



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

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

**Tuesday, September 12, 2017**

**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**

| <b>Attendee Name</b>           | <b>Present</b>           | <b>Absent</b>            | <b>Late</b>              | <b>Arrived</b> |
|--------------------------------|--------------------------|--------------------------|--------------------------|----------------|
| Mayor Carl Pickett             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Mayor Pro Tem Diane Huddleston | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Councilperson Dennis Beasley   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Councilperson Louie Potetz     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Councilperson Libby Simonson   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Councilperson David Arnold     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Councilperson Paul Glazener    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                |

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

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

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

**V. CONSENT AGENDA**

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

**A. Minutes Approval**

1. Tuesday, August 08, 2017
2. Tuesday, August 15, 2017

3. Tuesday, August 22, 2017
4. Tuesday, August 29, 2017
5. Wednesday, August 30, 2017

## **VI. REGULAR AGENDA**

### **A. Regular Session**

#### **1. Council Action (ID # 3916)**

City Manager's presentation and discussion of Hurricane Harvey recovery, and take any action deemed necessary.

#### **2. Ordinance 2017-15**

Consider adoption of an Ordinance of the City of Liberty, Texas waiving building, plumbing, electrical, and HVAC permit fees for repairs related to the recovery of homes and businesses after Hurricane Harvey; dispensing with the requirement of Section 3.10 of the Home Rule Charter that this ordinance be read on two separate days; and providing for an effective date.

#### **3. Ordinance 2017-16**

Consider adoption of an Ordinance of the City of Liberty, Texas allowing for recreational vehicle usage for those citizens affected by Hurricane Harvey; dispensing with the requirement of Section 3.10 of the Home Rule Charter that this ordinance be read on two separate days; and providing for an effective date.

#### **4. Ordinance 2017-17**

Consider adoption of an Ordinance of the City of Liberty, Texas annexing a 0.68 square miles tract of land, providing for the extension of certain boundary limits of the City to include certain territory identified by Liberty County Appraisal District Records as Property ID #183810 and 136761; approving petitions for Voluntary Annexation by certain owners of property identified by Liberty County Appraisal District Records as Property ID #136760 in the territory to be annexed; providing that annexed territory bears Pro Rata Part of Taxes; adopting a Service Plan for the annexed properties; authorizing the Mayor to execute 380 Agreements for property identified by Liberty County Appraisal District Records as Property ID # 136760 providing a Tax Refund to said property; providing a savings clause; and dispensing with the requirement of Section 3.10 of the Home Rule charter that all ordinances be read on two separate days.

- EXHIBIT 1- Ordinance to Annex Phase 5 (PDF)
- EXHIBIT 2- Ordinance to Annex Phase 5 (PDF)
- EXHIBIT 3- Ordinance to Annex Phase 5 (PDF)
- EXHIBIT 4- Ordinance to Annex Phase 5 (PDF)

#### **5. Resolution 2017-10**

Consider a Resolution declaring the intention of the City of Liberty, Texas to annex certain territory described as 1.28 square miles beginning at the Southeast Corner of 2017 Annexation Tract 5, said point being in the most Northerly Northeast Line of the United State of America Tract recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas, having coordinates of N:9979615.14, E:4060406.34; setting the dates, times, and places for two public hearings at which all interested parties shall have an opportunity to be heard; providing for



publication of notices of such public hearings; and directing preparation of a Municipal Service Plan for the territory proposed to be annexed.

- Exhibit 1- Resolution of Intent to Annex Phase 6 (DOCX)

**6. Public Hearing (ID # 3919)**

Public Hearing on the condemnation of the structure located at 3806 Oilfield Road.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (DOCX)
- DSC05528 (JPG)
- IMG\_3123 (JPG)
- IMG\_3124 (JPG)

**7. Council Action (ID # 3920)**

Consider an Order of Abatement for the structure located at 3806 Oilfield Road.

**8. Public Hearing (ID # 3921)**

Public Hearing on the condemnation of the structure located at 3810 Oilfield Road.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (DOCX)
- IMG\_3125 (JPG)
- IMG\_3126 (JPG)
- IMG\_3127 (JPG)
- IMG\_3128 (JPG)

**9. Council Action (ID # 3922)**

Consider an Order of Abatement for the structure located at 3810 Oilfield Road.

**10. Public Hearing (ID # 3923)**

Public Hearing on the condemnation of the structure located at 1711 Cypress.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (DOCX)
- IMG\_3119 (JPG)
- IMG\_3120 (JPG)
- IMG\_3121 (JPG)
- IMG\_3122 (JPG)
- IMG\_3206 (JPG)
- IMG\_3208 (JPG)

**11. Council Action (ID # 3924)**

Consider an Order of Abatement for the structure located at 1711 Cypress.

**12. Public Hearing (ID # 3925)**

Public Hearing on the condemnation of the structure located at 1715 Cypress.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (DOCX)
- IMG\_3118 (JPG)
- IMG\_3200 (JPG)
- IMG\_3201 (JPG)

- IMG\_3202 (JPG)
- IMG\_3203 (JPG)
- IMG\_3204 (JPG)
- IMG\_3205 (JPG)
- IMG\_3207 (JPG)

**13. Council Action (ID # 3926)**

Consider an Order of Abatement for the structure located at 1715 Cypress.

**14. Public Hearing (ID # 3927)**

Public Hearing on the condemnation of the structure located at 209B Hwy. 90.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (DOCX)
- DSC05021 (JPG)
- DSC05022 (JPG)
- DSC05023 (JPG)
- IMG\_3110 (JPG)
- IMG\_3111 (JPG)
- IMG\_3112 (JPG)
- IMG\_3113 (JPG)
- IMG\_3114 (JPG)
- IMG\_3115 (JPG)
- IMG\_3116 (JPG)

**15. Council Action (ID # 3928)**

Consider an Order of Abatement for the structure located at 209B Hwy. 90.

**16. Public Hearing (ID # 3929)**

Public Hearing on the condemnation of the structure located at 4201 Sandune Road.

- Agenda Item Dilapidated Structure (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05337 (JPG)
- DSC05338 (JPG)
- IMG\_3085 (JPG)
- IMG\_3086 (JPG)
- IMG\_3087 (JPG)
- IMG\_3784 (JPG)
- IMG\_3785 (JPG)

**17. Council Action (ID # 3930)**

Consider an Order of Abatement for the structure located at 4201 Sandune Road.

**18. Public Hearing (ID # 3931)**

Reconvene the Public Hearing on the Budget for Fiscal Year 2017-2018.

**19. Ordinance 2017-18**

Consider an Ordinance adopting the Budget for Fiscal Year 2017-2018.

**20. Council Action (ID # 3933)**

Consider ratification of the property tax revenue increase reflected in the Fiscal Year 2017-2018 Budget.

**21. Ordinance 2017-19**

Consider an Ordinance adopting the Ad Valorem Tax Rate for Fiscal Year 2017-2018.

**22. Ordinance 2017-20**

Consider adoption of an Ordinance amending the Master Fee Schedule to include water and wastewater rate increases.

- Water & WW Rate Increase (PDF)

**23. Resolution 2017-11**

Consider a Resolution appointing a representative to the Sam Rayburn Municipal Power Agency Board of Directors.

**24. Council Action (ID # 3937)**

Consider a nomination to the Liberty County Central Appraisal District, Appraisal Review Board.

- ARB Information (PDF)

**25. Council Action (ID # 3938)**

Consider a nomination to the Liberty County Central Appraisal District, Agricultural Advisory Board.

- Ag Advisory Brd Info (PDF)

**26. Council Action (ID # 3939)**

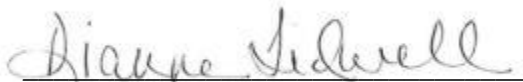
Consider a nomination to the Liberty County Central Appraisal District, Board of Directors.

- CAD Board of Directors Info (PDF)

## VII. ADJOURNMENT

**A. Motion To: Adjourn**

*I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 8<sup>th</sup> day of September, 2017 at 4:00 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 \_\_\_\_\_, 2017.*



# The City of Liberty City Council

## Regular Meeting

~ Minutes ~

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, August 8, 2017

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 August 8, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

| Attendee Name    | Title          | Status  | Arrived |
|------------------|----------------|---------|---------|
| Carl Pickett     | Mayor          | Present |         |
| Diane Huddleston | Mayor Pro Tem  | Present |         |
| Dennis Beasley   | Councilperson  | Present |         |
| Louie Potetz     | Councilperson  | Present |         |
| Libby Simonson   | Councilperson  | Present |         |
| David Arnold     | Councilperson  | Absent  |         |
| Paul Glazener    | Councilperson  | Present |         |
| Gary Broz        | City Manager   | Present |         |
| Dianne Tidwell   | City Secretary | Present |         |
| Brandon Davis    | City Attorney  | Present |         |

### II. INVOCATION

The Invocation was given by Rev. Josh Hale, First United Methodist Church, Liberty.

### III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Police Chief Tom Claunch and Fire Chief Brian Hurst, respectively.

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

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

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

Minutes Acceptance: Minutes of Aug 8, 2017 6:00 PM (Minutes Approval)

## V. PRESENTATIONS / REPORTS

### A. Information Item (ID # 3863)

Project Updates - City Mgr. G. Broz

#### COMMENTS - Current Meeting:

City Manager Gary Broz reported on the status of numerous city projects and activities including the water/wastewater projects, electric upgrades, Cities of Ames and Hardin meter readings, Airport Project, Splash Pad, meeting with Senator Nichols and Rep. Bailes on several current bills in session, and other topics.

### B. Information Item (ID # 3880)

Sam Rayburn Municipal Power Agency-Mayor Pickett

#### COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency (SRMPA), reported that the most recent, and the upcoming, meetings of the Agency. Mayor Pickett reported the lawsuit with the Agency's formal Legal Counsel, Ralph Gillis is moving slowly; attempts are being made to attach assets that Mr. Gillis may have in the State of Massachusetts.

City Manager Gary Broz, SRMPA Board Member stated that the installation of the transformer for the SRMPA Substation is scheduled for November/December, 2017 and the express feeder project is waiting on pole delivery.

## 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.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                              |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                            |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                            |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSENT:</b>   | David Arnold                                             |

### A. Minutes Approval

1. Tuesday, July 11, 2017
2. Wednesday, July 12, 2017
3. Thursday, July 27, 2017
4. Council Action 2017-67

Minutes Acceptance: Minutes of Aug 8, 2017 6:00 PM (Minutes Approval)

Consider the dates of March 23rd and 24th for the 2018 Liberty Jubilee.

## VII. REGULAR AGENDA

### A. Regular Session

#### 1. Council Action 2017-68

Mr. Larry Brown to address the Council regarding repair of the structure located at 608 Garrett Street, and take any action deemed necessary.

##### COMMENTS - Current Meeting:

Mr. Brown was in attendance at the April 11 and July 11, 2017 Council Meetings in which he requested time, and subsequent additional time, to complete repairs on the structure at 608 Garrett Street. Mr. Brown is, once again, asking for extra time to get the structure of discussion in compliance with all code requirements. After lengthy discussion concerning the necessary repairs to the home, the length of time needed and other related issues, a motion was made by Councilperson Huddleston to allow Mr. Brown 90 days to comply with code requirements. The motion died for lack of a second.

A motion was made by Councilperson Simonson, seconded by Councilperson Glazener to amend the original Order of Abatement and to demolish the structure within thirty (30) days. Councilpersons Simonson and Glazener voting AYE, Mayor Pickett and Councilpersons Huddleston, Beasley, and Potetz voting NAY. Motion was defeated 4-2.

A motion was made by Councilperson Huddleston, seconded by Councilperson Beasley to give Mr. Brown ninety (90) days to weather-in the structure, said repairs to be approved by the City's Building Official, or the City is authorized to secure the demolition within 30 days; however if Mr. Brown completes the directive within the allotted time, he will be given another ninety (90) days to complete the structure.

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [4 TO 2]</b>                                     |
| <b>MOVER:</b>    | Diane Huddleston, Mayor Pro Tem                              |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                |
| <b>AYES:</b>     | Carl Pickett, Diane Huddleston, Dennis Beasley, Louie Potetz |
| <b>NAYS:</b>     | Libby Simonson, Paul Glazener                                |
| <b>ABSENT:</b>   | David Arnold                                                 |

#### 2. Council Action 2017-69

Consider an Interlocal Agreement between the City of Liberty and the Liberty County Historical Commission regarding negotiations for access and usage of the Branch Cemetery property.

##### COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that the Liberty County Historical Commission will be responsible for all legal fees related to the negotiations for access and usage of the Branch Cemetery property. Mr. Davis stated that the Commission will escrow \$10,000 with the City of Liberty who will hire the attorney. A motion was made to approve the Interlocal Agreement.

Minutes Acceptance: Minutes of Aug 8, 2017 6:00 PM (Minutes Approval)

## ATTACHMENTS:

- Interlocal Agreement-Historical Commission (DOCX)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Louie Potetz, Councilperson  
**SECONDER:** Paul Glazener, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

**3. Council Action 2017-71**

Consider hiring C. Bruce Stratton, Attorney, to conduct negotiations with adjoining property owners for access and usage of the Branch Cemetery property.

## COMMENTS - Current Meeting:

A motion was made to hire Mr. C. Bruce Stratton, Attorney, to conduct negotiations with the adjoining property owners to the Branch Cemetery for access and usage of the property.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Paul Glazener, Councilperson  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

**4. Public Hearing (ID # 3865)**

Public Hearing on the condemnation of the structure located at 3002 Neyland.

## COMMENTS - Current Meeting:

At 6:52 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 3002 Neyland. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meet building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation.

At 7:05 p.m., Mayor Pickett closed the Public Hearing.

## ATTACHMENTS:

- Agenda Item Dilapidated Structure 3002 Neyland August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05329 (JPG)
- DSC05330 (JPG)
- IMG\_3103 (JPG)
- IMG\_3104 (JPG)
- IMG\_3105 (JPG)
- IMG\_3106 (JPG)
- IMG\_3489 (JPG)
- IMG\_3490 (JPG)
- IMG\_3491 (JPG)
- IMG\_3492 (JPG)

- IMG\_3493 (JPG)
- IMG\_3494 (JPG)

## 5. Council Action 2017-72

Consider an Order of Abatement for the structure located at 3002 Neyland.

### COMMENTS - Current Meeting:

A motion was made that the structure located at 3002 Neyland is found to be a public nuisance, and that the property owner be given 90 days to remove the structure, or the City is authorized to secure the demolition.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                              |
| <b>MOVER:</b>    | Diane Huddleston, Mayor Pro Tem                          |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                            |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSENT:</b>   | David Arnold                                             |

## 6. Public Hearing (ID # 3867)

Public Hearing on the condemnation of the structure located at 138 McManus.

### COMMENTS - Current Meeting:

At 7:08 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 138 McManus. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation.

At 7:10 p.m., Mayor Pickett closed the Public Hearing.

### ATTACHMENTS:

- Agenda Item Dilapidated Structure 138 McManus August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05040 (JPG)
- DSC05041 (JPG)
- IMG\_3088 (JPG)
- IMG\_3485 (JPG)
- IMG\_3486 (JPG)

## 7. Council Action 2017-73

Consider an Order of Abatement for the structure located at 138 McManus.

### COMMENTS - Current Meeting:

A motion was made that the structure located at 138 McManus is found to be a public nuisance, and that the property owner be given 60 days to remove the structure, or the City is authorized to secure the demolition.



|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                              |
| <b>MOVER:</b>    | Paul Glazener, Councilperson                             |
| <b>SECONDER:</b> | Diane Huddleston, Mayor Pro Tem                          |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSENT:</b>   | David Arnold                                             |

## 8. Public Hearing (ID # 3869)

Public Hearing on the condemnation of the structure located at 109 John.

### COMMENTS - Current Meeting:

At 7:11 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 109 John. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structures, a house and a shed, if the structures meet building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation. Only the shed is being required to be removed.

Mayor Pickett closed the Public Hearing at 7:16 p.m.

### ATTACHMENTS:

- Agenda Item Dilapidated Structure 109 John August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05408 (JPG)
- DSC05409 (JPG)
- DSC05410 (JPG)
- DSC05411 (JPG)
- DSC05412 (JPG)
- DSC05413 (JPG)
- DSC05414 (JPG)
- IMG\_3100 (JPG)
- IMG\_3101 (JPG)
- IMG\_3102 (JPG)
- IMG\_3487 (JPG)
- IMG\_3488 (JPG)
- DSC05414 (JPG)

## 9. Council Action 2017-74

Consider an Order of Abatement for the structure located at 109 John.

### COMMENTS - Current Meeting:

A motion was made that the shed located on the property at 109 John Street is found to be a public nuisance, and that the property owner be given 90 days to remove the structure, or the City is authorized to secure the demolition.

Minutes Acceptance: Minutes of Aug 8, 2017 6:00 PM (Minutes Approval)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Diane Huddleston, Mayor Pro Tem  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

## 10. Public Hearing (ID # 3871)

Public Hearing on the condemnation of the structure located at 205 Chesson.

### COMMENTS - Current Meeting:

At 7:18 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the front porch of a structure located at 205 Chesson. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure and the porch, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The structure and the porch was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 7:21 p.m.

### ATTACHMENTS:

- Agenda Item Dilapidated Structure 205 Chesson August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.17.17 (added name) (DOCX)
- IMG\_3091 (JPG)
- IMG\_3092 (JPG)
- IMG\_3093 (JPG)
- IMG\_3094 (JPG)
- IMG\_3095 (JPG)
- IMG\_3480 (JPG)
- IMG\_3481 (JPG)
- IMG\_3482 (JPG)

## 11. Council Action 2017-75

Consider an Order of Abatement for the structure located at 205 Chesson.

### COMMENTS - Current Meeting:

A motion was made that the front porch of the structure located at 205 Chesson is found to be a public nuisance, and that the property owner be given 60 days to remove the porch from the structure, or the City is authorized to secure the demolition.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Louie Potetz, Councilperson  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

## 12. Information Item (ID # 3887)

Report on the status of the dilapidated structure located at 419 Minglewood.

**COMMENTS - Current Meeting:**

Brief discussion was held, and photos shown, that the property owner had removed the structure, requiring no action from the City.

**ATTACHMENTS:**

- Agenda Item Dilapidated Structure 419 Minglewood August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- IMG\_3096 (JPG)
- IMG\_3097 (JPG)
- IMG\_3098 (JPG)
- IMG\_3099 (JPG)
- IMG\_3483 (JPG)

**13. Ordinance 2017-13**

Consider adoption of an Ordinance lengthening the school speed limit zone on Panther Lane.

**COMMENTS - Current Meeting:**

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING A SCHOOL ZONE ON PANTHER LANE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

Public Works Director Tom Warner reported that the Liberty Independent School District has requested the school speed limit zone on Panther Lane be extended closer to Jefferson Drive. The school zone begins approximately fifty feet north of the driveway to the shopping center, and the school desires that the zone be lengthened to the south side of the driveway. Mr. Warner stated that the recommendation is to relocate the school speed limit zone on Panther Lane, with the current beginning point from 540 feet north of Jefferson Drive, to 230 feet north of Jefferson Drive.

A motion was made to approve the extension of the school speed limit zone as presented.

**ATTACHMENTS:**

- Agenda Form-Panther Lane Speed Zone (DOCX)

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                            |
| <b>SECONDER:</b> | Paul Glazener, Councilperson                             |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSENT:</b>   | David Arnold                                             |

**14. Council Action 2017-76**

Consider a variance to Section 3.08.116, Occupancy of Recreational Vehicle Outside of Park, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on an RV parked in the front of a residence at 1837

N. San Jacinto Street. The City's Code of Ordinances requires the placement of a recreational vehicle be placed on the side or rear yard area. A variance to this requirements has been requested by the property owner to allow the RV to remain in the front of this property due to space constraints. A motion was made to deny the variance request.

**ATTACHMENTS:**

- Agenda Form Varaince Occupancy of RV Outside of Park 1837 N San Jacinto (DOCX)
- Variance Info - 1837 N San Jacinto (PDF)

**RESULT:**        **APPROVED [5 TO 1]**  
**MOVER:**        Paul Glazener, Councilperson  
**SECONDER:**    Libby Simonson, Councilperson  
**AYES:**         Pickett, Huddleston, Beasley, Simonson, Glazener  
**NAYS:**         Louie Potetz  
**ABSENT:**       David Arnold

**15. Council Action 2017-77**

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements-Side Yard Setback for 114 Valley Drive, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on a variance request to the Code of Ordinances regarding side yard setbacks for single-family residential lots. The property owner desires to construct an RV carport extending into the required 7.5' setback. A motion was made to approve the variance at 114 Valley Drive.

**ATTACHMENTS:**

- Agenda Form- Varaince Side Yard Setback 104 Valley (DOCX)
- Variance Info - 114 Valley Drive (PDF)

**RESULT:**        **APPROVED [UNANIMOUS]**  
**MOVER:**        Libby Simonson, Councilperson  
**SECONDER:**    Dennis Beasley, Councilperson  
**AYES:**         Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:**       David Arnold

**16. Council Action 2017-78**

Consider setting the date, time and location for a Public Hearing on the proposed budget for Fiscal Year 2017-2018.

**COMMENTS - Current Meeting:**

A motion was made to set the Public Hearing on the FY 2017-2018 Proposed Budget for Tuesday, August 22, 2017 at 6:00 p.m., in the City Council Chambers.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Libby Simonson, Councilperson  
**SECONDER:** Paul Glazener, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

### 17. Council Action 2017-79

Consider approval of the proposed tax rate for Fiscal Year 2017-2018.

#### COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed tax rate of \$0.0061 per \$100 valuation of real property, for Fiscal Year 2017-2018. A motion was made to approve the proposed tax rate.

Mayor Pickett called for a short break at 7:40 p.m. The meeting was reconvened at 7:45 p.m.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Paul Glazener, Councilperson  
**SECONDER:** Libby Simonson, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

### 18. Council Action 2017-80

Consider setting the date, time and location for public hearings on the proposed tax rate for Fiscal Year 2017-2018.

#### COMMENTS - Current Meeting:

A motion was made to set the Public Hearings on the FY 2017-2018 Proposed Tax Rate for Tuesday, August 22 and Tuesday, August 29, 2017, each at 6:00 p.m., in the City Council Chambers.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Paul Glazener, Councilperson  
**SECONDER:** Libby Simonson, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

### 19. Council Action 2017-81

Consider award of proposal for Employee Life and Dependent Life Insurance.

#### COMMENTS - Current Meeting:

City Manager Gary Broz reviewed the quotes for Employee Life and Dependent Life Insurance from various companies, reporting that management recommends changing to Principal Financial Group, effective October 1, 2017. After brief discussion, a motion was made to approve the change to Principal Financial Group.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Libby Simonson, Councilperson  
**SECONDER:** Paul Glazener, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

## 20. Council Action 2017-82

Consider award of lease for a new vehicle for the City Manager.

### COMMENTS - Current Meeting:

City Manager Gary Broz reported on two quotes from local vehicle dealerships for a lease vehicle. After brief discussion of the cost, a motion was made to approve the 36-month lease of a vehicle for the City Manager, through Liberty-Dayton Chrysler for \$517.90 per month.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Libby Simonson, Councilperson  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener  
**ABSENT:** David Arnold

## 21. Council Action (ID # 3888)

Consider removal of Liberty Community Development Corporation Board Member Mike McCarty.

### COMMENTS - Current Meeting:

Mayor Carl Pickett called for the removal of Mike McCarty from the Liberty Community Development Corporation Board of Directors, due to Mr. McCarty's recent conviction of moral turpitude in his duties as Liberty County Commissioner. The vote resulted in a tie, no action was taken.

### ATTACHMENTS:

- Removal Request (PDF)

**RESULT:** DEFEATED [3 TO 3]  
**MOVER:** Carl Pickett, Mayor  
**SECONDER:** Diane Huddleston, Mayor Pro Tem  
**AYES:** Carl Pickett, Diane Huddleston, Louie Potetz  
**NAYS:** Dennis Beasley, Libby Simonson, Paul Glazener  
**ABSENT:** David Arnold

## B. Executive Session

Consultation with Attorney - Gov. Code §551.071

(B) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.

At 8:02 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

**C. Reconvene into Regular Session**

At 8:30 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

**1. Council Action 2017-70**

Consider and take action, if any, on the items as discussed in the Executive Session.

|                |                        |
|----------------|------------------------|
| <b>RESULT:</b> | <b>NO ACTION TAKEN</b> |
|----------------|------------------------|

**VIII. ADJOURNMENT**

**A. Motion To:** Adjourn

**COMMENTS - Current Meeting:**

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

.

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

ATTEST:

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

Minutes Acceptance: Minutes of Aug 8, 2017 6:00 PM (Minutes Approval)



# The City of Liberty City Council

## Special Called Meeting

~ Minutes ~

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, August 15, 2017

12:00 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 August 15, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:01 PM by Mayor Carl Pickett.

| Attendee Name    | Title          | Status  | Arrived  |
|------------------|----------------|---------|----------|
| Carl Pickett     | Mayor          | Present |          |
| Diane Huddleston | Mayor Pro Tem  | Present |          |
| Dennis Beasley   | Councilperson  | Present |          |
| Louie Potetz     | Councilperson  | Present |          |
| Libby Simonson   | Councilperson  | Present |          |
| David Arnold     | Councilperson  | Present | 12:10 PM |
| Paul Glazener    | Councilperson  | Absent  |          |
| Gary Broz        | City Manager   | Present |          |
| Dianne Tidwell   | City Secretary | Present |          |

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

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

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

### III. REGULAR AGENDA

#### A. Regular Session

##### 1. Public Hearing (ID # 3898)

Public Hearing on the annexation of .68 square miles beginning at the Southeast Corner of 2017 Annexation Tract 4A, said point being in the most Westerly East Line of William Martin Daniel Trust Tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88.

Minutes Acceptance: Minutes of Aug 15, 2017 12:00 PM (Minutes Approval)



**COMMENTS - Current Meeting:**

At 12:01 p.m., Mayor Pickett opened the Public Hearing on the annexation of .68 square miles into the City of Liberty. Mr. Art Pertile, Olson & Olson, was present to relate information regarding the City's Phase 5 annexation. This property includes two Non-Ag Exempt Properties; USA Fish & Wildlife and the USA Department of Interior. Mr. Pertile also stated there are two Ag-Exempt Properties; Weldon Alders and the William Martin Daniel Trust. This is the first of two public hearings on the Phase 5 annexation, the second public hearing scheduled for Tuesday, August 22, 2017 at 6:00 p.m. Mr. Pertile fielded questions regarding the annexation.

Mayor Pickett closed the Public Hearing at 12:17 p.m.

**IV. ADJOURNMENT**

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:17 p.m.

**Motion To:**

**COMMENTS - Current Meeting:**

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

ATTEST:

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

Minutes Acceptance: Minutes of Aug 15, 2017 12:00 PM (Minutes Approval)



# The City of Liberty City Council

## Special Called Meeting

~ Minutes ~

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, August 22, 2017

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 August 22, 2017 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 |         |
| Diane Huddleston | Mayor Pro Tem  | Present |         |
| Dennis Beasley   | Councilperson  | Present |         |
| Louie Potetz     | Councilperson  | Present |         |
| Libby Simonson   | Councilperson  | Present | 6:24 PM |
| David Arnold     | Councilperson  | Present |         |
| Paul Glazener    | Councilperson  | Present |         |
| Gary Broz        | City Manager   | Present |         |
| Dianne Tidwell   | City Secretary | Present |         |
| Brandon Davis    | City Attorney  | Present |         |

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

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

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. City Manager Gary Broz reported on the dates of the upcoming meetings until adoption of the new fiscal year budget.

### III. PRESENTATIONS / REPORTS

#### 1. Information Item (ID # 3899)

Finance Report - Finance Director N. Herrington

Minutes Acceptance: Minutes of Aug 22, 2017 6:00 PM (Minutes Approval)

**COMMENTS - Current Meeting:**

Finance Director Naomi Herrington reported on the City's financials, as of July 31, 2017. Ms. Herrington reported that some transfers have been made from the various funds to the General Fund, sales tax revenues are below budgeted amounts and property tax collections are at 92% of the budgeted amount. Ms. Herrington further reviewed the General Fund and other remaining funds and the status of each.

**IV. REGULAR AGENDA****A. Regular Session****1. Public Hearing (ID # 3900)**

Public Hearing on the annexation of .68 square miles beginning at the Southeast Corner of 2017 Annexation Tract 4A, said point being in the most Westerly East Line of William Martin Daniel Trust Tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88.

**COMMENTS - Current Meeting:**

At 6:17 p.m., Mayor Pickett opened the second of two Public Hearings on the annexation of .68 square miles into the City of Liberty. Mr. Art Pertile, Olson & Olson, was present to relate information regarding the City's Phase 5 annexation. This property includes Non-Ag Exempt and Ag-Exempt Properties. Mr. Pertile reviewed the various properties and reported that the ordinance to adopt this annexation will be presented at the September 12, 2017 Council Meeting, at which time Council will consider a resolution declaring intent to annex Phase 6. Mr. Pertile answered questions regarding the annexation.

Mayor Pickett closed the Public Hearing at 6:21 p.m.

**2. Public Hearing (ID # 3901)**

Public Hearing on the Proposed Budget for Fiscal Year 2017-2018.

**COMMENTS - Current Meeting:**

At 6:22 p.m., Mayor Pickett opened the Public Hearing on the proposed budget for Fiscal Year 2017-2018. City Manager Gary Broz and Finance Director Naomi Herrington reported that spending is at a minimum, reviewed the various funds, reserve amounts, a 3% raise for employees, the need for a proposed rate increase for water and sewer, and numerous other related budget items.

Mayor Pickett stated that this public hearing will remain open until the budget is voted on September 12, 2017.

**3. Council Action 2017-83**

Consider postponement of Final Vote on the Fiscal Year 2017-2018 Budget until September 12, 2017.

Minutes Acceptance: Minutes of Aug 22, 2017 6:00 PM (Minutes Approval)

**COMMENTS - Current Meeting:**

A motion was made to postpone the vote on the Fiscal Year 2017-2018 Budget until September 12, 2017.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                      |
| <b>MOVER:</b>    | Louie Potetz, Councilperson                                      |
| <b>SECONDER:</b> | Paul Glazener, Councilperson                                     |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

**4. Public Hearing (ID # 3903)**

Public Hearing on the proposed Tax Rate for Fiscal Year 2017-2018.

**COMMENTS - Current Meeting:**

At 6:30 p.m., Mayor Pickett opened the first of two public hearings on the proposed tax rate for Fiscal Year 2017-2018.

At 6:35 p.m., Mayor Pickett closed the Public Hearing.

**5. Council Action 2017-84**

Discuss and consider repairs to the sewer line at Neyland and Jessica Streets, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on the rehabilitation of an 8" sewer line, by pipe bursting, between Neyland and Jessica Streets. The work is to be completed by Lopez Utilities (obtained through HGAC BuyBoard) for a cost of \$129,206.00.

A motion was made to approve the rehabilitation of the sewer line by Lopez Utilities for \$129,206.00.

**ATTACHMENTS:**

- 4th & Jessica Pics (PDF)

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                      |
| <b>MOVER:</b>    | Diane Huddleston, Mayor Pro Tem                                  |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

**6. Council Action 2017-85**

Discuss and consider 6" water line replacement at FM 563, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on the replacement of a 6" waterline, by wet bore, on FM 563. The work is to be completed by Lopez Utilities (obtained through HGAC BuyBoard) for a cost of \$21,600.00.

A motion was made to approve the waterline replacement by Lopez Utilities for \$21,600.00.

**ATTACHMENTS:**

- Picture (PDF)
- FM 563 Pics #2 (PDF)

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                      |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                    |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

## 7. Council Action 2017-86

Discuss and consider drainage issues and possible home development on W. Holly Street, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on drainage issues on Holly Street; the system being inadequate to handle storm water run-off from high intensity rainfalls of short duration. A recent preliminary plat approval for additional homes will increase the storm water run-off. Mr. Warner reviewed the current conditions, along with proposed improvements for an estimated cost of approximately \$285,000.00. After brief discussion, City Manager Gary Broz stated that this item not be voted on, at this time, as there currently are no designated funds for this project.

**ATTACHMENTS:**

- Holly Street Pics (PDF)

|                |                        |
|----------------|------------------------|
| <b>RESULT:</b> | <b>NO ACTION TAKEN</b> |
|----------------|------------------------|

## 8. Ordinance 2017-11

Consider adoption of an Ordinance regulating network nodes, approving a design manual for the installation of network nodes and node support poles, and approving a pole attachment agreement regulating the installation of network nodes on city service poles and utility poles.

**COMMENTS - Current Meeting:**

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

"AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS, APPROVING A DESIGN MANUAL FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES; AND APPROVING A POLE ATTACHMENT AGREEMENT REGULATING THE INSTALLATION OF NETWORK NODES ON CITY SERVICE POLES AND UTILITY POLES; REQUIRING PERMITS; DECLARING GOVERNING LAW; PROVIDING REPEALING AND SAVINGS CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2017; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

City Attorney Brandon Davis reported on the issue of the installation of small cellular equipment and/or towers, by wireless infrastructure and service providers, in a city's rights-of-way; and the municipal authority over those the rights-of-ways.

A motion was made to adopt the Ordinance as presented.

**ATTACHMENTS:**

- Ordinance - Network Nodes (PDF)

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                                    |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

## V. ADJOURNMENT

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:09 p.m.

.

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

ATTEST:

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

Minutes Acceptance: Minutes of Aug 22, 2017 6:00 PM (Minutes Approval)



# The City of Liberty City Council

## Special Called Meeting

~ Minutes ~

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, August 29, 2017

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 August 29, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

| Attendee Name    | Title         | Status  | Arrived |
|------------------|---------------|---------|---------|
| Carl Pickett     | Mayor         | Present |         |
| Diane Huddleston | Mayor Pro Tem | Present |         |
| Dennis Beasley   | Councilperson | Present |         |
| Louie Potetz     | Councilperson | Late    | 6:20 PM |
| Libby Simonson   | Councilperson | Present |         |
| David Arnold     | Councilperson | Present |         |
| Paul Glazener    | Councilperson | Present |         |
| Gary Broz        | City Manager  | Present |         |
| Brandon Davis    | City Attorney | Present |         |

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

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

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.

City Manager Gary Broz gave an update of current activities as a result of Hurricane Harvey.

### III. PRESENTATIONS / REPORTS

#### 1. Information Item (ID # 3908)

Liberty County CAD - Appraisal Review Board

Minutes Acceptance: Minutes of Aug 29, 2017 6:00 PM (Minutes Approval)

**COMMENTS - Current Meeting:**

City Manager Gary Broz informed the Council of the upcoming nominations to the Liberty County CAD Appraisal Review Board. Nominations are due by September 21, 2017.

**2. Information Item (ID # 3909)**

Liberty County CAD - Agricultural Advisory Board

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported on upcoming nominations to the Liberty County CAD Agricultural Advisory Board. These nominations are due by September 21, 2017.

Mr. Broz also reported on nominations to the Liberty County CAD Board of Directors. Submissions are due by October 15, 2017.

**IV. REGULAR AGENDA****A. Regular Session****1. Public Hearing (ID # 3910)**

Public Hearing on the proposed tax rate for Fiscal Year 2017 - 2018.

**COMMENTS - Current Meeting:**

At 6:22 p.m., Mayor Pickett opened the second of two public hearings on the proposed tax rate for Fiscal Year 2017-2018. Brief discussion was held regarding the proposed tax rate of \$0.0061 per \$100 valuation.

At 6:24 p.m., Mayor Pickett closed the Public Hearing.

**2. Council Action 2017-87**

Consider amending the existing Order of Abatement for the structure located at 124 Ohio, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on the proposed modification of an Order of Abatement for 124 Ohio Street, under which the structure had previously been declared a nuisance the abatement ordered. Prior to receiving bids for demolition, the City was informed that the property had been sold and the new owners wished to repair the structure. After brief discussion, a motion was made to give the new owners 60 days to repair the structure, and if not repaired within the allotted time, the City is authorized the secure the demolition.

**ATTACHMENTS:**

- Abatement-124 Ohio (DOCX)
- Ohio Street Letter (PDF)



|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                      |
| <b>MOVER:</b>    | David Arnold, Councilperson                                      |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

### 3. Council Action 2017-88

Consider amending the existing Order of Abatement for the structure located at 419 Austin, and take any action deemed necessary.

#### COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on the proposed modification of an Order of Abatement for 419 Austin Street, in which the structure had previously been declared a nuisance and the abatement ordered. The structure was not demolished in the prescribed 30 days as specified in the Order, however prior to the City receiving bids for demolition, Mr. Matt Harris informed the City he was in the process of purchasing the property. After brief discussion, a motion was made that Mr. Harris be given 30 days to purchase the property, and given an additional 30 days to demolish the structure, or the City is authorized to secure the demolition.

#### ATTACHMENTS:

- Amending Abatement-419 Austin and Austin & Trinity (DOCX)

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [6 TO 0]</b>                                 |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                            |
| <b>SECONDER:</b> | Paul Glazener, Councilperson                             |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSTAIN:</b>  | David Arnold                                             |

### 4. Council Action 2017-89

Consider amending the existing Order of Abatement for the structure located at Austin and Trinity, and take any action deemed necessary.

#### COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on the proposed modification of an Order of Abatement for a structure located on property at Austin and Trinity Streets, in which the structure had previously been declared a nuisance and the abatement ordered. The structure was not demolished in the prescribed 30 days as specified in the Order, however prior to the City receiving bids for demolition, Mr. Matt Harris informed the City he was in the process of purchasing the property. After brief discussion, a motion was made that Mr. Harris be given 30 days to purchase the property, and given an additional 30 days to demolish the structure, or the City is authorized to secure the demolition.

#### ATTACHMENTS:

- Amending Abatement-419 Austin and Austin & Trinity (DOCX)

|                 |                                                          |
|-----------------|----------------------------------------------------------|
| <b>RESULT:</b>  | <b>APPROVED [6 TO 0]</b>                                 |
| <b>AYES:</b>    | Pickett, Huddleston, Beasley, Potetz, Simonson, Glazener |
| <b>ABSTAIN:</b> | David Arnold                                             |

**5. Ordinance 2017-14**

Consider adoption of an Ordinance amending the Master Fee Schedule to include fees associated with the installation of network nodes and node support poles.

**COMMENTS - Current Meeting:**

Motion was made to adopt the Ordinance as presented.

**ATTACHMENTS:**

- MASTER FEE SCHEDULE-FINAL 8-29-2017 - Network Nodes (PDF)

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                                    |
| <b>SECONDER:</b> | Paul Glazener, Councilperson                                     |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

**V. ADJOURNMENT**

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:39 p.m.

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

ATTEST:

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

Minutes Acceptance: Minutes of Aug 29, 2017 6:00 PM (Minutes Approval)



# The City of Liberty City Council

## Emergency Meeting

~ Minutes ~

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

Dianne Tidwell  
City Secretary  
(936) 336-3684

Wednesday, August 30, 2017

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 August 30, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:05 PM by Mayor Carl Pickett.

| Attendee Name    | Title         | Status  | Arrived |
|------------------|---------------|---------|---------|
| Carl Pickett     | Mayor         | Present |         |
| Diane Huddleston | Mayor Pro Tem | Absent  |         |
| Dennis Beasley   | Councilperson | Present |         |
| Louie Potetz     | Councilperson | Present |         |
| Libby Simonson   | Councilperson | Present |         |
| David Arnold     | Councilperson | Present |         |
| Paul Glazener    | Councilperson | Present |         |
| Gary Broz        | City Manager  | Present |         |
| April Reiss      | Adm Asst      | Present |         |
| Brandon Davis    | City Attorney | Present |         |

## ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

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.

City Manager Gary Broz gave an update of current activities resulting from Hurricane Harvey.

## II. REGULAR AGENDA

### A. Regular Session

#### 1. Ordinance 2017-12

Minutes Acceptance: Minutes of Aug 30, 2017 6:00 PM (Minutes Approval)

Consider and Take Action on an Ordinance Continuing the Declaration of Local Disaster for The City of Liberty

**COMMENTS - Current Meeting:**

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS, CONTINUING THE DECLARATION OF LOCAL DISASTER IN THE CITY OF LIBERTY BECAUSE OF THE IMPACT OF HURRICANE HARVEY; CONFIRMING AND RATIFYING ANY EMERGENCY PROCLAMATIONS AND REGULATIONS ISSUED BY THE MAYOR IN RESPONSE TO THE DAMAGE, INJURY, OR LOSS OF LIFE AND PROPERTY RESULTING FROM SAID HURRICANE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE."

A motion was made to adopt the Ordinance continuing the Declaration of Local Disaster due to Hurricane Harvey.

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Paul Glazener, Councilperson                         |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                        |
| <b>AYES:</b>     | Pickett, Beasley, Potetz, Simonson, Arnold, Glazener |
| <b>ABSENT:</b>   | Diane Huddleston                                     |

### III. ADJOURNMENT

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:25 p.m.

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

ATTEST:

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

Minutes Acceptance: Minutes of Aug 30, 2017 6:00 PM (Minutes Approval)



## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.1**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Miscellaneous Issues

### **COUNCIL ACTION (ID # 3916)**

DOC ID: 3916



**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.2

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Misc. Fees

**ORDINANCE 2017-15**

DOC ID: 3940

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS WAIVING BUILDING, PLUMBING, ELECTRICAL, AND HVAC PERMIT FEES FOR REPAIRS RELATED TO THE RECOVERY OF HOMES AND BUSINESSES AFTER HURRICANE HARVEY; DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, City Council finds that the ravages of Hurricane Harvey, arising from its impact upon the property and inhabitants of the City of Liberty created widespread and severe damage, injury, and loss of life and property that now requires extraordinary measures to alleviate the suffering of the people and to protect and rehabilitate property; and

**WHEREAS**, the City Council recognizes that many homes and businesses located within the City were damaged or destroyed during Hurricane Harvey; and

**WHEREAS**, the City Council desires to help mitigate the costs associated with repairing these damaged structures by waiving certain building permit fees for repairs to homes and businesses related to damage caused by Hurricane Harvey.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council hereby orders that all building, electrical, plumbing, and HVAC permit fees for repairs or construction directly related to recovery from Hurricane Harvey shall be waived through September 29, 2017.

SECTION 3. 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 days is hereby dispensed with.

SECTION 4. This Ordinance shall be and become effective from and after its adoption.

**PASSED AND APPROVED ON THIS THE 12th DAY OF SEPTEMBER 2017.**

---

Carl Pickett, Mayor

ATTEST:

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City Secretary



**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.3

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Miscellaneous Issues

**ORDINANCE 2017-16**

DOC ID: 3941

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ALLOWING FOR RECREATIONAL VEHICLE USAGE FOR THOSE CITIZENS AFFECTED BY HURRICANE HARVEY; DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, City Council finds that the ravages of Hurricane Harvey, arising from its impact upon the property and inhabitants of the City of Liberty created widespread and severe damage, injury, and loss of life and property that now requires extraordinary measures to alleviate the suffering of the people and to protect and rehabilitate property; and

**WHEREAS**, the City Council recognizes that many homes and businesses located within the City were damaged or destroyed during Hurricane Harvey; and

**WHEREAS**, the City Council desires to help mitigate the costs associated with repairing these damaged structures by allowing citizens affected by Hurricane Harvey to park recreational vehicles in front of their residence and to reside in the recreational vehicles until March 12, 2018.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council hereby finds that individuals suffering damages to their houses as a direct result of Hurricane Harvey may both park a recreational vehicle in front of their house, and/or reside in a recreational vehicle on their property until March 12, 2018. After



March 12, 2018 these special exceptions shall elapse and the City's normal ordinances related to recreational vehicles shall take effect.

SECTION 3. 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 days is hereby dispensed with.

SECTION 4. This Ordinance shall be and become effective from and after its adoption.

**PASSED AND APPROVED ON THIS THE 12th DAY OF SEPTEMBER 2017.**

---

Carl Pickett, Mayor

ATTEST:

---

City Secretary



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Annexation

6.A.4

### ORDINANCE 2017-17

DOC ID: 3917 A

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 0.68 SQUARE MILES TRACT OF LAND, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY TO INCLUDE CERTAIN TERRITORY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID #**183810 AND 136761**; APPROVING PETITIONS FOR VOLUNTARY ANNEXATION BY CERTAIN OWNERS OF PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# **136760** IN THE TERRITORY TO BE ANNEXED; PROVIDING THAT ANNEXED TERRITORY BEARS PRO RATA PART OF TAXES; ADOPTING A SERVICE PLAN FOR THE ANNEXED PROPERTIES; AUTHORIZING THE MAYOR TO EXECUTE 380 AGREEMENTS FOR PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# **136760** PROVIDING A TAX REFUND TO SAID PROPERTY; PROVIDING A SAVINGS CLAUSE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

**WHEREAS**, the Texas Local Government Code Section 43.021 allows a home-rule municipality to (1) fix the boundaries of the municipality; and (2) extend the boundaries of the municipality and annex area adjacent to the municipality; and

**WHEREAS**, public hearings were held on August 15, 2017 and August 22, 2017 in the City Council Chambers of the City of Liberty, Texas where all interested persons were provided with an opportunity to be heard on the proposed annexation of the territory fully described in **EXHIBIT "1"** attached hereto and incorporated herein; and

**WHEREAS**, the above described territory lies within the extraterritorial jurisdiction of the City of Liberty, Texas; and

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

**Section 1.** That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.

**Section 2.** That the following described land and territory lying adjacent to and

adjoining the City of Liberty, Texas, pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code, is hereby added and annexed to the City of Liberty, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Liberty, Texas, and the present boundary limits of such city, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Liberty, Texas, to-wit:

**SEE ATTACHED EXHIBIT "2"**

**Section 3.** That the above described territory is so annexed and shall be a part of the City of Liberty, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Liberty, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Liberty, Texas pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code. The service plan attached hereto as **EXHIBIT "3"** is hereby adopted as part of the annexation of the property annexed to the City as provided for and now described in **EXHIBIT "2."**

**Section 4.** That certain owners or authorized representatives of property identified by the Liberty County Appraisal District records as Property ID#136760 and further described in **EXHIBIT "4"** within the territory so annexed voluntarily petitioned for their property to be annexed to the City and executed an Economic Development Agreement pursuant to Chapter 380 of the Texas Local Government Code in exchange for a refund of property taxes paid to the city for a term of forty (40) years. The Mayor is hereby authorized to execute the above described Economic Development Agreements.

**Section 5.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and

**Section 6.** Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Liberty, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to all of the remainder of the area. If there is included within the general description of territory set out in Section 3 of this Ordinance to be annexed to the City of Liberty any lands or area which are presently part of and included within the limits of the City of Liberty, or which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of Liberty's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

**Section 7.** 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.

PASSED AND APPROVED in Liberty, Texas this \_\_\_\_ day of September, 2017.

CITY OF LIBERTY, TEXAS

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

ATTEST:

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

CITY OF LIBERTY, TEXAS

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

STATE OF TEXAS       §  
                                  §  
COUNTY OF LIBERTY   §

Ordinance 2017-17

City Council Meeting

September 12, 2017

Page 4

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2017 by, Mayor Carl Pickett of the City of Liberty, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's Printed Name

Commission Expires: \_\_\_\_\_

Please Return Recorded Copy to:  
Dianne Tidwell, City Secretary  
City of Liberty  
1829 Sam Houston  
Liberty, Texas 77575

**EXHIBIT 1**

**PROPOSED ANNEXATION TERRITORY (.68 SQUARE MILES)**

**EXHIBIT 2**

**PROPERTIES ACTUALLY ANNEXED**

**EXHIBIT 3****SERVICE PLAN FOR PROPERTIES ANNEXED****EXHIBIT 4**

**PROPERTY ID#136760 ANNEXED BY VOLUNTARY PETITIONED AND ECONOMIC  
DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 380 OF THE TEXAS**

**LOCAL GOVERNMENT CODE.**



**EXHIBIT 1**

**PROPOSED ANNEXATION TERRITORY (.68 SQUARE MILES)**

**EXHIBIT "A"**  
**2017 ANNEXATION TRACT 5**

Field Note Description for approximately .68 square miles for annexation to  
 incorporation of the City of Liberty

**BEGINING** at the Southeast corner of 2017 Annexation Tract 4a, said point being in the most Westerly East line of William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88;

**THENCE SOUTHERLY** over and across the William Martin Daniel Trust tract along and with the most Westerly East line of said tract, passing through a point locating the most Southerly Southeast corner of said tract and continuing to a point locating the apparent centerline of the Trinity River having coordinates of N:9984534.09, E:4059214.57;

**THENCE SOUTHERLY** along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9980437.62, E:4059208.43;

**THENCE EASTERLY** over and across the Trinity River to a point being the Northwest corner of the United States of America tract as recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9980466.15, E:4059589.87;

**THENCE SOUTHEASTERLY** along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point having coordinates of N:9979615.14, E:4060406.34;

**THENCE WESTERLY** over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, to a point having coordinates of N:9978820.59, E:4057399.86

**THENCE NORTHERLY** over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point being in the South line of the Conservation Fund tract as recorded in Clerk's File No. 2006017544, Official Public Records, Liberty County, Texas, having coordinates of N:9979107.78, E:4057385.16;

**THENCE WESTERLY** along and with the South line of the Conservation Fund tract to a point having coordinates of N:9979067.98, E:4056607.65;

**THENCE NORTHERLY** over and across the Conservation Fund tract to a point being in the North line of said tract having coordinates of N:9983919.73, E:4056204.40, said point also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119;

Exhibit "A"

Page 1 of 2

MARK W. WHITELEY & ASSOCIATES, INC.

Attachment: EXHIBIT 1- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**THENCE EASTERLY** along and with the North line of the Conservation Fund tract, the same being the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119 to a point being in the apparent centerline of the Trinity River, having coordinates of N:9984001.70, E:4057547.78;

**THENCE NORTHERLY** along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9984273.38, E:4057545.92, said point being the Southwest corner of 2017 Annexation Tract 4a;

**THENCE EASTERLY** passing through a point in the East bank of the Trinity River, continuing over and across the William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, the same being along with the south line of the City Annexation Tract 4a to the **POINT OF BEGINNING** and containing .68 square miles, more or less.

*Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.*

Exhibit "A"

Page 2 of 2

MARA H. WHITELEY & ASSOCIATES, INC.

Attachment: EXHIBIT 1- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**EXHIBIT 2**

**PROPERTIES ACTUALLY ANNEXED**

**EXHIBIT "A"**  
**2017 ANNEXATION TRACT 5**

Field Note Description for approximately .62 square miles for annexation to incorporation of the City of Liberty

**BEGINNING** at the Northeast corner of the Conservation Fund tract as recorded in Clerk's File No. 2006017544, Official Public Records, Liberty County, Texas, having coordinates of N:9983992.22, E:4057392.34, said point also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119;

**THENCE** EASTERLY along and with the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119 to a point being in the apparent centerline of the Trinity River, having coordinates of N:9984001.70, E:4057547.78;

**THENCE** SOUTHERLY along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9980437.62, E:4059208.43;

**THENCE** EASTERLY over and across the Trinity River to a point being the Northwest corner of the United States of America tract as recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9980466.15, E:4059589.87;

**THENCE** SOUTHEASTERLY along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point having coordinates of N:9979615.14, E:4060406.34;

**THENCE** WESTERLY over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, to a point having coordinates of N:9978820.59, E:4057399.86

**THENCE** NORTHERLY over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point being in the South line of the Conservation Fund tract having coordinates of N:9979107.78, E:4057385.16;

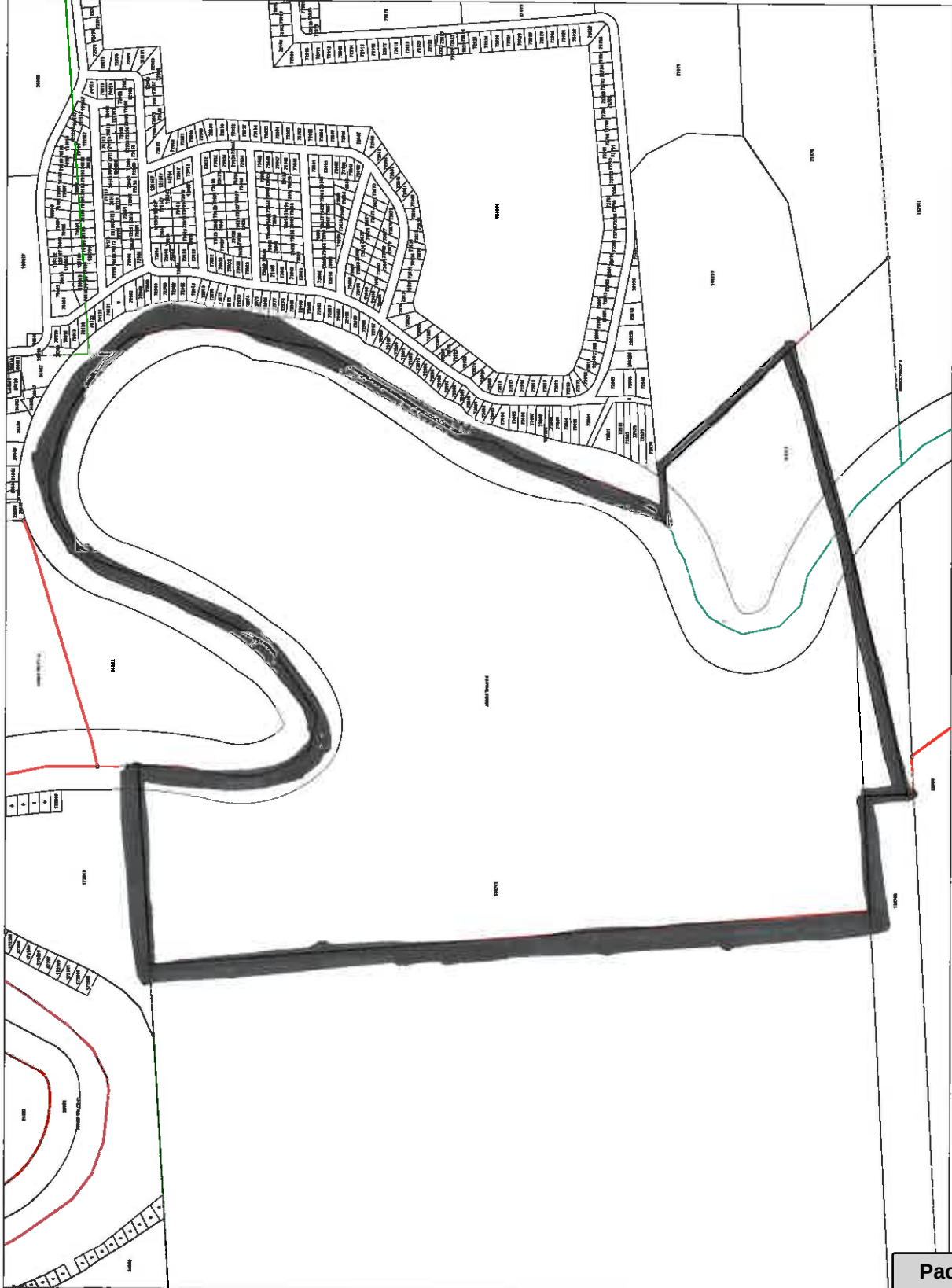
**THENCE** WESTERLY along and with the South line of the Conservation Fund tract to a point having coordinates of N:9979067.98, E:4056607.65;

**THENCE** NORTHERLY over and across the Conservation Fund tract to a point being in the North line of said tract having coordinates of N:9983919.73, E:4056204.40, said point also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119;

Attachment: EXHIBIT 2- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**THENCE** EASTERLY with the North line of the Conservation Fund tract, also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119 to the **POINT OF BEGINNING** and containing .62 square miles, more or less.

*Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.*



**Mark W. Whiteley  
And Associates  
Incorporated**  
CONSULTING ENGINEERS,  
SURVEYORS, AND PLANNERS  
TBLs Firm No. 10106700  
TBPPE Firm No. P-2633



**Legend**

- City Boundary
- LCAD Parcels
- Proposed City Annex Outline
- ETJ - 1 Mile
- Abstract Boundary

**EXHIBIT 3**

**SERVICE PLAN FOR PROPERTIES ANNEXED**

Attachment: EXHIBIT 3- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)



## ANNEXATION SERVICE PLAN

The City of Liberty, Texas will provide for the extension of municipal services into the territory annexed in accordance with the following schedule:

1. **POLICE PROTECTION:** Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

2. **FIRE PROTECTION:** Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

3. **WATER AND WASTE WATER:** Water and wastewater services will be provided to the annexed area on the same basis as those residents currently living within the City limits.

4. **EMERGENCY MEDICAL SERVICES:** Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

5. **SOLID WASTE COLLECTION:** Residents and business may continue to use their current solid waste provider.

6. **PARKS, PLAYGROUNDS AND SWIMMING POOLS:** The City parks and all recreational facilities will be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

7. **CODE ENFORCEMENT SERVICES:**

a. Enforcement of the City's ordinances will be provided within the annexed area on the effective date of the annexation ordinance.

These ordinances and other regulations will be enforced using existing personnel.

b. Complaints of ordinance violations or other code violations within the annexed area will be answered and investigated by existing personnel on the effective date of the annexation ordinance.

c. Animal Control services will be provided to those areas within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.

d. Vector control services will be provided to those areas within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.

8. MISCELLANEOUS: General municipal administration and administrative services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

9. LIBRARY SERVICES: The City Library and facilities will be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

**EXHIBIT 4**

**PROPERTY ID#136760 ANNEXED BY VOLUNTARY PETITION AND  
ECONOMIC DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 380  
OF THE TEXAS LOCAL GOVERNMENT CODE.**

Attachment: EXHIBIT 4- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**PETITION FOR VOLUNTARY ANNEXATION**  
**INTO THE**  
**CORPORATE LIMITS OF THE CITY OF LIBERTY, TEXAS**

To: The Mayor and City Council of the City of Liberty, Texas:

The undersigned owner(s) of the hereinafter described tract of land which is contiguous to the City of Liberty, being one-half mile or less in width and is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present City limits so as to include and annex as part of the City of Liberty, Texas, a portion of the property described by the Liberty County Appraisal District Records as **Property ID # 136760**, and included in the property described by metes and bounds on the attached Exhibit "A," which is incorporated herein for all purposes. The owner(s) do hereby certify that this petition is **signed and acknowledged** by each and every person, corporation or entity owning said land or having an ownership interest in any part thereof.

**OWNER**

WELDON ALDERS

By: 

Title: Owner

Date: 7-26-17

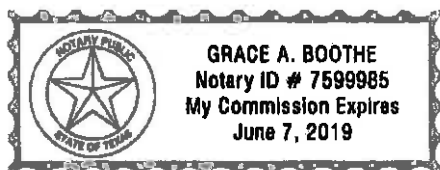
Attachment: EXHIBIT 4- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

## ACKNOWLEDGEMENT

THE STATE OF TEXAS       §  
COUNTY OF Liberty       §  
                                         §

BEFORE ME, the undersigned authority, on this day personally appeared  
Weldon Alders known to me to be the person  
whose name is subscribed to the foregoing instrument, and acknowledged to me that  
he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 26<sup>th</sup>  
day of July, 2017.



Grace A. Boothe

Notary Public In and For the State of  
Texas

My Commission Expires: 6-7-2019

**EXHIBIT A**  
**METES AND BOUNDS DESCRIPTION OF THE PROPERTY TO BE ANNEXED**

Attachment: EXHIBIT 4- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**EXHIBIT "A"**  
**2016 ANNEXATION TRACT 5**

Field Note Description for approximately .68 square miles for annexation to  
incorporation of the City of Liberty

**BEGINING** at the Southeast corner of 2016 Annexation Tract 4a, said point being in the most Westerly East line of William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88;

**THENCE SOUTHERLY** over and across the William Martin Daniel Trust tract along and with the most Westerly East line of said tract, passing through a point locating the most Southerly Southeast corner of said tract and continuing to a point locating the apparent centerline of the Trinity River having coordinates of N:9984534.09, E:4059214.57;

**THENCE SOUTHERLY** along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9980437.62, E:4059208.43;

**THENCE EASTERLY** over and across the Trinity River to a point being the Northwest corner of the United States of America tract as recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9980466.15, E:4059589.87;

**THENCE SOUTHEASTERLY** along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point having coordinates of N:9979615.14, E:4060406.34;

**THENCE WESTERLY** over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, to a point having coordinates of N:9978820.59, E:4057399.86

**THENCE NORTHERLY** over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point being in the South line of the Conservation Fund tract as recorded in Clerk's File No. 2006017544, Official Public Records, Liberty County, Texas, having coordinates of N:9979107.78, E:4057385.16;

**THENCE WESTERLY** along and with the South line of the Conservation Fund tract to a point having coordinates of N:9979067.98, E:4056607.65;

**THENCE NORTHERLY** over and across the Conservation Fund tract to a point being in the North line of said tract having coordinates of N:9983919.73, E:4056204.40, said point also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119;

Exhibit "A"

Page 1 of 2

MARK W. WHITELEY & ASSOCIATES, INC.

Attachment: EXHIBIT 4- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**THENCE** EASTERLY along and with the North line of the Conservation Fund tract, the same being the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119 to a point being in the apparent centerline of the Trinity River, having coordinates of N:9984001.70, E:4057547.78;

**THENCE** NORTHERLY along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9984273.38, E:4057545.92, said point being the Southwest corner of 2016 Annexation Tract 4a;

**THENCE** EASTERLY passing through a point in the East bank of the Trinity River, continuing over and across the William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, the same being along with the south line of the City Annexation Tract 4a to the **POINT OF BEGINNING** and containing .68 square miles, more or less.

*Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.*

Exhibit "A"

Page 2 of 2

MARK W. WHITELEY & ASSOCIATES, INC.



## ECONOMIC DEVELOPMENT AGREEMENT

THE STATE OF TEXAS   §  
                                      §  
 COUNTY OF LIBERTY   §

**THIS ECONOMIC DEVELOPMENT AGREEMENT** ("Agreement") is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the **CITY OF LIBERTY, TEXAS**, a Home Rule municipality and political subdivision of State of Texas (the "City"), and Weldon Alders (the "Owner"), collectively referred to herein as the "Parties."

### RECITALS:

**WHEREAS**, the Owners are the current owners of a tract of property proposed annexed into the City approximately 58.27 acres of a total .68 square miles and described in **Exhibit A** attached hereto and incorporated herein for all purposes; and

**WHEREAS**, there is continued need and demand for commercial property within the City that will contribute to the City's growth, diversification of the local economy, and the retention and growth of the ad valorem and personal property tax revenue generated by Owners' operations in the City; and

**WHEREAS**, the City finds that by establishing a program, in accordance with Article III, §52a, Texas Constitution, and Chapter 380, Texas Local Government Code ("Chapter 380"), pursuant to which the City has the authority to make grants or loans of public funds for the public purposes of promoting local economic development and stimulating business and commercial activity within the City is in the best interests of the City; and

**WHEREAS**, in consideration of Owners' commitment to petition for the annexation of the approximately 58.27 acres of a total .68 square miles into the city limits of the City, the City desires to enter into this Agreement, pursuant to Chapter 380

and other laws, to grant to the Owners an amount of money equal to the amount the Owners pay in ad valorem taxes to the City for FORTY (40) years;

**NOW, THEREFORE**, for and in consideration of the premises and mutual agreements and covenants set forth herein, the City and the Owners agree as follows:

## **ARTICLE I INCORPORATION OF RECITALS**

The recitals to this Agreement are hereby incorporated for all purposes.

## **ARTICLE II REPRESENTATIONS AND WARRANTIES**

**A. Representations of the City.** The City hereby represents to the Owners that as the date hereof:

The City is a duly created and existing Home Rule City and political subdivision of the State of Texas under the laws of the State of Texas and is duly qualified and authorized to carry on the governmental functions and operations as contemplated by this Agreement.

The City has the power, authority, and legal right under the laws of the State of Texas to enter into and perform this Agreement and execution, delivery and performance hereof (i) will not, to the best of its knowledge, violate any applicable judgment, order, law, or regulation, and (ii) do not constitute a default under, or result in the creation of, any lien, charge, encumbrance, or security interest upon any assets of the City under any agreement or instrument to which the City is a party or by which the City or its assets may be bound or affected.

This Agreement has been duly authorized, executed, and delivered by the City and constitutes a legal, valid, and binding obligation of the City. The execution, delivery, and performance of this Agreement by the City do not require the consent or approval of any person that has not been obtained.

**B. Representations and Warranties of the Owners.** The Owners hereby represent and warrant to the City that:

The Owners the power, authority, and legal right to enter into and perform their obligations set forth in this Agreement, and the execution, delivery, and performance hereof, (i) have been duly authorized, and will not, to the best of their knowledge, violate any judgment, order, law, or regulation applicable to the Owners, and (ii) does not constitute a default under or result in the creation of, any lien, charge, encumbrance, or security interest upon any assets of the Owners under any agreement or instrument to which the Owners are parties or by which the Owners or their assets may be bound or affected. This Agreement has been duly authorized, executed, and delivered and constitutes a legal, valid, and binding obligation of the Owners, enforceable in accordance with its terms. The Owners voluntarily petitioned the City of Liberty, Texas, to annex into the City approximately 58.27 acres of a total .68 square miles.

### **ARTICLE III ECONOMIC INCENTIVES**

For the continued development and enhancement of the contribution to the City's growth, diversification of the local economy, and the retention and growth of the ad valorem and personal property tax revenue, the City will pay to the Owners an amount of money equal to the amount of City of Liberty property taxes actually paid and received by the City for the approximately 58.27 acres of a total .68 square miles described in Exhibit A.

City will pay to the Owners an amount of money equal to the amount of City of Liberty property taxes actually paid and received by the City within thirty (30) days of the date the Owners present a receipt that City property taxes for the approximately 58.27 acres of a total .68 square miles described in Exhibit A have been paid in full. Should the Owners receive a refund of all or any portion of the City property taxes paid by the Owners and received by the City, for any reason, the Owners shall tender the amount of the refund to the City within thirty (30) days of the Owners' receipt of the refund without a demand by the City having to be made for the payment.

#### **ARTICLE IV**

##### **OBLIGATIONS OF THE OWNERS**

The Owners shall timely pay City of Liberty property taxes on the approximately 58.27 acres of a total .68 square miles described in Exhibit A. The Owners may protest the valuation of the property in accordance the laws of the State of Texas.

#### **ARTICLE V**

##### **DEFAULT AND REMEDY**

A Party to this Agreement shall be deemed in default under this Agreement (which shall be deemed a breach hereunder) if such Party fails to substantially perform, observe, or comply with any of its commitments, covenants, agreements, or obligations hereunder or if any of its representations contained in this Agreement are false in any material respect. Before the failure of any Party to perform its obligations under this Agreement is deemed to be a breach of this Agreement, the Party claiming such failure shall notify, in writing, the Party alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the reasonable satisfaction of the complaining Party within thirty (30) days of the receipt by the defaulting Party of such notice.

#### **ARTICLE VI**

##### **GENERAL PROVISIONS**

- A. Notices.** Notice or other communication required or permitted to be given under this Agreement shall be in writing and deemed to have been duly given if and when delivered personally (with receipt acknowledged) or otherwise actually received by the intended recipient, or three (3) days after mailing the same (by certified mail, return receipt requested) with proper postage prepaid, or when sent by a national commercial courier service (such as Federal Express) for expedited delivery, to be confirmed in writing by such courier, or when sent by facsimile to a party (with confirmation of successful transmission), at such party's

address set forth below or at such other address as a party may designate by notice given to the other in accordance with the foregoing

If to the Owners:           Weldon Alders  
                                     P.O. Box 10  
                                     Dayton, Texas 77535-0001

If to the City:               City of Liberty  
                                     1829 Sam Houston  
                                     Liberty, TX 77575  
                                     Attn: City Manager

**AND**                         City of Liberty  
                                     1829 Sam Houston  
                                     Liberty, TX 77575  
                                     Attn: City Attorney

**B. Amendments and waivers.** No provision of this Agreement may be amended or waived unless such amendment or waiver is in writing and is approved by both the Owners and the City. No course of dealing on the part of the Owners or the City, nor any failure or delay by the Owners or the City with respect to exercising any right, power or privilege pursuant to this Agreement, shall operate as a waiver thereof, except as otherwise provided in this Section.

**C. Invalidity.** In the event that any of the provisions contained in this Agreement shall be held unenforceable in any respect, such unenforceability shall not affect any other provisions of this Agreement and, to that end, all provisions, covenants, agreements or portions of this Agreement are declared to be severable.

**D. Successors and assigns.** Either Party shall have the right to assign its rights under this Agreement or any interest herein, without the prior written consent of the other Party. The Owners shall promptly provide the City with a copy of the assignment instrument and the notice information for the assignee. For all other assignments the City shall not unreasonably withhold its written consent.

E. **Exhibits, titles of articles, sections, and subsections.** The exhibits attached to this Agreement are incorporated herein and shall be considered a part of this Agreement for the purposes stated herein, except that in the event of any conflict between any of the provisions of such exhibits and the provisions of this Agreement, the provisions of this Agreement shall prevail. All titles or headings are only for the convenience of the Parties and shall not be construed to have any effect or meaning as to the agreement between the Parties hereto. Any reference herein to a section or subsection shall be considered a referenced herein to an exhibit shall be considered a reference to the applicable exhibit attached hereto, unless otherwise stated.

F. **Applicable law.** This Agreement is a contract made under, and shall be construed in accordance with and governed by, the laws of the United States of America and the State of Texas, and any actions concerning this Agreement shall be brought in either the State Courts of Liberty County, Texas, or the United States District Court for the Southern District of Texas.

G. **Entire agreement.** This Agreement represents the final agreement between the Parties and may not be contradicted by evidence or prior, contemporaneous, or subsequent oral agreements of the Parties. There are no unwritten oral agreements between the Parties.

H. **Approval by the Parties.** Whenever this Agreement requires or permits approval or consent to be hereafter given by any of the Parties, the Parties agree that such approval or consent shall not be unreasonably withheld or delayed.

I. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

J. **Interpretation.** This Agreement has been jointly negotiated by the Parties and shall not be construed against a Party because that Party may have primarily assumed responsibility for the drafting of this Agreement.

K. **Conflicts with ordinances.** The City and the Owners agree that, in the event of a conflict between the provisions of this Agreement and any City

ordinance, or regulation by any other agency over which the City has control, whether heretofore or hereafter adopted, the provisions of this Agreement shall govern matters addressed by this Agreement.

IN WITNESS WHEREOF, and as authorized respectively by the City Council of the City of Liberty and the Owners, the parties have executed this Agreement effective the day and year first written above.

**ATTEST**

**CITY OF LIBERTY, TEXAS**

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

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

Date: \_\_\_\_\_

**ACKNOWLEDGEMENT**

THE STATE OF TEXAS       §  
                                          §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

\_\_\_\_\_  
Notary Public In and For the State of Texas

My Commission Expires: \_\_\_\_\_

## OWNER

WELDON W. ALDERS

By: *Weldon Alders*  
 Title: *Owner*  
 Date: *7-26-17*

## ACKNOWLEDGEMENT

THE STATE OF TEXAS §  
 COUNTY OF *Liberty* §

BEFORE ME, the undersigned authority, on this day personally appeared  
*Weldon Alders* known to me to be the person  
 whose name is subscribed to the foregoing instrument, and acknowledged to me that  
 he/she executed the same for the purposes and consideration therein expressed.

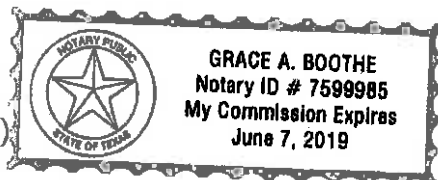
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this *26<sup>th</sup>*  
 day of *July*, 2017.

*Grace A. Boothe*

Notary Public In and For the State of  
 Texas

My Commission Expires: *6-7-2019*

(SEAL)





## Exhibit A

**EXHIBIT "A"**  
**2016 ANNEXATION TRACT 5**

Field Note Description for approximately .68 square miles for annexation to  
 incorporation of the City of Liberty

**BEGINING** at the Southeast corner of 2016 Annexation Tract 4a, said point being in the most Westerly East line of William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88;

**THENCE SOUTHERLY** over and across the William Martin Daniel Trust tract along and with the most Westerly East line of said tract, passing through a point locating the most Southerly Southeast corner of said tract and continuing to a point locating the apparent centerline of the Trinity River having coordinates of N:9984534.09, E:4059214.57;

**THENCE SOUTHERLY** along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9980437.62, E:4059208.43;

**THENCE EASTERLY** over and across the Trinity River to a point being the Northwest corner of the United States of America tract as recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9980466.15, E:4059589.87;

**THENCE SOUTHEASTERLY** along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point having coordinates of N:9979615.14, E:4060406.34;

**THENCE WESTERLY** over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, to a point having coordinates of N:9978820.59, E:4057399.86

**THENCE NORTHERLY** over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point being in the South line of the Conservation Fund tract as recorded in Clerk's File No. 2006017544, Official Public Records, Liberty County, Texas, having coordinates of N:9979107.78, E:4057385.16;

**THENCE WESTERLY** along and with the South line of the Conservation Fund tract to a point having coordinates of N:9979067.98, E:4056607.65;

**THENCE NORTHERLY** over and across the Conservation Fund tract to a point being in the North line of said tract having coordinates of N:9983919.73, E:4056204.40, said point also being in the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119;

Exhibit "A"

Page 1 of 2

MARK H. WHITELEY & ASSOCIATES, INC.

Attachment: EXHIBIT 4- Ordinance to Annex Phase 5 (ORD-2017-17 : Adoption-Phase 5 Annexation)

**THENCE** EASTERLY along and with the North line of the Conservation Fund tract, the same being the common line of the Joseph Dugat League, Abstract No. 175 and the John A. Williams League, Abstract No. 119 to a point being in the apparent centerline of the Trinity River, having coordinates of N:9984001.70, E:4057547.78;

**THENCE** NORTHERLY along and with the meanders of the apparent centerline of the Trinity River to a point having coordinates of N:9984273.38, E:4057545.92, said point being the Southwest corner of 2016 Annexation Tract 4a;

**THENCE** EASTERLY passing through a point in the East bank of the Trinity River, continuing over and across the William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, the same being along with the south line of the City Annexation Tract 4a to the **POINT OF BEGINNING** and containing .68 square miles, more or less.

*Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.*

Exhibit "A"

Page 2 of 2

MARK W. WHITELEY & ASSOCIATES, INC.



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.5

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Annexation Issues

### RESOLUTION 2017-10

DOC ID: 3918 B

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF LIBERTY, TEXAS, TO ANNEX CERTAIN TERRITORY DESCRIBED AS 1.28 SQUARE MILES BEGINNING AT THE SOUTHEAST CORNER OF 2017 ANNEXATION TRACT 5, SAID POINT BEING IN THE MOST NORTHERLY NORTHEAST LINE OF THE UNITED STATES OF AMERICA TRACT RECORDED IN VOLUME 740 PAGE 682, DEED RECORDS, LIBERTY COUNTY, TEXAS, HAVING COORDINATES OF N:9979615.14, E:4060406.34; SETTING THE DATES, TIMES, AND PLACES FOR TWO PUBLIC HEARINGS AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICES OF SUCH PUBLIC HEARINGS; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED.

\*

\*

\*

\*

\*

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

**Section 1.** The City Council of the City of Liberty, Texas (the "City") hereby declares its intention to annex to the City the territory described in **Exhibit "A"** attached hereto and made a part hereof, by the passage of an ordinance of annexation extending the general corporate limits of the City for all purposes to include such territory.

**Section 2.** The City Council of the City hereby calls two public hearings at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. The first public hearing shall be held in the City Council Chambers, located at 1829 Sam Houston, Liberty, Texas, 77575 at 12:00 p.m. on Thursday, October 19, 2017, and the second public hearing shall be held in the City Council Chambers, located at 1829 Sam Houston, Liberty, Texas, 77575 at 6:00 pm on Tuesday, October 24, 2017. The annexation proceeding, of which notice of

intention to annex is given by this Resolution, shall be instituted not less than twenty (20) days nor more than forty (40) days subsequent to such public hearings.

**Section 3.** City Staff is hereby directed to cause notices of such public hearings to be given by publication in a newspaper having general circulation within the City and within the territory proposed to be annexed, the publication of notice of each public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

**Section 4.** City Staff is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearings called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the Texas Local Government Code.

PASSED AND APPROVED in Liberty, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF LIBERTY, TEXAS

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

ATTEST:

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

**EXHIBIT "A"**

METES AND BOUNDS OF TERRITORY TO BE ANNEXED

**EXHIBIT "A"**  
**2017 ANNEXATION TRACT 6**

Field Note Description for approximately 1.28 square miles for annexation to  
 incorporation of the City of Liberty

**BEGINNING** at the Southeast corner of 2017 Annexation Tract 5, said point being in the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas, having coordinates of N:9979615.14, E:4060406.34;

**THENCE** SOUTHEASTERLY along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point for an interior ell corner of said tract having coordinates of N:9978962.80, E:4061032.18, said point also being the common line of the Thomas D. Yoacum Survey, Abstract No. 325 and the B.M. Spinks Survey, Abstract No. 108;

**THENCE** EASTERLY along and with the North line of the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9979219.21, E:4064760.06;

**THENCE** SOUTHERLY over and across the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9978266.24, E:4064822.35;

**THENCE** SOUTHEASTLERY continuing over and across the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9976419.62, E:4066479.28;

**THENCE** WESTERLY over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the Pickett Bayou Club tract as recorded in Volume 328 Page 303, Deed Records, Liberty County, Texas, to a point having coordinates of N:9973489.05, E:4057506.85

**THENCE** NORTHERLY over and across the Pickett Bayou Club tract to a point having coordinates of N:9977013.03, E:4057386.62, said point being the common line of the Theodore Dorsett League, Abstract No. 27 and the Joseph Dugat League, Abstract No. 175;

**THENCE** EASTERLY along and with the common line of the Theodore Dorsett League, Abstract No. 27 and the Joseph Dugat League, Abstract No. 175 to a point having coordinates of N:9977109.79, E:4058911.45;

**THENCE** NORTHWESTERLY over and across the Pickett Bayou Club tract to a point being in the South line of the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, having coordinates of N:9978790.56, E:4057657.54;

**THENCE** WESTERLY along and with the South line of the United States of America tract recorded in Clerk's File No. 2007016468 to a point having coordinates of N:9978777.48, E:4057402.06;

**THENCE** NORTHERLY over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point having coordinates of N:9978820.59, E:4057399.86, said point being the Southwest corner of the 2016 Annexation Tract 5;

**THENCE** EASTERLY over and across the United States of America tract recorded in Clerk's File No. 2007016468, passing through a point in the West bank of the Trinity River, also passing through a point in the East bank of the Trinity River, continuing over and across the United States of America tract recorded in Volume 740 Page 682, the same being along with the South line of the said 2017 Annexation Tract 5 to the **POINT OF BEGINNING** and containing 1.28 square miles, more or less.

*Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.*

Attachment: Exhibit 1- Resolution of Intent to Annex Phase 6 (RES-2017-10 : Intent to Annex)





## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.6**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3919)**

---

DOC ID: 3919

# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No.</b> VI.A.6                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 3806 Oilfield                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure at 3806 Oilfield is not secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 3806 Oilfield be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3919 : PH-3806 Oilfield Road)

July 7, 2017

Hazel Thomas  
6713 Williams St., Rear,  
Hitchcock, TX 77563

Green Tree Acceptance Inc  
1445 North Loop West #915  
Houston, TX 77008

Mary S. Gants  
3810 Oilfield Rd  
Liberty, TX 77575

Eleanor C. Humphreys  
RW Moncrief-Moncrief Bld  
9<sup>th</sup> at Commerce  
Fort Worth, Texas 76102

Maynard properties Lp  
923 Wade Hampton Dr.  
Houston, TX 77024

MWB Operating  
777 Taylor  
Suite 1030  
Fort Worth, Texas 76102

Ammie Sias  
3808 Oilfield Rd.  
Liberty, TX 77575

RL Chambers  
3806 Oilfield Rd.  
Liberty, TX 77575

Marvin Chambers Sr  
3806 Oilfield rd  
Liberty, TX 77575

Lucinda Chambers  
3814 Oilfield rd.  
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **3806 Oilfield Parcel ID#: 111925 GID: 000085-000061-030 Legal Description: House on tract 89 A-85, D. Minchey Survey**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer













Attachment: IMG\_3124 (3919 : PH-3806 Oilfield Road)





## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.7

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Abatements

### COUNCIL ACTION (ID # 3920)

---

DOC ID: 3920



## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.8**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3921)**

DOC ID: 3921

# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No. VI.A.8</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 3810 Oilfield                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure at 3810 Oilfield is not secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 3810 Oilfield be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3921 : PH-3810 Oilfield Road)

July 7, 2017

Hazel Thomas  
6713 Williams St., Rear,  
Hitchcock, TX 77563

Green Tree Acceptance Inc  
1445 North Loop West #915  
Houston, TX 77008

Mary S. Gants  
3810 Oilfield Rd  
Liberty, TX 77575

Eleanor C. Humphreys  
RW Moncrief-Moncrief Bld  
9<sup>th</sup> at Commerce  
Fort Worth, Texas 76102

Maynard properties Lp  
923 Wade Hampton Dr.  
Houston, TX 77024

MWB Operating  
777 Taylor  
Suite 1030  
Fort Worth, Texas 76102

Ammie Sias  
3808 Oilfield Rd.  
Liberty, TX 77575

RL Chambers  
3806 Oilfield Rd.  
Liberty, TX 77575

Marvin Chambers Sr  
3806 Oilfield rd  
Liberty, TX 77575

Lucinda Chambers  
3814 Oilfield rd.  
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **3810 Oilfield Parcel ID#: 176589, 124087 GID: 000117-000144-015, 000085-000240-007 Legal Description: House on tract 205, A-85, D. Minchey Survey**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer





Attachment: IMG\_3125 (3921 : PH-3810 Oilfield Road)





Attachment: IMG 3126 (3921 : PH-3810 Oilfield Road)





Attachment: IMG\_3127 (3921 : PH-3810 Oilfield Road)









## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.9

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Abatements

### COUNCIL ACTION (ID # 3922)

DOC ID: 3922



## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.10**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3923)**

DOC ID: 3923

# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No. VI.A.10</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 1711 Cypress.                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure(s) at 1711 Cypress is secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 1711 Cypress be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3923 : PH-1711 Cypress)

July 7, 2017

Rual Cortez  
PO Box 638  
Raywood, TX 77582

Gloria Isabell Perez  
100 Tanner St  
Liberty, TX 77575

Mark Brickly  
1717 Cypress  
Liberty, TX 77575

Gloria Perez  
1719 Cypress  
Liberty, TX 77575

James E Hardin  
1201 N Main  
Dayton, TX 77535

Pamela D Hardin  
1201 N Main  
Dayton, TX 77535

Bobbie J Cartwright  
1207 N. Main  
Dayton, TX 77535

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston**

Attachment: Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (3923 : PH-1711 Cypress)



**Street, Liberty, Texas 77575** to determine if the building located at: **1711 Cypress**  
**Parcel ID#: 36368 GID: 002960-000008-006 Legal Description: Cain, Block 2 Lots 5**  
**& 6.**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not be completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer





























## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.11

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Abatements

### COUNCIL ACTION (ID # 3924)

---

DOC ID: 3924



## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.12**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3925)**

DOC ID: 3925

# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No. VI.A.12</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 1715 Cypress.                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure(s) at 1715 Cypress is secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 1715 Cypress be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3925 : PH-1715 Cypress)



July 7, 2017

Rual Cortez  
PO Box 638  
Raywood, TX 77582

Gloria Isabell Perez  
100 Tanner St  
Liberty, TX 77575

Mark Brickly  
1717 Cypress  
Liberty, TX 77575

Gloria Perez  
1719 Cypress  
Liberty, TX 77575

James E Hardin  
1201 N Main  
Dayton, TX 77535

Pamela D Hardin  
1201 N Main  
Dayton, TX 77535

Bobbie J Cartwright  
1207 N. Main  
Dayton, TX 77535

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston**

Attachment: Formal Demand Letter for Dilapidation and hearing notice 7.7.17 (3925 : PH-1715 Cypress)

**Street, Liberty, Texas 77575 to determine if the building located at: 1715 Cypress Parcel ID#: 36366, 95727, 168053, 136783 GID: 002960-000007-008, 002960-000007-040, 002960-000007-015, 002960-000007-012 Legal Description: Cain, Block 2 Lots 1,2,3,4.**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer





Attachment: IMG 3118 (3925 : PH-1715 Cypress)































## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.14

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3927)**

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DOC ID: 3927



# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No. VI.A.14</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 209-B HWY 90.                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure(s) at 209-B HWY 90 is not secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 209-B HWY 90 be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3927 : PH-209B Hwy. 90)

July 7, 2017

B A Malik Re. Holdings LLC  
1924 Hwy 90 #A  
Liberty, TX 77575

Bill Terrell  
20242 Atascocita Lake Dr.  
Humble, TX 77346

Awais Malik as Registered Agent for:  
B A Malik Re. Holdings, LLC  
1924 Hwy 90 # A  
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **209-B Highway 90 Parcel ID#: 28074 GID: 000356-000031-001 Legal Description: 356 N. Twn Liberty, Tract 57 Acres 10.7104**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer

















Attachment: IMG 3110 (3927 : PH-209B Hwy. 90)





























## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.15

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Abatements

### COUNCIL ACTION (ID # 3928)

DOC ID: 3928





## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.16**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Demolitions

### **PUBLIC HEARING (ID # 3929)**

DOC ID: 3929

# CITY OF LIBERTY

## City Council Agenda Item Form

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Meeting Date:</b> September 12, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Item No. VI.A.16</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Agenda Wording:</b> Public Hearing on the Condemnation of the Structure Located at 4201 Sandune                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Department:</b> Public Works/Inspections                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Subject:</b> All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Background:</b> The structure(s) at 4201 Sandune is not secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Fiscal Impact:</b> If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Staff Recommendation:</b> Staff recommends that the structure at 4201 Sandune be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Purpose:</b> To eliminate a hazard to public health, safety and welfare.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Attachment: Agenda Item Dilapidated Structure (3929 : PH-4201 Sandune Rd)



July 7, 2017

Leoma Searles  
4201 Sandune Rd.  
Liberty, TX 77575

Dorothy Searles  
4201 Sandune Rd.  
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on September 12, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **4201 Sandune Parcel ID#: 6519 GID: 007210-000022-000 Legal Description: Reece Tract, Lot TR 27, Acres 1.25**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits

if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson  
Code Enforcement Officer

































## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.17

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Abatements

### COUNCIL ACTION (ID # 3930)

DOC ID: 3930



## **The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.18**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Budget Items

### **PUBLIC HEARING (ID # 3931)**

DOC ID: 3931





## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.19

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Budget Items

### ORDINANCE 2017-18

DOC ID: 3932 A

#### EXPLANATION:

The budget process culminates in action by the City Council to adopt the budget and set the tax rate. This process includes Budget Work Sessions and Public Hearings on both the budget and tax rate, which were held on August 22nd and August 29th.

Before the tax rate is adopted, an ordinance approving the budget must be adopted.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; 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.

**WHEREAS**, The City Manager of the City of Liberty, Texas has submitted to the City Council a proposed budget of the revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for 2017-2018; and

**WHEREAS**, the City Council has conducted the necessary public hearing as required by law.

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

**SECTION 1.** The proposed budget of the revenues and expenditures necessary for conducting the affairs of the City of Liberty, Texas, said budget being in the amount of \$33,445,291.00 providing a complete financial plan for the ensuing fiscal year beginning October 1, 2017, and ending September 30, 2018, as submitted to the City Council by the City Manager, be, and the same is hereby, in all things adopted and approved as the budget of the City of Liberty, Texas for the fiscal year beginning October 1, 2017 and ending September 30, 2018.

**SECTION 2.** The sum of \$33,445,291.00 is hereby appropriated for the payment of the expenditures established in the approved budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018, a copy of which has been filed with the City Secretary, and is made a part hereof for all purposes.

**SECTION 3.** The expenditures during the fiscal year beginning October 1, 2017 and ending September 30, 2018, shall be made in accordance with the budget approved by this ordinance.

**SECTION 4.** Specific authority is given to the City Manager regarding the transfer of appropriations budgeted from one department or activity to another department or activity.

**SECTION 5.** All notices and public hearings required by law have been duly completed. The City Secretary is directed to provide a certified copy of the budget to the County Clerk of Liberty County for recording after final passage hereof.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage.

**SECTION 7.** 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.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Liberty, Texas on the 12<sup>th</sup> day of September, 2017.

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Carl Pickett  
Mayor

ATTEST:

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Dianne Tidwell  
City Secretary





## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.20

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Tax Issues

### COUNCIL ACTION (ID # 3933)

DOC ID: 3933

#### EXPLANATION:

Adoption of a budget that raises more revenue from property taxes than in the previous year also requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. This separate vote is in addition to the vote to adopt the budget and the vote to set the tax rate.



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.21

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Tax Rate

### ORDINANCE 2017-19

DOC ID: 3934 A

#### EXPLANATION:

After the budget is adopted, the Council must adopt an ordinance setting the tax rate. This action completes the budget process. The tax rate includes two components: a levy for maintenance and operations of \$0.3777 and a levy for debt service of \$0.2322.

The proposed rate is \$0.6100.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING AN AD VALOREM TAX RATE FOR FISCAL YEAR 2017-2018, AT A RATE OF \$0.6100 PER ONE HUNDRED DOLLAR (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY; PROVIDING 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.

**WHEREAS**, following public notices duly posted and published as required by law, public hearings were held on August 22, 2017, and August 29, 2017, by and before the City Council of the City of Liberty, the subject of which was the proposed tax rate for the City of Liberty for Fiscal Year 2017-2018, submitted by the City Manager in accordance with provisions of required state statutes; and

**WHEREAS**, the City Council, upon full consideration of the matter, is of the opinion that the tax rate hereinafter set forth is proper and should be approved and adopted.

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

**SECTION 1.** There is hereby levied and shall be assessed for the tax year 2017-2018 on all taxable property situated within the corporate limits of the City of Liberty, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.6100 on each \$100 assessed valuation of taxable property as follows:

(a) for the purpose of General Fund Maintenance and Operation of the municipal government of the City of Liberty, a tax of \$0.3777 on each \$100 assessed value on all taxable property; and

(b) For the purpose of payment of principal and interest on all Debt Service of the City of Liberty, a tax of \$0.2322 on each \$100 assessed value on all taxable property.

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 11.54 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$22.94.**



**SECTION 2.** The tax roll, prepared by Richard Brown, Liberty County Tax Assessor-Collector, as presented to the City Council, together with any supplements thereto, be and the same are hereby approved.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance which shall remain in full force and effect.

**SECTION 4.** All ordinances of the City of Liberty Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** This ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

**SECTION 6.** 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.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ON THIS THE 12<sup>TH</sup> DAY OF SEPTEMBER, 2017.**

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary



**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

**6.A.22**

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Misc. Rates

**ORDINANCE 2017-20**

DOC ID: 3935 A

**EXPLANATION:**

This Ordinance makes changes to the Master Fee Schedule regarding water and wastewater fees.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR AN INCREASE IN THE RATES FOR WATER AND SEWER SERVICES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HEREWITH ARE AMENDED; 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.

WHEREAS, the City previously adopted a Master Fee Schedule which sets forth all rates and fees charged by the City of Liberty; and

WHEREAS, the City Council finds it more efficient to have the City's fees set in one Ordinance, which can be amended as necessary by Ordinance; and

WHEREAS, the attached "Exhibit A" represents the rates and fees to be charged by the City, providing for an increase in the rates for water and sewer services for both residential and commercial accounts.

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

**Section 1.**

That all rates or schedules of rates which are in conflict herewith are to the extent of such conflict only, expressly amended, changed and repealed.

**Section 2.**

That the fee schedule attached hereto as "Exhibit A" amends the previous Master Fee Schedule to include the new rates shown in "Exhibit A" providing for an increase in the rates for water and sewer service for residential and commercial accounts, and is hereby adopted as fully set forth herein.

**Section 3.**

That the Ordinance containing all current rates and fees charged by the City of Liberty shall take effect October 1, 2017.

**Section 4.**



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.

PASSED AND ADOPTED this the 12th day of September 2017.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary

**MASTER FEE SCHEDULE – EXHIBIT “A”**

Amended August 29, 2017

| Description | Fees |
|-------------|------|
|-------------|------|

**Administration (Cont.)**

The demand charge is figured the same as regular commercial. Do not subtract the free 15 load amount. The demand figure is multiplied by \$4.62 to get the total demand dollar amount.

**Utility Fees – Water****Residential Service**

This rate is applicable for all domestic purposes in a single family residence or individual apartments. All water rates are based on water consumption which must be taken through a single meter.

|                      |            |               |
|----------------------|------------|---------------|
| Minimum Monthly Rate | 2M Gallons | \$20.99       |
| Excess Over          | 2M Gallons | \$3.50/M gals |

**Commercial Service**

This rate is applicable for all commercial, business and/or manufacturing purposes and is also applicable to residences or apartments serving two or more families. All water rates are based on water consumption which must be taken through a single meter.

|                      |            |               |
|----------------------|------------|---------------|
| Minimum Monthly Rate | 2M Gallons | \$27.00       |
| Excess Over          | 2M Gallons | \$3.25/M gals |

NOTE: “M” means thousands.

**Utility Fees – Sewer****Residential Service**

This rate is applicable for all domestic purposes in a single family residence or individual apartment. All sewer rates are based on water consumption which must be taken through a single meter. This rate has been capped at 15,000 gallons so that citizens no longer pay for sewer service on their usage above 15,000 gallons per month.

|                      |                  |               |
|----------------------|------------------|---------------|
| Minimum Monthly Rate | 2M Gallons       | \$22.00       |
| Excess Over          | 3M – 15M Gallons | \$2.55/M gals |
|                      | Over 15M         | No charge     |

**MASTER FEE SCHEDULE – EXHIBIT “A”**

Amended September 12, 2017

| Description | Fees |
|-------------|------|
|-------------|------|

**Administration (Cont.)**

The demand charge is figured the same as regular commercial. Do not subtract the free 15 load amount. The demand figure is multiplied by \$4.62 to get the total demand dollar amount.

**Utility Fees – Water****Residential Service**

This rate is applicable for all domestic purposes in a single family residence or individual apartments. All water rates are based on water consumption which must be taken through a single meter.

|                      |               |               |
|----------------------|---------------|---------------|
| Minimum Monthly Rate | 2M Gallons    | \$23.00       |
| Excess Over          | 2,001-5M gals | \$3.75/M gals |
|                      | Over 5M gals  | \$3.95/M gals |

**Commercial Service**

This rate is applicable for all commercial, business and/or manufacturing purposes and is also applicable to residences or apartments serving two or more families. All water rates are based on water consumption which must be taken through a single meter.

|                      |               |               |
|----------------------|---------------|---------------|
| Minimum Monthly Rate | 2M Gallons    | \$29.00       |
| Excess Over          | 2,001-5M gals | \$3.75/M gals |
|                      | Over 5M gals  | \$3.95/M gals |

NOTE: “M” means thousands.

**Utility Fees – Sewer****Residential Service**

This rate is applicable for all domestic purposes in a single family residence or individual apartment. All sewer rates are based on water consumption which must be taken through a single meter. This rate has been capped at 15,000 gallons so that citizens no longer pay for sewer service on their usage above 15,000 gallons per month.

|                      |                |               |
|----------------------|----------------|---------------|
| Minimum Monthly Rate | 2M Gallons     | \$24.00       |
| Excess Over          | 2,001-5M gals  | \$2.95/M gals |
|                      | 5,001-15M gals | \$3.20/M gals |
|                      | Over 15M       | No Charge     |




**MASTER FEE SCHEDULE – EXHIBIT “A”**
*Amended August 29, 2017*

| Description | Fees |
|-------------|------|
|-------------|------|

**Administration (Cont.)**
**Commercial Service**

This rate is applicable to all commercial, business and/or manufacturing purposes and is also applicable to residences or apartments serving two or more families. All sewer rates are based on water consumption which must be taken through a single meter.

|                      |            |               |
|----------------------|------------|---------------|
| Minimum Monthly Rate | 2M Gallons | \$29.50       |
| Excess Over          | 2M Gallons | \$3.10/M Gals |

|                             |          |
|-----------------------------|----------|
| Industrial Waste Permit Fee | \$250.00 |
|-----------------------------|----------|

Introduction of wastewater into the City's system is paid at a rate of \$.0018/gallon

|                        |          |
|------------------------|----------|
| Security Deposits      |          |
| Residential – Electric | \$200.00 |
| Residential – Water    | \$50.00  |
| Charge for new service | \$15.00  |

Reconnection Fee

A fee will be charged to restore service which has been suspended as a result of any utility bill in arrears.

|                               |         |
|-------------------------------|---------|
| Extension Fee                 | \$7.50  |
| During regular business hours | \$35.00 |

|                  |         |
|------------------|---------|
| Return check Fee | \$35.00 |
|------------------|---------|

Late Fee

The gross monthly bill for all classes of utilities including, but not limited to, electricity, water, wastewater, solid waste and miscellaneous fees for service for which payment is not made within 20 days of the billing date shall be the net monthly bill, including all adjustments and/or other applicable charges, *plus a 10% late fee.*

**Use of Public Right of Way Fees**

|            |                              |
|------------|------------------------------|
| Permit Fee | \$400.00                     |
| Annual Fee | Based on Individual Location |


**MASTER FEE SCHEDULE – EXHIBIT “A”**
*Amended September 12, 2017*

| Description | Fees |
|-------------|------|
|-------------|------|

**Administration (Cont.)**
**Commercial Service**

This rate is applicable to all commercial, business and/or manufacturing purposes and is also applicable to residences or apartments serving two or more families. All sewer rates are based on water consumption which must be taken through a single meter.

|                      |                |               |
|----------------------|----------------|---------------|
| Minimum Monthly Rate | 2M Gallons     | \$31.50       |
| Excess Over          | 2,001-5M gals  | \$3.50/M gals |
|                      | 5,001-15M gals | \$3.75/M gals |
|                      | Over 15M       | No Charge     |

|                             |          |
|-----------------------------|----------|
| Industrial Waste Permit Fee | \$250.00 |
|-----------------------------|----------|

Introduction of wastewater into the City's system is paid at a rate of \$.0018/gallon

|                        |          |
|------------------------|----------|
| Security Deposits      |          |
| Residential – Electric | \$200.00 |
| Residential – Water    | \$50.00  |
| Charge for new service | \$15.00  |

Reconnection Fee

A fee will be charged to restore service which has been suspended as a result of any utility bill in arrears.

|                               |         |
|-------------------------------|---------|
| Extension Fee                 | \$7.50  |
| During regular business hours | \$35.00 |

|                  |         |
|------------------|---------|
| Return check Fee | \$35.00 |
|------------------|---------|

Late Fee

The gross monthly bill for all classes of utilities including, but not limited to, electricity, water, wastewater, solid waste and miscellaneous fees for service for which payment is not made within 20 days of the billing date shall be the net monthly bill, including all adjustments and/or other applicable charges, *plus a 10% late fee.*

**Use of Public Right of Way Fees**

|            |          |
|------------|----------|
| Permit Fee | \$400.00 |
|------------|----------|



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: SRMPA Appointments

6.A.23

### RESOLUTION 2017-11

DOC ID: 3936

#### 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 Mayor Pickett and City Manager Gary Broz.

The City Manager'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 term 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 term of two (2) years, said term ending September, 2019.

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF SEPTEMBER, 2017.

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

ATTEST:

\_\_\_\_\_



Resolution 2017-11  
Page 2  
Dianne Tidwell  
City Secretary

City Council Meeting

September 12, 2017



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.24

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Nomination Procedures

### COUNCIL ACTION (ID # 3937)

DOC ID: 3937

#### EXPLANATION:

The CAD is requesting a nomination(s) from each taxing entity 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. The law bars from service a person who contracts for any purpose with the Appraisal District or a Taxing Entity.

Members serve two-year staggered terms, meeting once a month and twice weekly during May and June. Members are paid \$150 per meeting. If an individual is nominated, who is not currently on the ARB, that individual is responsible for filling out the CAD's application for appointment.

Current ARB members are: Horace Green, Connie Campbell, Lester Wisegerber, Renee Disabatino, Kenneth Riggs, Fred Terrell, Howard Brister and Norman Brown.

Nomination(s) may be made for the two at-large positions held by Kenneth Riggs and Fred Terrell. Nomination(s) are due by September 21, 2017.

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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 16, 2017

To: All Voting Taxing Units

From: Lana McCarty 

Re: ARB Nominations

Dear Taxing Units:

The two (2) year term of the following positions on the Liberty County Appraisal Review Board (ARB) will expire December 31, 2017.

|                 |                       |
|-----------------|-----------------------|
| <u>Position</u> | <u>Board Member</u>   |
| Precinct #4     | Lester Ray Wisegerber |
| At Large        | Kenneth Riggs         |
| At Large        | Fred Terrell          |

Board members are eligible for re-appointment to a new two (2) year term. Therefore, the Board of Directors has requested you submit a nominee(s) to the District's office by 5:00 P.M. by September 21, 2017. The Board will fill the position at their regularly scheduled meeting on Thursday, September 28, 2017 at 9:30 A.M. Please have your nominee **complete the enclosed application.**

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 two (2) year 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 compensated one hundred and fifty dollars per meeting.

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.

Cc: Board of Directors

Attachment: ARB Information (3937 : CAD Appraisal Review Board)

# 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:<br>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:  
 1<sup>st</sup> Degree by Consanguinity (blood): Parents, children  
 1<sup>st</sup> Degree by Affinity (marriage): Spouse, spouses of relatives listed under consanguinity, stepparents, spouse's children, and stepchildren  
 2<sup>nd</sup> Degree by Consanguinity (blood): Grandparents, grandchildren, brothers, and sisters  
 2<sup>nd</sup> 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: \_\_\_\_\_



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.25

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Nomination Procedures

### COUNCIL ACTION (ID # 3938)

DOC ID: 3938

#### EXPLANATION:

The CAD is requesting a nomination from each taxing entity, from their respective county precinct, to the Agricultural Advisory Board. Members must be landowners in the District whose land qualifies for appraisal under Chapter 23, Sections C,D,E. or H of the Property Tax Code and have been residents of the District for at least 5 years. Members serve two-year staggered terms, and will meet only once a year or at the call of the Chief Administrator.

AG Board Members: Leroy Janacek, Jr., Frank Green, Neal Stoesser, Robert Chachere and Fred Emory.

A nomination may be made to the open County-Wide position. The nomination must be submitted by September 21, 2017.



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

DATE: August 16, 2017

TO: ALL TAXING UNITS

FROM: LANA MCCARTY 

SUBJECT: APPOINTMENTS TO AGRICULTURAL ADVISORY BOARD

THE TERM OF THE FOLLOWING TWO AGRICULTURE ADVISORY BOARD MEMBERS WILL EXPIRE ON DECEMBER 31, 2017.

**COUNTY PCT. #**  
COUNTY WIDE  
4

**BOARD MEMBER**  
NEAL STOESSER  
BUDDY JANACEK

WE ARE ASKING FOR ONE (1) NOMINATION TO THE BOARD FROM EACH TAXING UNIT FROM THEIR RESPECTIVE COUNTY PRECINCT. PLEASE SUBMIT YOUR NOMINATION TO OUR OFFICE BY 5: 00 P.M., THURSDAY, SEPTEMBER 21, 2017.

ENCLOSED IS A COPY OF THE APPRAISAL DISTRICT'S BOARD POLICY ESTABLISHING QUALIFICATIONS FOR MEMBERSHIP AND AG BOARD'S FUNCTION.

THANK YOU IN ADVANCE FOR YOUR ASSISTANCE IN FILLING THE MEMBERSHIP OF THIS BOARD.

SINCERELY,

LANA MCCARTY  
CHIEF ADMINISTRATOR

Attachment: Ag Advisory Brd Info (3938 : CAD Agricultural Advisory Board)

## STATEMENT OF POLICY

208

**RE: AGRICULTURE ADVISORY BOARD**

AS PROVIDED BY SECTION 6.12 OF THE STATE PROPERTY TAX CODE, THE CHIEF ADMINISTRATOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE APPRAISAL DISTRICT BOARD, AN AGRICULTURAL ADVISORY BOARD. THE ADVISORY BOARD SHALL CONTAIN FIVE (5) MEMBERS. ONE MEMBER MUST REPRESENT THE COUNTY AT LARGE AND THE REMAINING MEMBERS WILL BE COMPRISED OF ONE PERSON FROM EACH COUNTY PRECINCT. MEMBERS MUST BE LANDOWNERS IN THE DISTRICT WHOSE LAND QUALIFIES FOR APPRAISAL UNDER CHAPTER 23, SECTIONS C, D, E, OR H OF THE PROPERTY TAX CODE AND WHO HAVE BEEN RESIDENTS OF THE DISTRICT FOR AT LEAST FIVE (5) YEARS.

MEMBERS OF THE ADVISORY BOARD SERVE TWO (2) YEARS STAGGERED TERMS AND WILL MEET AT THE CALL OF THE CHIEF ADMINISTRATOR OR AT LEAST ONE (1) TIME PER YEAR.

THE RESPONSIBILITY OF THE ADVISORY BOARD WILL BE TO ADVISE THE CHIEF ADMINISTRATOR ON THE EVALUATION AND USE OF LAND DESIGNATED FOR AGRICULTURAL OR TIMBER APPRAISAL. THE BOARD WILL REVIEW AND ASSIST IN MAINTING LOCAL GUIDELINES FOR QUALIFICATION FOR AGRICULTURAL AND TIMBER USE.

REVISED 09/22/11





## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

6.A.26

Meeting: 09/12/17 06:00 PM

Department: Administration  
Category: Nomination Procedures

### COUNCIL ACTION (ID # 3939)

DOC ID: 3939

#### 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. Nominations are due by October 15. Ballots containing the names of the nominated individuals will be mailed to each taxing unit by October 30.

Current Board Members are: Larry Wadzeck, Robert Edwards, John Hebert, Jr., Billy Yarborough and Bobby Ray Coats.

# Liberty County Central Appraisal District

P. O. Box 10016 — 2030 Sam Houston — Liberty, TX 77575-2916

www.libertycad.com

## MEMBERS OF THE BOARD

Larry Wadzeck — Chair.  
 Bob Edwards — Vice Chair.  
 John Hebert Jr. — Sec.  
 Billy Yarbrough  
 Bobby Ray Coats  
 Richard L. Brown — Ex-Officio



## CHIEF ADMINISTRATOR

Lana McCarty

## MAIN OFFICE — LIBERTY

Phone (936) 336-5722

## CLEVELAND BRANCH OFFICE

Phone (281) 593-1605

## DAYTON BRANCH OFFICE

Phone (936) 257-8395

August 23, 2017

To: All Taxing Units

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, 2018.

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 15, 2017. **Only the names of the nominees received by the deadline of October 15, 2017 will be included on the official ballot which will be mailed to each voting taxing unit by October 30, 2017.** If I can answer any questions concerning this election, please contact me at the number listed above.

Sincerely,

  
 LANA MCCARTY  
 CHIEF ADMINISTRATOR

Attachment: CAD Board of Directors Info (3939 : CAD Board of Directors)



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

### September 30, 2017

-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 15, 2017

-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, 2017

-The Chief Administrator prepares a ballot listing the candidates alphabetically and delivers ballot to each voting taxing unit.

### December 15, 2017

-Each voting unit casts its vote by written resolution and submits it to the Chief Administrator by this date.

### December 31, 2017

-Chief Administrator must count votes, declare winners and notify all taxing units of results by this date.

### January 1, 2018

-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 2017 VOTE CALCULATION CAD DIRECTORS

| VOTING TAXING UNITS  | 2016 TAX LEVY         | %      | # OF VOTES   |
|----------------------|-----------------------|--------|--------------|
| LIBERTY COUNTY       | \$ 29,167,654         | 0.2825 | 1,413        |
| CLEVELAND ISD        | \$ 13,057,846         | 0.1265 | 632          |
| DAYTON ISD           | \$ 22,764,243         | 0.2205 | 1,103        |
| DEVERS ISD           | \$ 1,873,906          | 0.0182 | 91           |
| HARDIN ISD           | \$ 5,097,690          | 0.0494 | 247          |
| HULL DAISSETTA ISD   | \$ 2,970,170          | 0.0288 | 144          |
| LIBERTY ISD          | \$ 11,816,010         | 0.1145 | 572          |
| TARKINGTON ISD       | \$ 5,429,858          | 0.0526 | 263          |
| CITY OF AMES         | \$ 244,844            | 0.0024 | 12           |
| CITY OF CLEVELAND    | \$ 2,679,277          | 0.0260 | 130          |
| CITY OF DAISSETTA    | \$ 130,743            | 0.0013 | 6            |
| CITY OF DAYTON       | \$ 4,428,320          | 0.0429 | 214          |
| CITY OF DAYTON LAKES | \$ 15,672             | 0.0002 | 1            |
| CITY OF DEVERS       | \$ 30,364             | 0.0003 | 1            |
| CITY OF HARDIN       | \$ 72,935             | 0.0007 | 4            |
| CITY OF LIBERTY      | \$ 3,453,246          | 0.0334 | 167          |
| CITY OF MONT BELVIEU | \$ 4,448              | 0.0000 | -            |
| <b>TOTAL</b>         | <b>\$ 103,237,226</b> |        | <b>5,000</b> |

NOTE: 2016 levy as of Supplement 19

Attachment: CAD Board of Directors Info (3939 : CAD Board of Directors)



## RESOLUTION

Whereas, \_\_\_\_\_ 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, 2017 to be eligible to be placed on the ballot for the 2018-2019 term; and

Therefore, be it resolved, that the \_\_\_\_\_  
**nominates** the following candidates for the Liberty County Appraisal District Board of Directors:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
 \_\_\_\_\_  
 TITLE

ATTEST:

\_\_\_\_\_  
 \_\_\_\_\_  
 TITLE

Attachment: CAD Board of Directors Info (3939 : CAD Board of Directors)

**LIBERTY COUNTY APPRAISAL DISTRICT**  
**2017 BOARD OF DIRECTORS**

**CHAIRMAN**

LARRY WADZECK  
 206 OAK ST  
 DAYTON, TEXAS 77535  
[wadla@sbcglobal.net](mailto:wadla@sbcglobal.net)

936-258-5414(H)  
 936-776-2358(H)

**V. CHAIRMAN**

ROBERT S. EDWARDS  
 P.O. BOX 785  
 102 W. CLAYTON AVE.  
 DAYTON, TX 77535  
[bedwards@bobedwards.com](mailto:bedwards@bobedwards.com)

258-8051(W)  
 258-2797 (H)  
 713-898-2506(C)

**SECRETARY**

JOHN HEBERT JR.  
 102 FEATHERSTON CT  
 LIBERTY, TEXAS 77575  
[jjhebert@imsday.com](mailto:jjhebert@imsday.com)

936-336-5232(W)  
 936-334-2528(C)

**DIRECTOR**

BILLY YARBROUGH  
 11774 HIGHWAY 146 N  
 LIBERTY, TEXAS 77575  
[Laura.yardbird@gmail.com](mailto:Laura.yardbird@gmail.com)

936-298-2186 (W)  
 936-334-7854 (C)

**DIRECTOR**

BOBBY RAY COATS  
 109 E HOUSTON ST  
 CLEVELAND, TEXAS 77327  
[clevelandjewelers@sbcglobal.net](mailto:clevelandjewelers@sbcglobal.net)

281-592-2763 (W)  
 281-659-5185 (C)

**EX-OFFICIO**

RICHARD BROWN TAX A/C  
 P.O. BOX 1810  
 LIBERTY, TEXAS 77575  
[richard.brown@co.liberty.tx.us](mailto:richard.brown@co.liberty.tx.us)

936-336-4633 (W)



## § 6.02

## PROPERTY TAX CODE

1983; Acts 1991, 72nd Leg., ch. 20, § 14, eff. Aug. 26, 1991; Acts 1991, 72nd Leg., ch. 391, § 13, eff. Aug. 26, 1991; Acts 1993, 73rd Leg., ch. 347, § 4.05, eff. May 31, 1993; Acts 1997, 75th Leg., ch. 165, § 6.72, eff. Sept. 1, 1997; Acts 2007, 80th Leg., ch. 648, §§ 1, 5(2), eff. Jan. 1, 2008.

§ 6.025. Repealed by Acts 2007, 80th Leg., ch. 648, § 5(3), eff. Jan. 1, 2008

→ § 6.03. Board of Directors

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager; and

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting

## PROPERTY TAX ADMINISTRATION

## § 6.03

entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.