



The City of Liberty
City Council
Regular Meeting
~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 12, 2018

6:00 PM

City Council Chambers

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

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	☐	☐	☐	
Mayor Pro Tem Diane Huddleston	☐	☐	☐	
Councilperson Dennis Beasley	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	
Councilperson Paul Glazener	☐	☐	☐	
Councilperson Chipper Smith	☐	☐	☐	

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. PRESENTATIONS / REPORTS

A. Information Item (ID # 4138)

Proclamation-LHS Girls Softball Team

B. Information Item (ID # 4139)

Project Updates - City Mgr. G. Broz

C. Information Item (ID # 4140)

Sam Rayburn Municipal Power Agency - Mayor Pickett

D. Information Item (ID # 4141)

Department Spotlight - Street Dept.

E. Information Item (ID # 4142)

Mayor, Council and Staff Comments

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, May 08, 2018
2. Tuesday, May 15, 2018
3. Tuesday, May 22, 2018

B. Council Action (ID # 4143)

Consider approval of the appointment of Larry Shaw, Interim City Manager, as the Interim General Manager of the Liberty Community Development Corporation.

C. Council Action (ID # 4144)

Consider authorizing Larry Shaw, Interim City Manager, as a signatory on all City financial accounts.

VII. REGULAR AGENDA**A. Regular Session****1. Public Hearing (ID # 4145)**

PUBLIC HEARING ON .72 SQUARE MILES FOR ANNEXATION TO INCORPORATION OF THE CITY OF LIBERTY BEGINNING AT THE NORTHEAST CORNER OF THE 2018 ANNEXATION TRACT 7, SAME BEING A POINT IN THE WEST LINE OF THE MOSS BLUFF DEVELOPMENT CORPORATION "FIRST TRACT" RECORDED IN VOLUME 1292 PAGE 555, DEED RECORDS, LIBERTY COUNTY, TEXAS, HAVING COORDINATES OF N:9976113.12, E:4074659.56;

- PH #1- Phase 9 Annexation (PDF)

2. Council Action (ID # 4120)

Presentation by the City's Financial Advisor, Bob Henderson, on the City's Plan of Finance, and take any action deemed necessary.

3. Council Action (ID # 4146)

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements-Minimum Lot Dimensions for 671 Texas, Whitmire Lot 2.

- Agenda Form-P&Z Item (DOCX)
- Variance Information (PDF)

4. Information Item (ID # 4147)

Discussion of various proposed fees for the Liberty Municipal Golf Course.

5. Ordinance (ID # 4148)

CONSIDER ADOPTION OF 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 VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; 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.

6. Information Item (ID # 4149)

Presentation by, and discussion with, City Attorney, Brandon Davis, on the Open Meetings Act.

7. Information Item (ID # 4150)

Presentation by, and discussion with, Fire Chief Brian Hurst on Emergency Management topics.

8. Information Item (ID # 4151)

Discussion of Fiscal Year 2018-2019 Budget related issues.

- Budget Information (PDF)

B. Executive Session

Government Code §551.071 - Private Consultation with Attorney.

1. Contemplated / Pending Litigation - Discussion of the Hardin-Ames Wastewater Issues.
2. Contemplated / Pending Litigation - Discussion of the Humphreys Cultural Center.

Gov. Code §551.074 - Personnel Matters.

3. Discussion regarding the City Manager search.

C. Reconvene into Regular Session

1. Council Action (ID # 4152)

Consider and take action, if any, on the Hardin-Ames wastewater issues, as discussed in the Executive Session.

2. Council Action (ID # 4153)

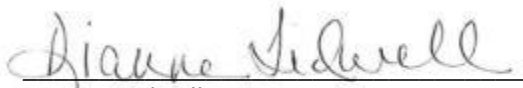
Consider and take action, if any, on the Humphreys Cultural Center, as discussed in the Executive Session.

3. Council Action (ID # 4154)

Consider and take action, if any, on the City Manager Search, as discussed in the Executive Session.

VIII. 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 8th day of June, 2018 at 3:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.


Dianne Tidwell, City Secretary

NOTICE

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

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2018.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 4138)

DOC ID: 4138



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4139)

DOC ID: 4139



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4140)

DOC ID: 4140



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 4141)

DOC ID: 4141



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.E

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Comments

INFORMATION ITEM (ID # 4142)

DOC ID: 4142



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, May 8, 2018

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 May 8, 2018 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Present	
Dennis Beasley	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Louie Potetz	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, Texas.

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 from the audience.

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

Mayor Pickett expressed congratulations to the Liberty High School UIL Literary Criticism Team for winning State.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4090)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on various City related projects including:

- Sewer project on McGuire Road
- Main A and Main B projects moving ahead
- City crews working on improvements to the road, drainage and ditches at the golf course
- Rotary Club continuing work on Canfield and Browning Pocket Parks
- Budget process to begin soon
- Contractor continuing work on electric upgrades, currently working in the Missouri and Oklahoma Street area
- Numerous other projects.

B. Information Item (ID # 4091)

Finance Report - Finance Dir. N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financial status through March 31, 2018. Ms. Herrington reported that sales tax revenues are on target with budgeted amounts, and that property tax and EMS collections have exceeded the budgeted amounts. Ms. Herrington continued by stating that the claim on cash in the General Fund is \$2,966,000, and further reviewed the other funds and their status.

C. Information Item (ID # 4092)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that a Shred Event, to include e-Cycling, will be held on Saturday, May 12th in the City Hall Parking Lot from 9:00 a.m. until Noon.

D. Information Item (ID # 4093)

Department Spotlight - Airport

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed a powerpoint presentation on the activities at the Liberty Municipal Airport.

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

E. Information Item (ID # 4094)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Councilperson Simonson expressed concern regarding the lack of solid waste pickup in some areas by the City's contractor.

VI. CONSENT AGENDA

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RESULT:	APPROVED [6 TO 1]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener
NAYS:	Louie Potetz

A. Minutes Approval

1. Tuesday, April 10, 2018
2. Tuesday, April 17, 2018
3. Tuesday, May 01, 2018

VII. REGULAR AGENDA**A. Regular Session****1. Ordinance 2018-10**

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON MAY 5, 2018; FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS TO THE LIBERTY CITY COUNCIL; 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.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record and discussed with Council the Ordinance canvassing the returns of the City's General Election held on Saturday, May 5, 2018. The results are as follows:

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

GENERAL ELECTION CANVASS OF ELECTION RESULTS

MAYORAL CANDIDATES	EARLY VOTING TOTAL	ELECTION DAY TOTAL	GRAND TOTAL
Carl Pickett	233	124	357
COUNCILMEMBER CANDIDATES	EARLY VOTING TOTAL	ELECTION DAY TOTAL	GRAND TOTAL
Courtney Daniel	63	53	116
David W. Arnold	151	70	221
Paul Glazener	170	101	271
J.L. "Chipper" Smith	249	102	351

After review by the Council, a motion was made to adopt the Ordinance canvassing the election and declaring the following individuals elected to office:

Carl Pickett	Mayor
David W. Arnold	Council Member
Paul Glazener	Council Member
Chipper Smith	Council Member

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Potetz

2. Information Item (ID # 4096)

Oath of Office to be administered to newly elected Council Members - Judge Little

COMMENTS - Current Meeting:

The Oath of Office was administered to Mayor Pickett and newly elected Council Members Arnold, Glazener and Smith by Municipal Court Judge Mike Little.

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

3. Council Action 2018-30

City Council to elect a Mayor Pro Tem.

COMMENTS - Current Meeting:

A motion was made to re-elect Councilperson Huddleston as Mayor Pro Tem.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

4. Ordinance 2018-11

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON MAY 5, 2018; FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; 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.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record and reported on the Ordinance canvassing the returns of the City's Special Election, held on Saturday, May 5, 2018, for voter approval or disapproval of proposed amendments to the City's Home Rule Charter. The proposed amendments on the ballot and the returns are as follows, with each of the seven amendments passing:

**SPECIAL ELECTION
CANVASS OF ELECTION RESULTS**

PROPOSITIONS	NUMBER OF VOTES RECEIVED	
	FOR	AGAINST
Prop. A - Section 1.02. Boundaries Shall this section of the City Charter be amended so as to better describe the current and future boundaries of the City?	354	43
Prop. B -Section 4.06. Public Health Authority Shall this section of the City Charter relating to the appointment of a Public Health Authority be removed from the City Charter?	250	127
Prop. C - Section 5.07. Conducting and canvassing elections. Shall this section of the City Charter regarding elections be amended to better follow state law?	354	45
Prop. D - Section 8.02(b). Department of city	349	43

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

planning and zoning.

Shall this section of the City charter regarding the Department of City Planning and Zoning be amended, to create term limits for planning and zoning commission members?

Prop. E - Section 9.04. Notice of Public hearing on budget.

376

13

Shall this section of the City Charter regarding notice requirements for the budget be amended, to better follow state budgetary laws?

Prop. F - Section 9.18. Taxes; when due and payable.

333

52

Shall this section of the City Charter regarding taxes be amended, to align the property tax due date with state law?

Prop. G - Section 13.13(a). Charter Review Commission.

356

32

Shall this section of the City Charter regarding the Charter Review Commission be amended, to establish term limits for charter review commission members?

After review by the council, a motion was made to adopt the Ordinance approving the canvass and returns of the Special Election.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

5. Ordinance 2018-12

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ORDERING THE ADOPTION OF THE CHARTER AMENDMENTS APPROVED BY THE VOTERS OF THE CITY OF LIBERTY, TEXAS IN A SPECIAL ELECTION HELD ON MAY 5, 2018; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record. City Secretary Dianne Tidwell explained that this Ordinance explicitly orders the adoption of the Charter Amendments, approved by the voters, and that the amendments will be certified and sent to the Secretary of State for placement in the Book of Charters and Amendments.

A motion was made to adopt the Ordinance, as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

6. Resolution 2018-3

CONSIDER APPROVAL OF A RESOLUTION DECLARING THE INTENTION OF THE CITY OF LIBERTY, TEXAS, TO ANNEX CERTAIN TERRITORY DESCRIBED AS .71 SQUARE MILES BEGINNING AT THE SOUTHEAST CORNER OF 2018 ANNEXATION TRACT 8, AND DESCRIBED AS PROPERTY ID NUMBERS 19347, 19371, 19280, 19452, 19369, 19349, 201314, 109682, 19436, 19344, 19340, 19443, 109686, 115545, 113289, 19442, 147492, IN LIBERTY COUNTY, TEXAS; 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.

COMMENTS - Current Meeting:

Mr. Art Pertile, Olson & Olson LLP, addressed the Council regarding the City's proposed Annexation Phase 9. Mr. Pertile reviewed a map of Annexation Phases 1-8, properties involved in Phase 9 described as .71 square miles, and reviewed the public hearing dates of June 12 and June 19, 2018. A motion was made to approve the Resolution as presented.

ATTACHMENTS:

- Annexation Phase 9 map (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

7. Council Action 2018-37

Consider appointments to the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

Mayor Pickett called for nominations for appointment to the Liberty Community Development Corporation (LCDC), from those individuals that made application for service on the LCDC. Council Members nominated eight individuals and from the list of those nominated, each Council Member was allowed four votes, as there were four positions to fill on the Board. By voice vote, each Council Member cast their votes for the individuals of their choice. The four individuals with the greatest number of votes were David Arnold, Dennis Beasley, Barbara Norwood, and Michael Page.

A motion was made to appoint David Arnold, Dennis Beasley, Barbara Norwood and Michael Page to the Liberty Community Development Corporation.

RESULT: **APPROVED [5 TO 2]**
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Chipper Smith, Councilperson
AYES: Pickett, Huddleston, Beasley, Arnold, Smith
NAYS: Libby Simonson, Paul Glazener

8. Council Action 2018-36

Consider an appointment to the Liberty Community Development Corporation to fill Walden David's unexpired term.

COMMENTS - Current Meeting:

Mayor Pickett called for nominations to fill Mr. Walden David's unexpired term, of one year, on the Liberty Community Development Corporation, from those individuals that made application for service on this Board, but were not appointed a regular position in the previous agenda item. A motion was made to appoint Courtney Daniel to the unexpired term on the LCDC, term ending June, 2019.

RESULT: **APPROVED [6 TO 1]**
MOVER: David Arnold, Councilperson
SECONDER: Diane Huddleston, Mayor Pro Tem
AYES: Pickett, Huddleston, Beasley, Arnold, Glazener, Smith
NAYS: Libby Simonson

9. Council Action 2018-31

Consider appointments to the City's Planning and Zoning Commission.

COMMENTS - Current Meeting:

Mayor Pickett called for nominations for appointment to the City's Planning and Zoning Commission, from those individuals that made application for service on the Planning and Zoning Commission. Following nominations, a motion was made to appoint Kim Anderson and Emily Cook to the Planning and Zoning Commission.

RESULT: **APPROVED [6 TO 1]**
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: David Arnold, Councilperson
AYES: Pickett, Huddleston, Beasley, Arnold, Glazener, Smith
NAYS: Libby Simonson

10. Council Action 2018-32

Consider award of a proposal for a Water, Wastewater and Electric Rate Study.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on a proposed water, wastewater and electric rate study, with a proposal received from Freese Nichols. FN and NewGen Strategy & Solutions have teamed together, under one proposed contract to complete the study as follows:

Water and Wastewater Rate Study and Model Training	\$47,000
Electric Rate Study and Model Training	\$52,000

This study is being undertaken to ensure that the City's rates will cover the investment made for the numerous costly infrastructure improvements being made. After further discussion, a motion was made to approve the study, at a cost of \$99,000.

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

B. Executive Session

Government Code §551.071 - Consultation with Attorney.

1. Contemplated / Pending Litigation - Wastewater Issues.

Government Code §551.074 - Personnel Matters.

2. Discussion of the appointment of an Interim City Manager.

3. Discussion of a search process for a new City Manager.

At 7:26 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:09 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2018-33

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

RESULT: **NO ACTION TAKEN**

2. Council Action 2018-34

Consider the appointment of an Interim City Manager, as discussed in the Executive Session.

COMMENTS - Current Meeting:

A motion was made to hire Mr. Larry Shaw, through the Texas First Group, for services as Interim City Manager.

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

3. Council Action 2018-35

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)

Consider the approval of a search process for a new City Manager, as discussed in the Executive Session.

COMMENTS - Current Meeting:

A motion was made to contract with the Texas First Group to assist with the process in the search for a new City Manager.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:10 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of May 8, 2018 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, May 15, 2018

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 May 15, 2018 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	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	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.

Councilperson Huddleston remarked on the success of the recent Shred-It, held on May 12th, acknowledging those that assisted with the event. The next shred event will occur in October, 2018.

Minutes Acceptance: Minutes of May 15, 2018 6:00 PM (Minutes Approval)

III. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 4108)

Public Hearing on the City of Liberty's proposal to institute voluntary annexation proceedings to enlarge and extend the boundary limits of said city to include the Magnolia Ridge Country Club property.

COMMENTS - Current Meeting:

At 6:02 p.m., Mayor Pickett opened the first of two Public Hearings on the City's proposal to institute voluntary annexation proceedings to include the Magnolia Ridge Country Club into the boundary limits of the City of Liberty. City Attorney Brandon Davis reviewed the process, stating the property consisted of 120.5 acres, with the City providing same services as other similar properties in the City. There were no comments from the public.

At 6:05 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- NOTICE OF PUBLIC HEARING (DOCX)

2. Public Hearing (ID # 4109)

Public Hearing on the City of Liberty's proposal to institute voluntary annexation proceedings to enlarge and extend the boundary limits of said city to include the Magnolia Ridge Country Club property.

COMMENTS - Current Meeting:

At 6:06 p.m., Mayor Pickett opened the second of two public hearings on the City's proposal to institute voluntary annexation proceedings to include the Magnolia Ridge Country Club into the boundary limits of the City of Liberty. City Attorney Brandon Davis reported that with voluntary annexation, the two public hearings on the same date is allowed by law. Mr. Davis, once again, reporting the property consists of 120.5 acres, located in the James Martin Survey. There were no comments from the public.

At 6:07 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- NOTICE OF PUBLIC HEARING (DOCX)

B. Executive Session

Government Code §551.071 - Consultation with Attorney.

Pursuant to Texas Government Code §551.071, the City Council will convene in closed session to seek the advice of its attorney regarding contemplated / pending litigation.

1. Discussion of wastewater issues.
2. Discussion of the Humphreys Cultural Center.

At 6:07 p.m., Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

C. Reconvene into Regular Session

At 7:55 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2018-46

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

COMMENTS - Current Meeting:

A motion was made to hire the law firm of Lloyd Gosselink to proceed as discussed in the Executive Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

2. Council Action 2018-45

Consider and take action, if any, on the Humphreys Cultural Center as discussed in the Executive Session.

RESULT:	NO ACTION TAKEN
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IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:57 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of May 15, 2018 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, May 22, 2018

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 May 22, 2018 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	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	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.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 4112)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the TxDOT contractor working on the Main Street rehab,

Minutes Acceptance: Minutes of May 22, 2018 6:00 PM (Minutes Approval)

two new sinkholes on Marshall and Cos Streets, and June meetings of the City Council.

Police Chief Tom Claunch reported on the health status of Sgt. Frank Longoria and future plans for a fundraiser to be held on June 23rd.

2. Information Item (ID # 4113)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Mayor Pickett thanked Police Chief Tom Claunch and Public Works Director Tom Warner for conducting Coffee with the Mayor, in his absence.

IV. REGULAR AGENDA

A. Regular Session

1. Council Action 2018-38

Consider renaming the Browning Street Park to the Magnolia Park, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Stephen Dugger addressed the Council reporting on the Browning Street Park Improvement Project and the proposed change of name. Mr. Dugger stated that the park actually faces Mangolia Street, not Browning Street. Proposed names for the park are Magnolia Park or Freedom Park. After brief discussion of the numerous park improvements, a motion was made to approve naming the park to "Magnolia Park".

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

2. Council Action 2018-39

Consider a proposal, from LT's Garbage Service, for cart usage on major roadways, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Bill Killion, LT's Garbage Service, addressed the Council regarding a four month Pilot Program whereby residents of several areas of the city would receive 96-gallon carts, to be emptied by an automated truck. Mr. Killion spoke of the program details including the areas to be serviced (south of Hwy. 90/ Wallisville Road to city limits and Hwy. 146, north of the Bypass), project launching mid-July or first of August, and other pertinent subject matter.

A motion was made to approve the Pilot Program.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

3. Information Item (ID # 4116)

Discussion of various proposed fees for the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

There was no discussion, as this agenda item was passed on and will be presented at a later date.

4. Ordinance (ID # 4117)

CONSIDER 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 VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; 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.

COMMENTS - Current Meeting:

This agenda item was passed on and will be presented at a later date.

RESULT:	NO ACTION TAKEN
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5. Council Action 2018-40

Consider authorizing the buy-out of the lease on the City Manager's vehicle, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that he was willing to buy out the lease on his current City vehicle, which would free the Council to lease or purchase a new vehicle for his successor. A motion was made to approve the buy-out, by the City Manager, of his current City vehicle.

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

6. Council Action 2018-41

Consider, and take any action deemed necessary, regarding a City lien on property located in Forest Hills Subdivision.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that Mr. & Mrs. Dyson were in the process of selling property in the Forest Hills Subdivision, which during the title searched revealed six unpaid mowing liens, attached to the property in the late 90s. The liens were in the amount of \$668, with the required 10% interest, increases the amount owed to \$4,492.00. These liens were placed on the property prior to their ownership and even the prior property owners. After brief discussion of the issue, a motion was made to waive the interest, with payment to be made to the City in the amount of \$668.00.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Chipper Smith, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

7. Ordinance 2018-13

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE FOR AN ADDITIONAL NINETY (90) DAYS BEYOND THE JUNE 19, 2018, EFFECTIVE DATE PROPOSED BY ENTERGY TEXAS, INC., IN CONNECTION WITH ITS RATE INCREASE APPLICATION ENTITLED "APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES", FILED ON MAY 15, 2018; AUTHORIZING PARTICIPATION WITH THE ENTERGY TEXAS, INC. SERVICE AREA CITIES STEERING COMMITTEE HIRING OF EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS, REQUIRING REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

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 AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE FOR AN ADDITIONAL NINETY (90) DAYS BEYOND THE JUNE 19, 2018, EFFECTIVE DATE PROPOSED BY ENTERGY TEXAS, INC., IN CONNECTION WITH ITS RATE INCREASE APPLICATION ENTITLED "APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES", FILED ON MAY 15, 2018; AUTHORIZING PARTICIPATION WITH THE ENTERGY TEXAS, INC. SERVICE AREA CITIES STEERING COMMITTEE HIRING OF EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS, REQUIRING REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

City Manager Gary Broz reported that the attorneys representing the cities involved recommend suspending the proposed rate increase to permit further review of Entergy's

request, in an effort to keep stable or reduced rates for the customer. This delays the effective date of the rates until September 17, 2018.

A motion was made to approve the Ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

8. Council Action 2018-42

Consider approval of a minor plat of Liberty Inner Block 26 Lot PT 2 TR 2 & 6, located on the southwest corner of the Austin and Trinity intersection.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on a request from the Joe D. and Frances S. Harris Family Limited Partnership to increase the number of lots from two to three, on the southwest corner of Austin and Trinity Streets. After discussion of the minor plat process and the division of one lot into two, to include rearranging lot lines, a motion was made to approve the minor plat of Liberty Inner Block 26 Lot PT 2 TR 2 & 6 (southwest corner of Austin and Trinity).

ATTACHMENTS:

- Agenda Form-Minor Plat (PDF)
- Maps for Minor Plat (PDF)

RESULT:	APPROVED [6 TO 0]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Glazener, Smith
ABSTAIN:	David Arnold

9. Council Action 2018-43

Consider granting a variance regarding the rear setback for Liberty Inner Block 26 Lot PT 2 TR 2 & 6, located at the southwest corner of the Austin and Trinity Street intersection.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported that in response to the approval of the minor plat approved in the previous agenda item, the Joe D. and Frances S. Harris Family Limited Partnership had also requested a variance in the rear setback on Lot #2 be reduced from 10 feet to 7.5 feet. This request was presented to the Planning and Zoning Commission and approved on May 16, 2018. After brief discussion, a motion was made to approve the variance request on the property located on the southwest corner of Austin and Trinity Streets.

ATTACHMENTS:

- Agenda Form-Variance (PDF)
- Variance Info(PDF)

RESULT:	APPROVED [6 TO 0]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Glazener, Smith
ABSTAIN:	David Arnold

10. Council Action 2018-44

Consider approval of a process for voting on appointments to various City Boards and Commissions, and take any action deemed necessary.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding several voting options for appointments to the City's Boards and Commissions. Discussed were the recently used process whereby Council Members voted for the same number of individuals as there were open positions. Also discussed, was cumulative voting, allowing for a Council Member to place all their allotted votes for one candidate.

A motion was made by Councilperson Glazener, seconded by Councilperson Simonson, to approve the Procedure for Appointment of Committee Members, striking the sentence "Cumulative voting is prohibited". Councilpersons Glazener and Simonson voting "AYE". Mayor Pickett and Councilpersons Huddleston, Beasley, Arnold and Smith voting "NO". Motion failed 2-5.

A motion was made to approve the Procedure for Appointment of Committee Members, as originally written.

RESULT:	APPROVED [5 TO 2]
MOVER:	David Arnold, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Arnold, Smith
NAYS:	Libby Simonson, Paul Glazener

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:14 p.m.

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Carl Pickett, Mayor

ATTEST:

Minutes Acceptance: Minutes of May 22, 2018 6:00 PM (Minutes Approval)

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of May 22, 2018 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 4143)

DOC ID: 4143



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.C

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 4144)

DOC ID: 4144



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Annexation Issues

PUBLIC HEARING (ID # 4145)

DOC ID: 4145

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Liberty, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to-wit:

.72 SQUARE MILES FOR ANNEXATION TO INCORPORATION OF THE CITY OF LIBERTY BEGINNING AT THE NORTHEAST CORNER OF THE 2018 ANNEXATION TRACT 7, SAME BEING A POINT IN THE WEST LINE OF THE MOSS BLUFF DEVELOPMENT CORPORATION "FIRST TRACT" RECORDED IN VOLUME 1292 PAGE 555, DEED RECORDS, LIBERTY COUNTY, TEXAS, HAVING COORDINATES OF N:9976113.12, E:4074659.56;

A public hearing will be held by and before the City Council of the City of Liberty, Texas on the **12th day of June, 2018 at 6 o'clock p.m.** in the City Council Chamber of the City Hall of the City of Liberty, Texas, located at 1829 Sam Houston, Liberty, Texas, 77575, for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Financial Issues

COUNCIL ACTION (ID # 4120)

DOC ID: 4120 A



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Variance Requests

COUNCIL ACTION (ID # 4146)

DOC ID: 4146

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: June 12, 2018
Agenda Item No. VII.A.3
Agenda Wording: City Council approve authorizing a variance to Section 10.02.122 Table 5, Minimum Lot Requirements – Minimum Lot Dimensions for 671 Texas, Whitmire Lot 2.
Department: Public Works Inspections
Subject: Variance for Whitmire Lot 2
Background: New Work Family Worship Center, is requesting a variance to the minimum lot size requirements for Whitmire Lot 2. The church owns Whitmire Lots 1 and 2 which were originally platted as 63'x115' and 60'x115', respectively. The church is proposing to keep the house on Lot 1, remove the house on Lot 2 that fronts Texas and construct a 50'x70' classroom that will front Newman. The construction of the classroom changes the property use from residential to commercial. The current minimum commercial corner lot dimension is 80'x100'. The church will maintain the 5' front, 10' rear and 10' corner side setbacks required by the regulations. On commercial property there is a zero- interior side lot setback. A copy of the Variance Application, Warranty Deed and plat of Whitmire Lots 1 and 2 are attached. On June 6, 2018, the Planning & Zoning Commission voted 3-2 to approve the variance.
Fiscal Impact: N/A
Staff Recommendation: Staff recommends approval of the variance.
Purpose: The variance will allow the church to construct a classroom and increase enrollment at the school.

Attachment: Agenda Form-P&Z Item (4146 : Variance Request)

VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
 - a. A copy of the deed(s) to the subject property verifying legal ownership.
 - b. A Legible site plan or plot plan of the subject property.
 - c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): New Work Family Worship Center

Name of Agent, if applicable: None

Phone Number: 936-336-2229

Fax Number: _____

Mailing Address: P.O. Box 1028 Liberty Tx, 77575

Property Data:

Street address: 617 Texas Ave. Liberty, Tx 77575

Legal Description: Whitmire, Lot 1, Acres 1663 & Whitmire Lot 2, Acres .1584

Variance Request:

I/ We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Planning and Zoning commission and City Council of the City of Liberty consider the following variance request to the City of Liberty Code of Ordinances:

List brief description and ordinance(s)

We need to build a 50' wide X 70' deep 4 Classroom building with restrooms for our Chrysalis School. We own 2 lots on the corner of Texas Ave. and Newman across the Rd. from our church facility. The lot that we want to build on is 60' wide. We would be able to abide by the 10' building line setback on 3 sides, Texas Ave., Newman, and the back. We also own the adjoining lot which has a small house on it, which will be occupied by the caretaker of the Church and school. This is the only way that we can build the size of building that we need due to increased enrollment. Also this will not affect any other property owner. We are requesting a variance to the minimum lot width.

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Planning and Zoning Commission must make a finding of hardship. As noted in the instructions, ***you must attach a letter*** describing the reason for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Planning and Zoning Commission must determine that ***all*** of the following criteria are met. ***State how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.*** (Attach additional pages for multiple variance requests or if additional space is needed.)

1. The granting of the variance will not be detrimental to the public safety health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:
No

2. The granting of the variance is not based on a hardship which is self-imposed:
No

3. The hardship is not based solely on the cost of complying with the regulation:
No

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

Yes

Notice:

The City of Liberty does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions. A plat vacation and replat pursuant to Chapter 212, Texas Local Government Code may be required for such authority.

Signature(s) of Owner(s)/ Agent:

This is to certify that the information provided above is true and correct and that I am the owner of record of the property or the owner(s)' legally authorized agent.

Signature:

Chris B. Contreras

Date:

5/31/18

Signature:

Date:

For Office Use Only

Submittal Date: _____

Planning and Zoning Meeting Date: _____

City Council Meeting Date: _____

Received By: _____

For Office Use Only

Planning & Zoning Approval/Denial: _____

City Council Approval/Denial: _____

File No.: 2016102097

201

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

WARRANTY DEED

Date: November 22, 2016

Grantor: DAVID W WHITMIRE and D'ELLA M WHITMIRE

Grantor's Mailing Address (including county): 617 Texas
Liberty, TX 77575
LIBERTY COUNTY, TEXAS

Grantee: NEW WORK FAMILY WORSHIP CENTER

Grantee's Mailing Address (including county): NEWMAN STREET
Liberty, TX 77575
LIBERTY COUNTY, TEXAS

Consideration: TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration

Property (including any improvements):

Lot 1 and 2 of the final minor plat of Whitmire Subdivision, according to the map or plat thereof recorded under Clerk's File No. 2016018892 of the Map Records of Liberty County, Texas.

Reservations from and exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances that affect the property; taxes for 2017, the payment of which Grantee assumes; and subsequent assessments, if applicable, for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

— Lot one address 2520 Newman
Lot two address 617 Texas

* Caretaker lives in 2520 Newman

Attachment: Variance Information (4146 : Variance Request)

When the context requires, singular nouns and pronouns include the plural.

David W Whitmire
DAVID W WHITMIRE

D'ella M Whitmire
D'ELLA M WHITMIRE

STATE OF TEXAS

COUNTY OF LIBERTY

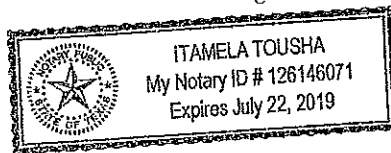
§
§
§

This instrument was acknowledged before me, on the 22 day of November, 2016, by
DAVID W WHITMIRE and D'ELLA M WHITMIRE.

Itamela Tousha
NOTARY PUBLIC, STATE OF TEXAS

Printed name: _____

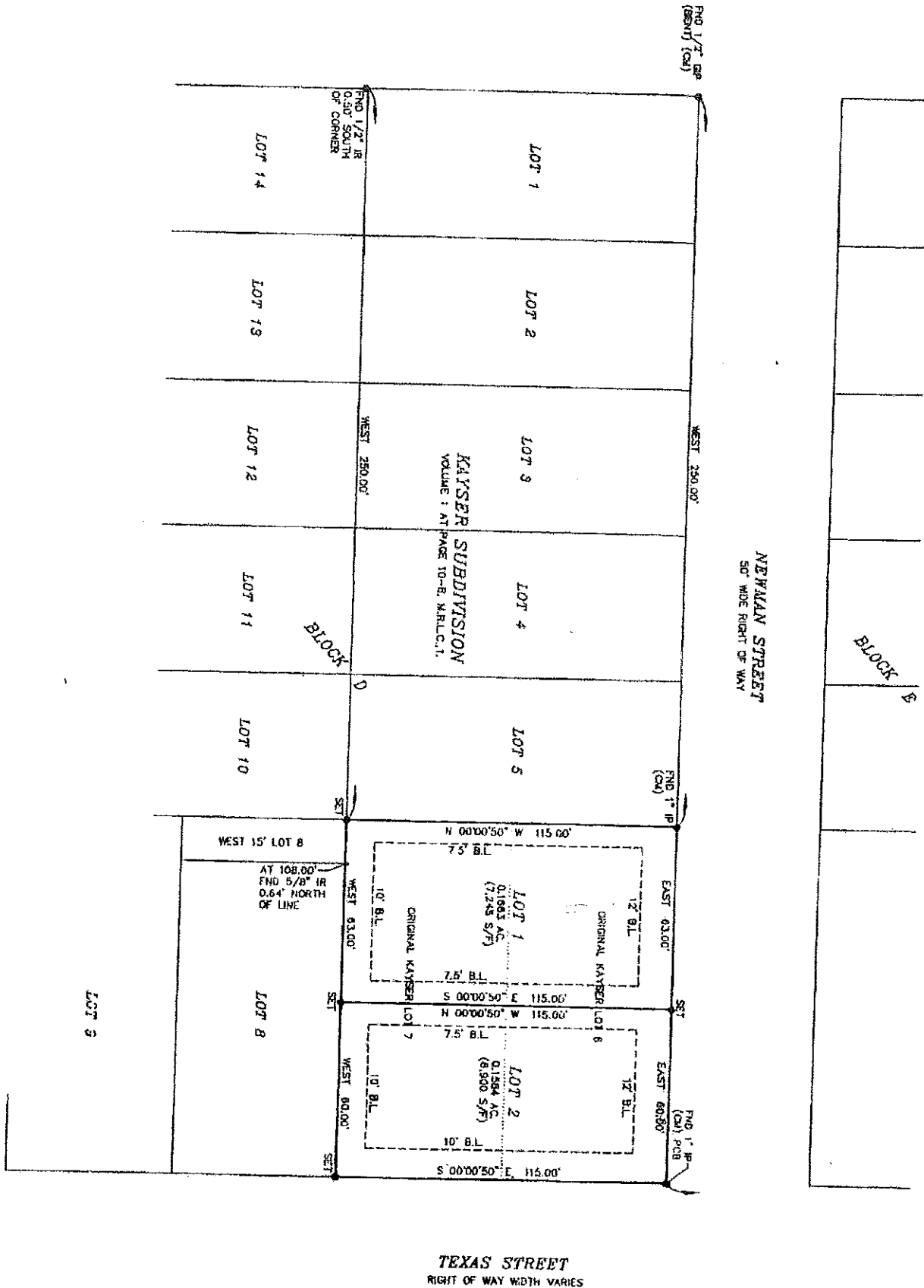
My commission expires: _____



AFTER RECORDING RETURN TO:
Tarver Abstract Company
400 MAIN STREET
LIBERTY, TX 77575

PREPARED IN THE LAW OFFICE OF:
CHARLES L. W. MCGUIRE
400 MAIN STREET
LIBERTY, TX 77575

Attachment: Variance Information (4146 : Variance Request)





The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Golf Course

INFORMATION ITEM (ID # 4147)

DOC ID: 4147



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Golf Course

ORDINANCE (ID # 4148)

DOC ID: 4148 A

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 VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; 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 various rates and fees to be charged by the City related to the Liberty Municipal Golf Course.

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 rates and fees to be charged for the Liberty Municipal Golf Course 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 upon transfer of ownership from the Magnolia Ridge County Club to the City of Liberty..

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 June 2018.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 4149)

DOC ID: 4149



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 4150)

DOC ID: 4150



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Budget Info

INFORMATION ITEM (ID # 4151)

DOC ID: 4151

2018-19 Budget

Ad Valorem taxes – No increase

Sales Tax – No increase

Issues

New SRO

Electric Utility staffing

Health Insurance – increase in rates

Fleet & equipment needs

Computers- replacements & upgrades

Utilities rate study

General fund dependency on fund transfers

Library

Fire Station #2

Council Input

Expectations –

This is where you tell us your budgetary wants & wishes to explore



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 4152)

DOC ID: 4152



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.2

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 4153)

DOC ID: 4153



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.3

Meeting: 06/12/18 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 4154)

DOC ID: 4154