a new policy will be presented to Council for approval at the September 13 Council Meeting.

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:36 p.m.

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

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 2173)

DOC ID: 2173

.

TODD M. FONTENOT
COMMISSIONER PCT. 1

1923 SAM HOUSTON
LIBERTY, TEXAS 77575

THE COUNTY OF LIBERTY

Est. 1836

August 24, 2011

Dear Director,

Enclosed, please find a new and current Interlocal Agreement that must be signed dated and returned to this office as soon as possible.

This agreement needs to be placed on Commissioner's court for approval on September 6, 2011. Should you have any questions, please call 936-587-4922.

Thank you,

Todd M. Fontenot
Commissioner
Liberty Co. Pct. #1

TMF/jcb

936/587-4922

FAX: 936/587-5027

INTER-LOCAL AGREEMENT
COUNTY OF LIBERTY and CITY OF LIBERTY

THE STATE OF TEXAS §

COUNTY OF LIBERTY §

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

WITNESSETH

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

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

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

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

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

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

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

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

1. The County agrees to provide manpower and equipment to the City for the maintenance of streets, roads, ditches and recreational areas.

2. The City agrees to provide equipment to the County for the maintenance of streets, roads, ditches and recreational areas.

3. The City agrees to fairly compensate the County, either by comparable time, manpower,

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

4. The County agrees to fairly compensate the City, either by comparable time, manpower, equipment or by monetary or other consideration of equal value from the county's current revenue.

5. The Commissioner of Precinct 1 and the Liberty City Manager shall plan, schedule and agree in advance as to the equal value consideration to be provided for all mutual sharing projects before any such projects commence.

6. The County and City understand that agreements for mutual sharing may be limited by budgetary restrictions or the authority provided by their respective governing bodies. Notwithstanding any provisions herein, this inter-local agreement is expressly contingent upon the availability of funding for each item and obligation contained herein for the term of the government and any extension thereto. In the event that no funds or insufficient funds are appropriated for the payment due under this contract for the period covered by such budget or appropriation, the contract shall terminate without penalty to County or City.

7. To the fullest extent permissible under Texas law, City of Liberty shall indemnify, defend, and hold harmless Liberty County, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of City of Liberty, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.

8. To the fullest extent permissible under Texas law, Liberty County shall indemnify, defend, and hold harmless the City of Liberty, their officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of Liberty County, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.

9. Neither party shall be deemed an employee or agent of the other party. This interlocal

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

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

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

12. The City understands that before beginning a project under an interlocal contract, the Commissioners Court of Liberty County must give specific written approval for the project as required by TEX. GOV. CODE, §791.014 which provides:

791.014 APPROVAL REQUIREMENT FOR COUNTIES.

1. Before beginning a project to construct, improve, or repair a building, road, or other facility under an interlocal contract, the Commissioners Court of a county must give specific written approval for the project.

(b) The approval must:
(1) be given in a document other than the interlocal contract;
(2) describe the type of project to be undertaken; and
(3) identify the project's location.

see **Tex. Gov. Code, §791.014, *et. seq.***

This agreement shall commence on the ____ day of ________________, 2011 and ends on the _____ day of _____________________, 2012. Either the County or the City may cancel this agreement at any time.

Executed on this the _____ day of ______________, 2011, by Craig McNair, County Judge, on behalf of Liberty County, Texas, after approval by Commissioners Court.

Executed on this the _____ day of ____________, 2011, by Todd Fontenot, Commissioner Precinct 1, on behalf of Liberty County, Texas, after approval by Commissioners Court.

Executed on this the _____ day of _____________, 2011, by the City Manager, on behalf of the City of Liberty, Texas, after approval by City Council.

COUNTY OF LIBERTY

CITY OF LIBERTY

Craig McNair, Liberty County Judge

Manager, City of Liberty

Todd Fontenot, Commissioner Precinct 1

ATTEST:

Paulette Williams, Liberty County Clerk

Secretary, City of Liberty

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Financial Issues

COUNCIL ACTION (ID # 2181)

DOC ID: 2181

.

The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Policy Issues

COUNCIL ACTION (ID # 2182)

DOC ID: 2182

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Economic Development Issues

COUNCIL ACTION (ID # 2189)

DOC ID: 2189

.

Mr. Bob Edwards
President, Board of Directors of Liberty County
Rural Rail Transportation District, No. 1
C/o Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

Re: Financing of Liberty Rail Spur

Mr. Edwards

The Liberty County Rural Rail Transportation District No. 1 (the "District") has entered into an Interlocal Agreement with the City of Liberty dated August 9, 2011, for the acquisition, construction, rehabilitation, maintenance, and operation of the Rail Spur located within the City of Liberty (the "Project"). The Interlocal Agreement authorizes the City Manager to authorize expenditures in connection with each phase of the Project.

The parties have agreed to proceed with the following portion of the Project which includes the following tasks:

The District estimates that the cost to complete the above-referenced tasks is detailed as follows:

The District agrees that if it anticipates that the costs for the above-referenced tasks will exceed the amount authorized herein, the District will enter into a supplemental letter agreement for any additional funding.

The City agrees that the completion of the above-referenced task is within the scope of the Project, and agrees to provide financial assistance to the District for the portion of the Project described above in the amount of $15,000.

Executed this ___________, day of _____________, 20______.

Very Truly Yours,

City of Liberty

____

City Manager

AGREED TO AND ACCEPTED BY:

LIBERTY COUNTY RURAL RAIL
TRANSPORTATION DISTRICT NO. 1

____

President, Board of Directors

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

Meeting: 09/13/11 06:00 PM

Department: Library
Category: Board Appointments

COUNCIL ACTION (ID # 2159)

DOC ID: 2159 A

EXPLANATION:
The Liberty Municipal Library Board is a nine member advisory board whose appointments are proposed by the Library Director and approved by the City Council. Board members must be citizens of the City of Liberty and may serve three consecutive two-year terms.

The Board members whose terms expire on September 30, 2011 are: Donna Barranco and Jerry Ursprung. They have reached their term limits and may not be reappointed. Paul Henry and Margaret Gardzina are eligible to serve another term and have agreed to do so.

The Library Director recommends the re-appointment of Paul Henry and Margaret Gardzina, and the following new appointments: Tinya Griffin and Jessica Haidusek.

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: SRMPA Appointments

RESOLUTION (ID # 2174)

DOC ID: 2174

EXPLANATION:
Appointments for two-year staggered terms are made to the SRMPA Board of Directors in September of each year. Each member city is allowed two representatives. Our current representatives to this Board are Carl Pickett and Bruce Halstead.

Mr. Halstead's term expires this month.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, APPOINTING A REPRESENTATIVE TO THE SAM RAYBURN MUNICIPAL POWER AGENCY BOARD OF DIRECTORS

WHEREAS, on October 31, 1979, the City of Liberty, Texas, enacted the concurrent ordinance, establishing Sam Rayburn Municipal Power Agency with the City of Jasper, Texas and the City of Livingston, Texas; and,

WHEREAS, said concurrent ordinance provides that each of the three (3) cities involved in the Sam Rayburn Municipal Power Agency, each appoint Directors to serve with the Agency for a period of two (2) years.

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

That _____________ be appointed to serve as Director for the Agency for the City of Liberty, Texas, for a period of two (2) years, said term ending September, 2013.

PASSED AND APPROVED THIS 13TH DAY OF SEPTEMBER, 2011.

____
Carl Pickett
Mayor

ATTEST:

____
Dianne Tidwell
City Secretary

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

Meeting: 09/13/11 06:00 PM
Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2180)

DOC ID: 2180

EXPLANATION:
Each HGAC member city, under 25,000, is allowed one delegate and one alternate to the General Assembly. The designees must be elected officials of the governing body.

Councilperson McCarty and Councilperson Jordan were the representative and alternate to the 2011 General Assembly.

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Houston-Galveston Area Council

Office of the Executive Director

August 23, 2011

The Honorable Carl Pickett
Mayor, City of Liberty
1829 Sam Houston
Liberty, TX 77575

Dear Mayor Pickett:

I am writing regarding the appointment of your city's representative to H-GAC's 2012 General Assembly.

H-GAC's Bylaws provide that each member home rule city under 25,000 population as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2012.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body.

A dinner meeting of home rule city representatives will be scheduled for November. At that meeting, your 2011 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2012.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 1. If you have any questions or problems in this designation process, please call Mary Spain, 713-993-4598.

Sincerely,

Jack Steele

JS/kay

Enclosure

cc: City Secretary

DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2012 GENERAL ASSEMBLY

****

BE IT RESOLVED, by the Mayor and City Council of ___________________________, Texas, that ___________________________________ be, and is hereby designated as its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2012.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is _______________________________________.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this __________ day of ______________________________, 2011.

APPROVED:

____
Mayor

ATTEST:

By: ___________________________________

DesForm GL and HR

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Budget Adoption

ORDINANCE (ID # 2175)

DOC ID: 2175

SETTING AND ESTABLISHING THE 2011 FISCAL YEAR OPERATING BUDGET

WHEREAS, The City of Liberty, in accordance with the City Charter and the laws of the State of Texas, and acting by and through its City Council has received the proposed budget and financial plan for the fiscal year beginning October 1, 2011 and ending September 30, 2012; and

WHEREAS, The City Council of the City of Liberty, Texas, finds that the proposed budget and financial plan for Fiscal Year 2012 is a balanced budget in keeping with the City Charter; and

WHEREAS, The total expenditures for all funds for Fiscal Year 2012 are $34,869,719.00.

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

That the budget and plan for Fiscal Year 2012 be established at $34,869,719.00 as a combined total budget for the City of Liberty's operations for said fiscal year.

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 (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas on the 13th day of September, 2011.

____
Carl Pickett
Mayor

ATTEST:

____
Dianne Tidwell

City Secretary

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION (ID # 2176)

DOC ID: 2176

EXPLANATION:
"Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate." LGC §102.007

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

Meeting: 09/13/11 06:00 PM
Department: Administration
Category: Tax Rate

ORDINANCE 2011-8

DOC ID: 2177

TAX RATE ADOPTION

WHEREAS, A tax rate of $0.3119 for maintenance and operations and a tax rate of $0.2781 for the debt service fund for a total tax rate of $0.5900 is necessary and appropriate for the funding of the FY 2011 City of Liberty budget; and

WHEREAS, Said budget has been heretofore regularly adopted by the City Council of the City of Liberty; and

WHEREAS, All other things required by law to be done have been done properly by the appropriate officials.

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

That the 2011 maintenance and operations tax rate in the amount of $0.3119 per $100.00 and the debt service tax rate of $0.2781 per $100.00 for a total tax rate of $0.5900 per $100.00 is set and adopted.

“THE CITY OF LIBERTY TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.”

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 (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular called meeting of the City Council of the City of Liberty, Texas on the 13th day of September, 2011.

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

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

Meeting: 09/13/11 06:00 PM
Department: Administration
Category: Tax Rates

ORDINANCE (ID # 2178) DOC ID: 2178

TAX ROLL APPROVAL AND TAX LEVY

WHEREAS, A tax rate of $0.3119 for maintenance and operations and a tax rate of $0.2781 for the debt service fund for a total tax rate of $0.5900 were adopted for the tax year 2011 by the City Council of the City of Liberty, Texas; and

WHEREAS, All other things required by law to be done have been done properly by the appropriate officials.

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

That the 2011 appraisal roll with tax amounts entered is hereby approved as the tax roll for 2011 and the taxes for said year are hereby levied in the amounts shown on said tax roll.

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 (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular called meeting of the City Council of the City of Liberty, Texas on the 13th day of September, 2011.

____
Carl Pickett, Mayor

ATTEST:

____

Dianne Tidwell, City Secretary

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

Meeting: 09/13/11 06:00 PM
Department: Administration
Category: Demolitions

RESOLUTION (ID # 2188)

DOC ID: 2188

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, SCHEDULING A HEARING ON LIEN AMOUNTS FOR PROPERTIES DEMOLISHED BY THE CITY AND LOCATED AT 839 WASHINGTON STREET, LIBERTY, TEXAS 77575; 902 WASHINGTON STREET, LIBERTY, TEXAS 77575; 507 TRINITY STREET, LIBERTY, TEXAS 77575 AND 3603 BEAUMONT ROAD, LIBERTY, TEXAS 77575

WHEREAS, the City of Liberty wishes to maintain a city clean of hazardous buildings; and

WHEREAS, the properties located at 839 Washington Street, Liberty, Texas 77575; 902 Washington Street, Liberty, Texas 77575; 507 Trinity Street., Liberty, Texas 77575; and 3603 Beaumont Road, Liberty, Texas 77575 have been previously declared hazardous buildings and ordered demolished by the City of Liberty City Council; and

WHEREAS, the City of Liberty has incurred expenses in preparation for and execution of the previously mentioned properties; and

WHEREAS, the City Council of the City of Liberty must preside over hearings for the previously listed properties in order to establish the lien amounts.

NOW, THEREFORE, BE IT RESOLVED that the City of Liberty City Council will preside over hearings establishing the lien amounts for the properties located at 839 Washington Street, Liberty, Texas 77575; 902 Washington Street, Liberty, Texas 77575; 507 Trinity Street., Liberty, Texas 77575; and 3603 Beaumont Road, Liberty, Texas 77575 on October 11, 2011 at 6:00 p.m. in the Liberty City Hall Council Chambers.

PASSED AND APPROVED this ______ day of ________________, 2011.

CITY OF LIBERTY, TEXAS

____
Carl Pickett
Mayor

ATTEST:

____

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Garbage Fees

ORDINANCE (ID # 2183)

DOC ID: 2183 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ESTABLISHING RATES OR FEES CHARGED BY THE CITY OF LIBERTY FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND RUBBISH; THAT ALL PRIOR ORDINANCES ESTABLISHING SUCH RATES OR 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.

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

SECTION 1.
That the rates charged by the City of Liberty for garbage and rubbish collection as established by this Ordinance of the City of Liberty, Texas, shall read as follows, to wit:

CHARGES FOR COLLECTION

(1) RESIDENTIAL. The fee for collection from each residential shall be Fifteen Dollars and Sixty Three Cents ($15.63) and each dwelling unit shall be considered a residential establishment even though such dwelling unit may be a part of an apartment or duplex.

(2) COMMERCIAL. The fee for collection from each commercial establishment shall be Twenty Eight Dollars and Twenty One Cents ($28.21) for once-a-week pick-up of three (3) Thirty-Two (32) Gallon Containers or Thirty Four Dollars and Seventy Cents ($34.70) for once-a-week pick-up of one (1) Ninety (96) Gallon Container unless that commercial establishment shall have container(s) collection which fees are established as follows:

Pick-Ups Weekly	2 Yard Containers	3 Yard Containers	4 Yard Containers	6 Yard Containers	8 Yard Containers
1	46.36	69.54	89.63	104.01	116.84
2	91.69	129.80	159.68	181.31	228.79
3	134.95	161.74	184.40	212.22	283.56
4	149.38	180.28	204.51	257.55	391.47
5	178.12	224.31	252.02	334.81	463.58
6	223.56	283.88	309.46	386.32	540.84
Extra P/U	46.36	51.51	56.66	61.81	66.96

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHEMENT REQUESTING DUMPSTER SWAP:
Swap Out Fee.. $25.75

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT USING A ROLL-OFF CONTAINER:
Delivery Charge.. $133.92
Rental Fee for Permanent Use (Per Day)........................... $ 4.64

20 Cubic Yard Roll-Off Container per pick-up............................ $334.52
30 Cubic Yard Roll-Off Container per pick-up............................ $423.34
40 Cubic Yard Roll-Off Container per pick-up............................ $508.70

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT USING A COMPACTOR:

Compactor per pick-up.. $36.06

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT WITH LOCKS:

Lock - Per Month.. $10.30

SECTION 2.

That all rates, fees, or schedules of such for the City of Liberty garbage and rubbish collection are hereby established with this Ordinance. Any prior stated rates, fees or schedules of such established by any prior Ordinances adopted by the City of Liberty are hereby repealed.

SECTION 3.

That this ordinance shall be in full force and effect upon the 1st day of October, 2011.

SECTION 4.

That the requirement contained 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.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, THIS THE 13th DAY OF SEPTEMBER, 2011.

____
Carl Pickett
Mayor

ATTEST:

____
Dianne Tidwell
City Secretary

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 2184)

DOC ID: 2184

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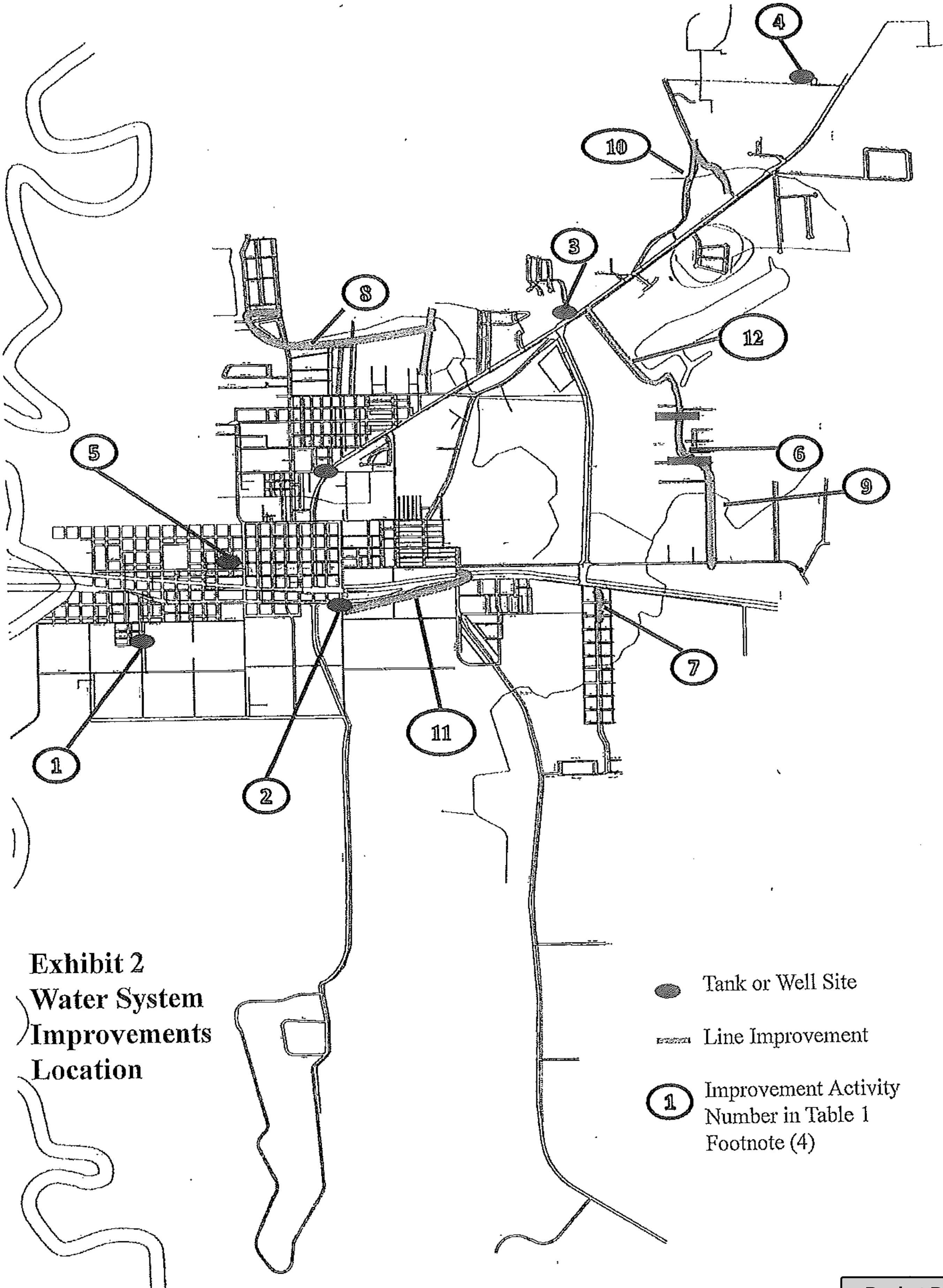


Exhibit 2
Water System
Improvements
Location

City of Liberty - Water System Improvement Projects

Project Description and Cost

Activity		Total Cost
No.	Descripton	
	Elevated Storage Tanks (EST)	
1	Palmer 0.3 MG - New Coating	$511,000
2	San Jacinto 0.065 MG - New Coating	$194,000
3	Hwy 146 Bypass Tank 0.15 MG - New Const.	$927,000
	Ground Storage Tanks	
4	North Plant 0.5 MG - New Coating	$206,000
5	**Well Site**	
	Trinity Replacement (1)	$1,872,000
	Water System Improvements	
	Immediate	
6	Minglewood 6" (Mimosa to Chesson) -850 ft.	$54,000
6a	*Alt. to increase to 12" - 850 ft.*	*$67,000*
7	Layl Drive 10" (Hwy. 90 to Ave. B) - 900 ft.	$75,000
	Planned	
8	Travis Park 8" - 8,250 ft.	$530,000
9	Minglewood 6" (Bmt. to Chesson) - 3,800 ft.	$251,000
9a	*Alt. to increase to 12" - 3,800 ft.*	$320,000
10	Fm. 1011 6" - 2,500 ft.	$151,000
11	M.L.K. 12" (San. Jac. to Independ.) - 3550 ft. (2)	$296,000
12	Minglewood 12" (146 to Mimosa) - 4,000 ft.	$405,000

2010 Water Projects:

CO's Issued:		$1,200,000
Projects:		
Monta Tower/Tank	513,000	
Engineering- Tower/Tank SPI	62,000	
Monta Valve Replacement	119,650	
Engineering- Valve Replacement SPI	15,700	
	$710,350	710,350
		$489,650
Proposed Projects:		
Ridgewood Project	170,000	
Minglewood Project (6A)	67,000	
Layl Project (7)	75,000	
SCADA	55,000	
	$367,000	367,000
		$122,650 Balance

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 2185)

DOC ID: 2185

.

CITY OF LIBERTY
PUBLIC WORKS FACILITY
BID TABULATION

BID DATE: 7/14/2011

BID TIME: 2:00pm

PROJECT: City of Liberty Fire Sub Station

LOCATION: 119 Bowie Street, Liberty, Texas 77575

BIDDER		Arnold Builders	Pelco Construction	Brock Construction	National Building	Target Contracting	
ADDENDA ACKNOWLEDGE	#1 7/7/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
	#2 7/8/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
	#3 7/12/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
CONTRACT TIME (DAYS)		120	150			60	
BASE BID	TOTAL BID	$ 216,921.00	$ 204,680.00	$	$	$ 160,000.00	
ALTERNATE 1 Add third Apparatus Bay 102 and related site work	TOTAL BID	$ 55,717.00	$ 48,550.00	$	$	$ 48,000.00	
ALTERNATE 2 Add temporary Toilet 103	TOTAL BID	$ 14,600.00	$ 12,790.00	$	$	$ 11,000.00 ~~219,000.00~~	
TOTAL W/ ALTERNATES		$ 287,238.00	$ 266,020.00	$	$	$ 219,000.00	

REMARKS

Apparent Low Bidder

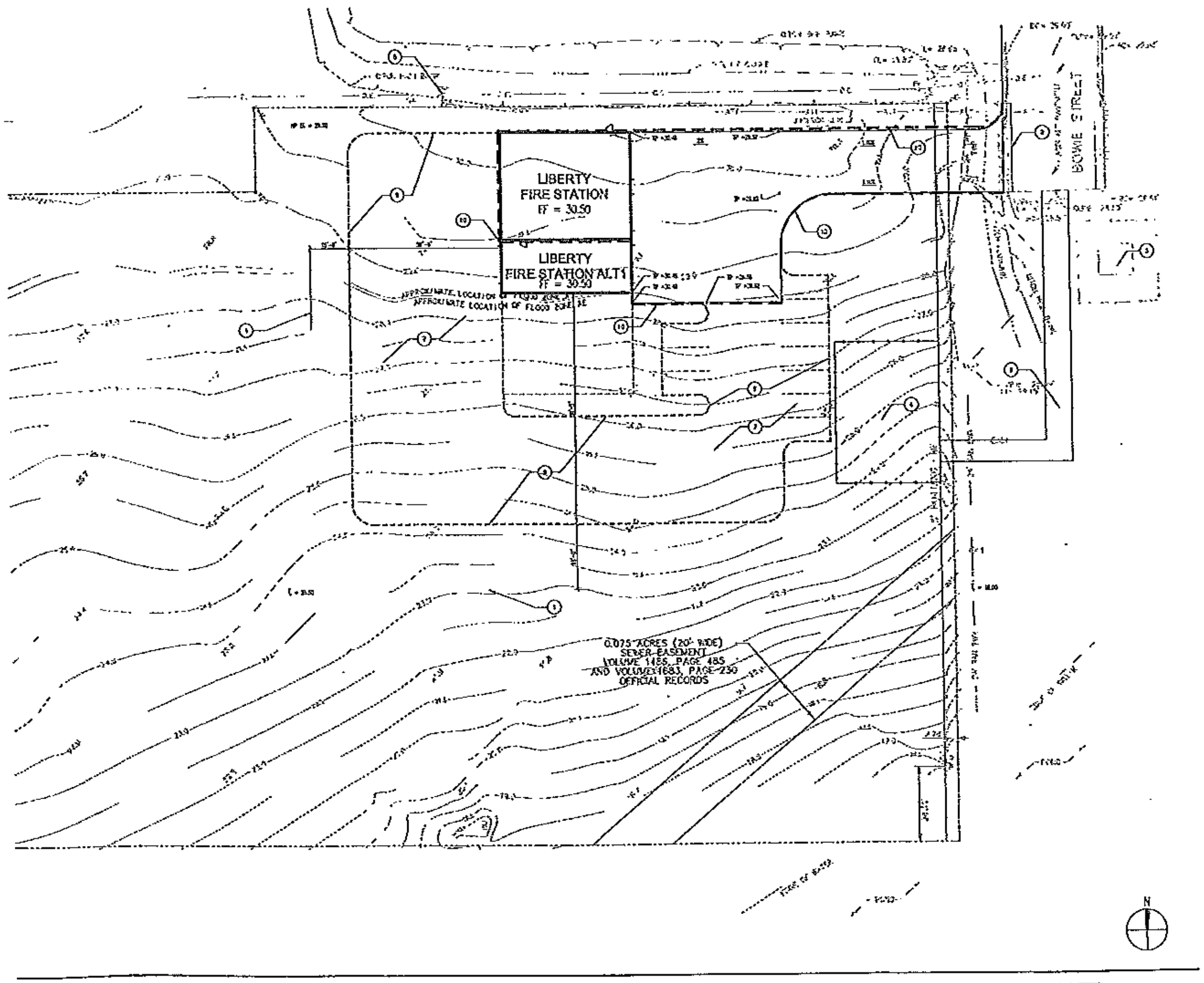
COMMENTS

Base - 216,921
Alt-1 - 55,717
$272,638

204,680 - Base
48,550 - Alt-1
$253,230

160,000 - Base
48,000 - Alt-1
$208,000

Attachment: FD Substation Info Sept 2011 (2185 : Fire Dept. Substation Bldg.)

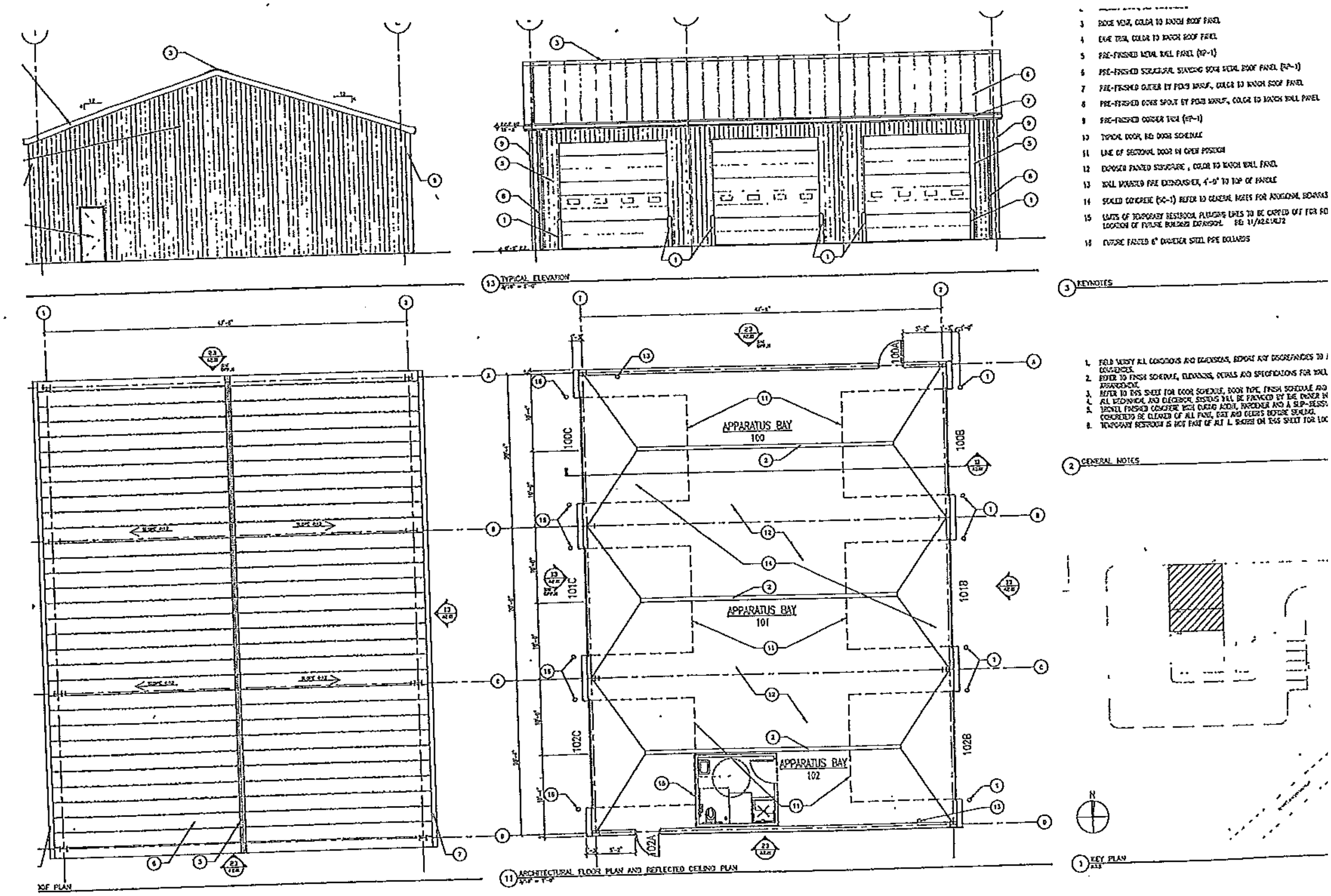


1 CENTER LINE OF PROPOSED DITCH
2 LIMITS OF EXISTING CURB AND GUTTER TO BE REMO
3 EXISTING LIFTING STATION TO BE RELOCATED BY OTH
4 RELOCATED LIFT STATION BY OTHERS (N.I.C.)
5 EXISTING POWER POLE TO REMAIN
6 LIMESTONE DRIVE BY OTHERS (N.I.C.)
7 FUTURE APPARATUS DRIVE THROUGH AND PARKING /
8 FUTURE BUILDING EXPANSION (N.I.C.)
9 FUTURE SIDEWALK AND CURB (N.I.C.)
10 LIMITS OF PHASE 1

(2) KEY NOTES

1. XXXXXXX

(1) GENERAL NOTES


TYPICAL ELEVATION
KEYNOTES
GENERAL NOTES
APPARATUS BAY
100
APPARATUS BAY
101
APPARATUS BAY
102
100A
100B
100C
101B
101C
102A
102B
102C
ARCHITECTURAL FLOOR PLAN AND REFLECTED CEILING PLAN
KEY PLAN

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

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Board Appointments

RESOLUTION (ID # 2179)

DOC ID: 2179 C

EXPLANATION:
Members of the CAD Board of Directors serve two-year terms and must reside in the Appraisal District for at least two years prior to taking office. A person may serve on the governing body of a taxing unit in the District and also serve as a Director of the CAD.

Each voting taxing unit may nominate one to five candidates for each of the five positions on the Board. A candidate must receive 834 votes, out of 5000, to guarantee election. In September 2009, the Council nominated Michael Van Etta who was elected to the board. Mr. Van Etta has declined to serve again.

Nominations must be submitted by October 17, 2011.

Whereas, the City of Liberty is a voting taxing unit in the Liberty County Central Appraisal District; and

Whereas, each voting taxing unit in Liberty County is entitled to nominate one candidate for each of the district's five Board of Directors positions; and

Whereas, these nominations must be submitted to the Chief Appraiser by October 15, 2009 to be eligible to be placed on the ballot for the 2012-2013 term; and

THEREFORE BE IT RESOLVED, that the City Council of the City of Liberty, Texas nominates the following candidate(s) for the Liberty County Appraisal District Board of Directors:

____

____

____

____

____

Approved this the 13th day of September, 2011.

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

Liberty County Central Appraisal District
P. O. Box 10016 -- 2030 Sam Houston -- Liberty, TX 77575-2916
Phone -- (936) 336-5722 -- Fax -- (936) 336-8390

August 11, 2011

City of Liberty
Attn: Gary Broz
1829 Sam Houston
Liberty, Texas 77575

Re: Nomination of Directors for the Liberty County Central Appraisal District

Dear Sir;

It is time again for the voting taxing units within the Liberty County Central Appraisal District to select Appraisal District directors. These directors will serve two year terms beginning January 1, 2012.

An Appraisal District director must reside in the Appraisal District for at least two years immediately preceding the date he or she takes office. A person may serve on the governing body of a taxing unit in the Appraisal District (i.e. City Councilman, School board trustees, County Commissioner, etc.) and still be eligible to serve as director. An employee of a taxing unit is not eligible to serve as a director unless he is also an elected official. Property Tax Code Section 6.035, prohibits a Board Member from serving if the member is related within the second degree of consanguinity or affinity to a person who is in the business of Appraising property or represents property owners in proceedings in the Appraisal District. Under Section 6.036, a person is also ineligible if he, or a business that he has a substantial interest in, enters into a contract with the Appraisal District or a taxing unit in the district. Also, Section 6.035 of the Texas Property Tax Code may prohibit a person from serving if they owe delinquent taxes.

Each voting taxing unit is entitled to nominate one candidate for each of the five positions on the board. Thus, your taxing unit may nominate one to five candidates. To **guarantee election**, a director must receive at least 834 votes out of 5,000 total votes.

Attached for your study is a timetable for election of directors and a list of all voting taxing units and their voting entitlements. Please submit the names of your nominees by written Resolution to my office by October 17, 2011. **Only the names of the nominees received by the deadline of October 17, 2011 will be included on the official ballot which will be mailed to each voting taxing unit by October 30, 2011.** If I can answer any questions concerning this election, please contact me at the number listed above.

Sincerely,

ALAN D. CONNER
CHIEF ADMINISTRATOR

ADC/lan

TIMETABLE FOR ELECTION OF BOARD OF DIRECTORS
LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT

September 30, 2011	-Chief Appraiser must notify each taxing unit of the number of votes it may cast and deliver to the following: • County Judge and each Commissioner • Mayor and City Manager of each city • School Board President and Superintendent for each school
October 17, 2011	-Each of these voting taxing units nominates by Resolution, one candidate for each of the five (5) positions and submits their nominations to the Chief Administrator.
October 30, 2011	-The Chief Administrator prepares a ballot listing the candidates alphabetically and delivers ballot to each voting taxing unit.
December 15, 2011	-Each voting unit casts its vote by written resolution and submits it to the Chief Administrator by this date.
December 31, 2011	-Chief Administrator must count votes, declare winners and notify all taxing units of results by this date.
January 1, 2012	-Directors begin their two-year term of office.

NOTE: If any of the above deadlines fall on a holiday or weekend, the deadline will be the next working day.

LIBERTY COUNTY CENTRAL APPRAISAL DISTRICT
2011 VOTE CALCULATION CAD DIRECTORS

VOTING TAXING UNITS	2010 TAX LEVY		%	# OF VOTES
LIBERTY COUNTY	$	22,752,599	0.2874	1,436
CLEVELAND ISD	$	7,943,398	0.1003	502
DAYTON ISD	$	15,985,239	0.2019	1,010
DEVERS ISD	$	3,083,308	0.0389	195
HARDIN ISD	$	3,114,835	0.0393	197
HULL DAISETTA ISD	$	3,292,180	0.0416	208
LIBERTY ISD	$	8,823,406	0.1115	557
TARKINGTON ISD	$	4,545,317	0.0574	287
CITY OF AMES	$	108,132	0.0014	7
CITY OF CLEVELAND	$	2,194,350	0.0277	139
CITY OF DAISETTA	$	112,370	0.0014	7
CITY OF DAYTON	$	4,463,218	0.0564	282
CITY OF DAYTON LAKES	$	14,131	0.0002	1
CITY OF DEVERS	$	23,006	0.0003	1
CITY OF HARDIN	$	48,129	0.0006	3
CITY OF LIBERTY	$	2,662,941	0.0336	168
CITY OF MONT BELVIEU	$	2,047	0.0000	-
TOTAL	$	79,168,606		5,000

Attachment: CAD Board Info 2011 [Revision 1] (2179 : CAD Appt to Board of Directors)

LIBERTY COUNTY APPRAISAL DISTRICT

2010-2011 BOARD OF DIRECTORS

CHAIRMAN	J. RONNIE DANNER 100 EAST CROCKETT CLEVELAND, TX 77327 **jdanner@farmersagent.com**	281-592-1541(W) 281-592-6392(H)
V. CHAIRMAN	BOB PICKLE 479 COUNTY ROAD 427 LOOP. DAYTON, TX 77535 **rrpi@lubrizol.com**	281-814-8169(CELL)
SECRETARY	MICHAEL VAN ETTA 1522 SAM HOUSTON AVE.. LIBERTY, TX. 77575 **mikevanetta@hotmail.com**	936-336-5694
DIRECTOR	FRANKIE BARNETT 454 COUNTY ROAD 2271 CLEVELAND, TX. 77327	281-592-7821(H) 832-401-4021(CELL)
DIRECTOR	ROBERT S. EDWARDS P.O. BOX 785 102 W. CLAYTON AVE. DAYTON, TX 77535 **bedwards@bobedwards.com**	258-8051(W) 258-2797 (H) 713-898-2506(CELL)
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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/13/11 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 2186)

DOC ID: 2186

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

Meeting: 09/13/11 06:00 PM

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COUNCIL ACTION (ID # 2187)

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