



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, December 10, 2019

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 ProTem Diane Huddleston	☐	☐	☐	
Council Member Dennis Beasley	☐	☐	☐	
Council Member Libby Simonson	☐	☐	☐	
Council Member David Arnold	☐	☐	☐	
Council Member Chipper Smith	☐	☐	☐	
Council Member Neal Thornton	☐	☐	☐	

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 # 4646)

City Manager's Report - City Mgr. T. Warner - Projects & Activities - City Hall Closures - City Hall Repairs - Holly Street Project Main B Levee Repairs - Sanitary Sewer Project

- City Manager's Report(DOCX)

B. Information Item (ID # 4649)

Finance Report - Asst. City Mgr./CFO - N. Herrington

C. Information Item (ID # 4657)

Department Reports

- Fire Dept. Rpt. - Nov. (XLS)
- Inspection Dept. Rpt. Nov. (XLSX)
- Library Narrative Rpt. - Nov. (DOCX)
- Library Stats Rpt. - Nov. (XLSX)
- Library Volunteer Rpt. - Nov. (XLSX)
- Police Dept. Rpt.-Nov. (XLS)
- Public Works Rpt. - Nov. (DOCX)
- Public Works Construction Rpt - Nov. (DOCX)

D. Information Item (ID # 4647)

Sam Rayburn Municipal Power Agency - Mayor Pickett

- SRMPA Minutes - Sept 2019 (PDF)
- SRMPA Minutes - Oct 2019 (PDF)

E. Information Item (ID # 4648)

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, November 12, 2019
2. Tuesday, November 19, 2019

VII. REGULAR AGENDA**A. Regular Session****1. Council Action (ID # 4650)**

Consider an amendment to the lease agreement with Distinct Cantinas, Inc. for operation of the restaurant at the Liberty Municipal Golf Course.

- EXHIBIT A - Commercial Lease Amendment - FINAL (DOCX)

2. Ordinance (ID # 4651)

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 FIRE DEPARTMENT INSPECTION AND PERMIT FEES; 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.

- EXHIBIT A - Fire Marshall Fees (PDF)

3. Ordinance (ID # 4652)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE FOR AN ADDITIONAL NINETY (90) DAYS BEYOND THE EFFECTIVE DATE PROPOSED BY CENTERPOINT IN CONNECTION WITH ITS STATEMENT OF INTENT TO INCREASE RATES FOR CENTERPOINT'S BEAUMONT/EAST TEXAS DIVISION, FILED ON NOVEMBER 14, 2019; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE RAILROAD 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; DECLARING 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

4. Council Action (ID # 4656)

Consider the sale of tax trust property located at 1610 Texas.

- Tax Property Info (PDF)

5. Work Session (ID # 4653)

The City Council will conduct a Work Session regarding the 2019 Charter Review Commission's proposed changes to the City of Liberty Home Rule Charter.

- Proposed Charter Changes (DOCX)

B. Executive Session

Tx. Gov. Code §551.074 - Personnel Matters.

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- Liberty Municipal Library
- Liberty Municipal Golf Course

Tx. Gov. Code §551.071 - Private Consultation with Attorney.

To seek advice regarding contemplated / pending litigation.

- Discussion with the City Attorney - FEMA Appeal.

C. Reconvene into Regular Session

1. Ordinance (ID # 4654)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020; PROVIDING FOR AN INCREASE IN EXPENDITURES IN THE LIBERTY MUNICIPAL GOLF COURSE BUDGET AND THE LIBRARY BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED AND ADOPTED;

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.

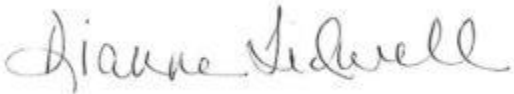
2. Council Action (ID # 4655)

Consider and take action, if any, on contemplated/pending litigation regarding a FEMA Appeal, 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 4th day of December, 2019 at 5:00 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 _____, 2019.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4646)

DOC ID: 4646

Subject: City Manager Report - City Projects and Activities

Background: This agenda item affords the City Manager the opportunity to update the Council and public on current and future City projects, activities and other items related to City business.

Memo

To: Mayor & City Council

From: Tom Warner, City Manager

Date: December 10, 2019

Re: City Manager Report

1. The Annual Country Christmas Parade and Festivities were held on December 3, 2019, and a good time was had by all in attendance. The Master of Ceremonies for the parade was Fire Chief Brian Hurst who did an excellent job of introducing the forty-five (45) entries. The Liberty-Dayton Chamber of Commerce had many children activities including an opportunity to meet Santa.
2. The contractor performing the City Hall Interior Repairs and Improvements began work on November 13, 2019. The relocation of the entrance door and wall to the Municipal Court Clerk's Office has been completed as well as most of the painting. The floor covering replacement began on December 3, 2019 and the Administration Hall is anticipated to be completed by December 7th. All work is expected to be completed by the end of December. Night and weekend work have occurred to minimize inconveniences to customers and staff.
3. The Holly Street Drainage and Water Project is approximately 85% complete as of December 3, 2019. The contractor is currently working on the pavement restoration. The project is anticipated to be completed by the end of December.
4. The Sanitary Sewer Improvement Project is approximately 81% complete. The contractor has completed the installation of the manholes and sanitary sewer lines on Travis Street and behind the LISD Middle and High Schools. The sanitary sewer lines on Highway 90 have been completed and the only work remaining is driveway and curb repairs. The contractor is continuing to work on the McGuire, Bypass and Beaumont Avenue Lift Stations and the Texas Avenue sanitary and storm sewer lines. The projected completion date for this project is January 2020.
5. The Main B Levee Repairs are approximately 39% complete with an anticipated final completion date of February 2020. The contractor has installed rockfill toe stabilization, select fill and the coffer dam.
6. City Offices will be closed for the Christmas Holidays on Tuesday December 24th, Wednesday December 25th and for New Year's Day on Wednesday January 1, 2020.

Attachment: City Manager's Report (4646 : City Manager's Report)

7. The following is a status of the current Electric Projects:

<u>Project</u>	<u>Complete</u>	<u>Estimated Cost</u>	<u>Spent to Date</u>
a. Pine Place Subdivision	55%	\$ 46,953	\$ 25,626
b. Featherstone Subdivision	58%	\$105,920	\$ 61,776
c. Whittington Subdivision	79%	\$206,725	\$163,193
d. Live Front Transformer	19%	\$323,456	\$ 61,582
e. Beaumont #3 Lateral	114%	\$182,325	\$207,394
f. UG Primary	4%	\$250,000	\$ 10,434
g. OH Transformer Platform	25%	\$ 91,450	\$ 22,991
h. Regency Place	42%	\$279,040	\$115,903
i. Travis Park	68%	\$380,505	\$258,529
j. UG Street Lighting	73%	\$155,000	\$112,549
k. Beaumont #2 Laterals	52%	\$414,254	\$216,452
l. Beaumont #4 Laterals	61%	\$308,344	\$187,181
m. Beaumont #5 Laterals	7%	\$764,156	\$ 50,011
n. Liberty #1 Laterals	0%	\$345,881	
o. Liberty #3 Laterals	0%	\$371,354	
p. Street Light Conversion	107%	\$ 82,500	\$ 88,595
Totals		\$4,307,863	\$1,582,215

Attachment: City Manager's Report (4646 : City Manager's Report)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4649)

DOC ID: 4649

Subject: Finance Report

Background: This agenda item affords the Asst. City Mgr./CFO an opportunity to report on the financial activities and position of the City, to include revenues, liabilities, assets, and other financial information.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4657)

DOC ID: 4657

Subject: Department Reports

Background: Attached are reports compiled by various City departments regarding facts about projects, situations and activities of the individual department. These reports are submitted on a monthly basis.

All Departments Weekly Activity Report

Month Of: November 1 to November 30, 2019

Department: Fire Department Report Prepared By: Misty Dulaney

FULL: (All Authorized Filled) YES NO
 If No, Why Not? Sick Vacancy Vacation

Explain: _____

Accomplishments For Last Week:

- 1.) _____
- 2.) _____
- 3.) _____
- 4.) _____
- 5.) _____
- 6.) _____

Goals For Upcoming Week:

- 1.) _____
- 2.) _____
- 3.) _____
- 4.) _____
- 5.) _____
- 6.) _____

Repairs Completed: Potholes: _____ Water: _____ Sewer: _____

Number Of Runs: (Fire Only) In Town 49 Mutual Aid 7

Number Of Runs: (EMS Only) 911 Calls 134 Mutual Aid 6
 Transfers-Out of Town 62 Transfers-In Town 13 Dialysis 74

Other Information:

Total of payments that have been received at the Fire Department for EMS is: \$57,843.74

EMS Payments received at Fire Department: Year to Date (fiscal): \$95,860.28

Year to Date (calendar): \$573,943.23

Attachment: Fire Dept. Rpt. - Nov. (4657 : Department Reports)

CITY OF LIBERTY
INSPECTION PERMITTING
MONTHLY REPORT

	<u>REVENUE</u>	<u>FOR MONTH</u>	<u>YEAR TO DATE</u>
1	<u>INSPECTION AND PERMIT REVENUE</u>	<u>\$10,509.00</u>	<u>\$55,151.38</u>
2	<u>TAP FEES AND CONNECTIONS</u>	<u>\$0.00</u>	<u>\$555.00</u>
3	<u>ALCOHOL LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>
4	<u>COIN OPERATED MACHINE LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>
5	<u>OCCUPATIONAL LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>
6	<u>OUTDOOR SALES</u>	<u>\$0.00</u>	<u>\$0.00</u>
7	<u>SOLIICITOR'S PERMITS</u>	<u>\$0.00</u>	<u>\$0.00</u>
	TOTAL	<u>\$10,509.00</u>	<u>\$55,706.38</u>

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	<u>ACTIVITIES</u>		
1	<u>PERMITS ISSUED</u>	<u>74</u>	<u>384</u>
2	<u>PLAN REVIEW CONDUCTED</u>	<u>4</u>	<u>52</u>
3	<u>INSPECTIONS CONDUCTED</u>	<u>74</u>	<u>426</u>
4	<u>CERTIFICATES OF OCCUPANCY ISSUED</u>	<u>0</u>	<u>10</u>
5	<u>ADDRESSES ISSUED OR CHANGED</u>	<u>3</u>	<u>20</u>
6	<u>DANGEROUS BUILDINGS VIOLATIONS</u>	<u>0</u>	<u>3</u>
7	<u>DEBRIS VIOLATIONS</u>	<u>0</u>	<u>25</u>
8	<u>JUNK VEHICLE VIOLATIONS</u>	<u>0</u>	<u>0</u>
9	<u>VEGETATION VIOLATIONS</u>	<u>0</u>	<u>30</u>
10	<u>UNSAFE/UNSANITARY CONDITIONS</u>	<u>1</u>	<u>0</u>
11	<u>RV VIOLATIONS</u>	<u>0</u>	<u>20</u>
12	<u>BANDIT SIGNS PICKED UP</u>	<u>125</u>	<u>960</u>
13			
	TOTAL	<u>281</u>	<u>1930</u>

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SPECIAL PROJECTS

Attachment: Inspection Dept. Rpt. Nov. (4657 : Department Reports)

Liberty Municipal Library Narrative Report November 2019

On November 25 the library staff offered a new program—Game Night—for people of all ages. The program concept was invented by staff member Maggie Varela. Maggie designed a foyer-sized game board and came up with the instructions for playing the game, which is called The Library Adventure. The players themselves were the game pieces. The game is similar to Monopoly with players rolling large inflatable dice to determine how many spaces they could advance on the huge game board, which was laid out across the foyer floor and outlined with masking tape. When players landed on special squares, they had to draw from a deck of cards and perform the action appearing on the card, or answer questions about popular youth books and authors. It was a very clever game that the participants enjoyed playing. We were pleased to have 10 participants for our first game night, and we plan on offering it again.

The library received a very generous and appreciated gift from the Houston Daniel Family in November. The Liberty attorney, who passed away earlier in the year, had a sizeable collection of books covering a wide range of interesting topics, and the books needed to find a new home. Charlotte Daniel and her sons, Tim and John Price Daniel, offered them to the library and invited Library Director Dana Abshier to view the books and take whatever the library could use in its collection. Books were also made available for the Friends of the Library's Jubilee Book Sale. Dana and Administrative Assistant Amber Ursprung were surprised at the great number of books and chose as many as the library had room for. We sincerely thank the Daniel Family for this wonderful gift.

Several building maintenance issues were tackled in November. The boiler had two new igniters installed. The boiler provides heat but is also tasked with keeping our humidity level down. Streamline Mechanical did the work. A toilet in the foyer ladies' room began making a tremendously loud noise when flushed, and Custodian Mike Kaiser was able to replace the plunger, thus solving the flushing problem—and the noise.

Texas Elite Electrical Services installed two replacement light fixtures in the staff work area and also installed ballasts in light fixtures in the conference room, staff break room and in a fixture outside the boiler room. Staff member Peggy Carr was happy to have the lighting in her workstation operational again.

Maggie Varela was on the second-place winning team in the ladies' washer pitching tournament held on November 15. Other library staff members who participated were Amber Ursprung, Peggy Carr, and Kristin Gilley. Maggie's partner in the tournament was Naomi Herrington from City Hall. Everyone had a lot of fun.

Maggie and Katie Edgell braved the crowds in search of Black Friday movie sales at Walmart. Having recently inventoried the DVD collection, they knew what to purchase. Two bags full of DVDs were bought and will soon be enjoyed by our patrons.

The Friends of the Library purchased a new Scan 'N Cut cutting machine for the library, which Maggie set up. She also created a Scan 'n Cut account so the machine can use online patterns. The Friends also purchased a new pouch laminator for the staff. The machine can laminate items up to 12 inches wide.

Fill-in employee Pat Craig, who was hospitalized in October, made her way back to the library this month for the Lost Arts Club meetings. She has been greatly missed.

Staff reports:

Kristin Gilley: Kristin's normal daily duties include providing in-house help for patrons with reference and computer/prINTER questions, shelving adult and YA books, processing new materials, doing library Instagram posts, tracking in-house periodical use, and many other tasks.

Kristin's November displays in the YA/adult areas featured Veterans' Day, Native American Heritage Month, books with yellow covers, and Thanksgiving/family holiday dinner ideas.

As our reference person, Kristin is often asked to find information on some very interesting topics. This month a patron called wanting to know where the superstition originated regarding not closing a pocketknife that another person had opened. After a lot of research online, she learned a lot about knife etiquette and how widely spread the belief is, but could not track down the origins of the superstition.

Another patron wanted to know how one goes about donating their body and organs upon death to a specific research organization. Kristin was able to obtain the names and phone numbers of the folks at the organization that could specifically answer his questions. They were hesitant to give Kristin info for the patron, preferring to speak directly to him. This was probably one of the more unusual reference requests the library has received lately.

Katie Edgell: Katie has booked four entertainers for the library's Summer Reading Program. So far, she has booked Sonny the Birdman, puppeteer Greg Ruhe, children's musician Will Daniel, and Science Tellers. All of these have performed at the library in past years and were all outstanding. She designed the Summer Reading Program 2020 window display to feature a yellow brick road that takes viewers along a path past fairy tale icons including: Rapunzel's tower, the Lorax trees, Peter Pan's ship flying off to the moon, a tie fighter, and Absalom sitting on a mushroom.

Katie participated in a webinar through Webjunction.org entitled Creative Spaces and Family Engagement in Libraries.

Katie helped a Spanish-speaking regular when Maggie, our Spanish speaking staff member, was not at the library. She tried Google Translate, but the patron didn't understand. After a lot of pantomiming, Katie realized the patron needed help making some labels for her son's diorama and she was able to help her.

Katie also assisted a young patron with her first book report and showed her how to use Word and its functions, like spell check. The patron was so excited and proud to get her homework assignment done three weeks before it was due. She was especially proud that she did the work on the computer. She showed everyone in the children's section her printed paper once she was done.

Katie held an impromptu Story Time especially for four children who regularly attend but didn't know that Story Time would not be held the day before Thanksgiving. Katie read them the previous week's book and they made tree ornaments from coloring sheets. The special attention was greatly

appreciated by the children and their caretaker. Katie also did special Story Times for three LISD prekindergarten classes who visited the library on a field trip.

Displays that Katie installed during the month featured National Fast Food Day, Rosa Parks Day, National Adoption Day, and a Veterans' Day display. Story Time crafts included: a color-changing chameleon craft; a paper plate turkey made with dessert plates, with cutout handprints for tails and google eyes; a Grinch for holiday décor; paper plate roll turkeys; and ornament outlines for kids to decorate the circulation desk.

Amber Ursprung: It is beginning to look Who-tastic at the library. Amber has been balancing all of her other jobs while getting the library ready for the upcoming Who-bilation, scheduled for December 11. The Grinch-themed holiday party has inspired all kinds of artwork and props. The windows have been decorated in Who-theme, ornaments and snowflakes are suspended in the air, Santa's sled—filled with presents—is ready for family photo opportunities, Who-signs have been hung, and all are waiting with anticipation for our Who-bilation scheduled for December 11.

Even while preparing for the Who-bilation, Amber kept up with her regular job of ordering new books, accessioning them as they arrive, cataloging them when necessary, getting statements from our book vendor ready for payment, and countless other jobs.

On Thursday, November 14, Amber was on KSHN.com, filling in for Dana Abshier who was in Phoenix. Amber talked about Game Night and the upcoming Who-bilation. Her visit went well and she received praise from both Tiffany York—the KSHN interviewer—and Assistant City Manager Chris Jarmon.

Mike Kaiser: Mike escorted Southeast Fire Protection as they finished up fire extinguisher and sprinkler inspection in the Cultural Center. He assisted the staff in decorating the children's area and foyer for Christmas. He coordinated boiler repairs with Streamline Mechanical. He also scheduled light fixture replacements with Texas Elite Electrical Services and helped the staff set up the foyer for Game Night. His plumbing knowledge was put to use when he repaired an inoperable toilet, saving the City a costly visit from the plumber.

Maggie Varela: Maggie helped a man print out his driving record, and he was so pleased that she was able to help him get it done so quickly that he wanted to pay her \$10. She told him that she couldn't take the money—it is her job to help patrons. She said that any of the staff would have helped him. Maggie also said she loves her job.

Maggie stepped in and presented Story Time on November 13 when Katie was not feeling well. She also presented Story Time with a craft for two groups of LISD prekindergartners when they made field trips to the library on November 18th and 22nd.

In preparing for Game Night, Maggie designed the game board layout on the computer and, true to the engineering major that she is, had the game board drawn to scale so that she knew exactly where each square would be laid out on the foyer floor. She made and printed game night signs, cards, pawns and instructions, and described Game Night to Katie and Amber so they could advertise it in the newspapers and on KSHN.com. She also posted the event on the library's Facebook page, where she lists all the new books that arrive. She created a clever "I Mustache you to check out these books" display.

Peggy Carr: Peggy's busy days included the following tasks: she weeded and deleted holdings; checked obituaries and deleted the accounts of patrons who have passed away; reviewed, sorted and distributed donated books to proper holding locations; retrieved books from shelves for disabled patrons; assisted checking in and cleaning returned books and DVDs; proof read reports for Dana; logged donated DVDs for future use; dusted and cleaned portions of book shelves in the adult section of library; made information signs for the front doors and side windows for holiday closings; and checked and compared new and renewing library card applications and also checked patrons' computer accounts for accuracy.

Gail Williamson: Gail has been preparing our delinquent patron files into a format that can be turned over to the collection agency City Hall has decided we will be using to collect our delinquent accounts. City Hall will give us the guidelines the library will use to determine which cases they will be able to work on. Gail has been proactive in gathering information so the collection agency can begin right away.

Gail continues to send out stage 1, 2 and 3 overdue notices and follows up on locating current phone numbers and addresses for delinquent patrons. She contacted several patrons concerning damaged books and completed an inventory of large print books. Next, she will inventory adult nonfiction. Gail is working on locating available CDs for our read-along books to replace cassettes, as well as finding new read-alongs the library might be interested in adding. She repairs books, VHS, and DVDs, checks in books, then cleans and re-shelves them.

Gail provides assistance to her coworkers at the circulation desk when she covers for them during Story Time, when she relieves them during their lunchtimes, and whenever they need help. She recently reorganized the library's office supply closet, which was a much-needed task, and also her work area to make both areas more efficient. Gail recently provided several visitors with historical information on our area and recommendations on local attractions that might be of interest to them.

Game Night: The Library Adventure



Katie Edgell, Children's Librarian

Edgell



Maggie Varela, Katie



Maggie Varela, inventor of the Library Adventure



The Library Adventure Game Board

Liberty Municipal Library November 2019 Monthly Report

	This Month	Last Year	FY to Date
Circulation:			
Adult Print Materials Circulation	971	1,138	2,062
Juvenile Print Materials Circulation	1,012	1,499	2,657
Periodicals	18	20	38
Young Adult Print Materials Circulation	84	147	251
Adult & YA E-book Circulation	202	237	492
Adult & YA Audiobook/Video Circulation	60	94	150
Juvenile E-book Circulation	9	10	20
Juvenile Audiobook Circulation	10	26	25
Spanish Materials Circulation	48	23	99
Projectors	0	0	0
Read-alongs	5	10	19
DVDs/Blu-Ray	317	524	699
Audiobooks & Music CDs	33	69	60
Video Tapes in English	56	88	106
Video Tapes & DVDs in Spanish	0	0	3
ILLs Received from Other Libraries	1	1	2
ILLs Provided to Other Libraries	4	9	7
Total Adult & YA Circulation All Formats	1,790	2,323	3,911
Total Juvenile Circulation All Formats	1,036	1,545	2,721
Total Circulation All Formats	2,826	3,868	6,632
	This Month	Last Year	FY to Date

Attachment: Library Stats Rpt. - Nov. (4657 : Department Reports)

Reference Services:			
In-house Reference	121	137	262
Telephone Reference	125	100	296
Public Computer Assistance	101	114	219
Collection Statistics:			
Volumes Added to Collection	237	141	499
Volumes Removed from Collection	14	130	94
Total Volumes in Collection	51,850	53,535	51,850
Titles Added to Collection	177	85	379
Titles Removed from Collection	11	122	56
Total Titles in Collection	61,743	61,062	61,743
Cataloging:			
Books Cataloged	149	79	340
DVDs/Blu-Ray Cataloged	14	0	27
Audiobooks & Music CDs Cataloged	2	0	2
Periodicals Cataloged	54	52	108
Building Use/Programs/Public Relations:			
Meeting Room/Pavilion Use	11	10	19
Story Time Programs	4	4	9
Story Time Attendance	42	33	95
Misc. Children's Programs/Tours	1	0	2
Misc. Children's Programs/Tours Attendance	10	0	110
	This Month	Last Year	FY to Date

Young Adult Programs	0	0	0
Young Adult Attendance	0	0	0
Adult Programs	5	5	10
Adult Programs Attendance	33	39	77
Speaking Engagements	1	1	2
Total Programs	10	10	21
Total Attendance All Programs	85	72	240
Patron Count/Volunteers:			
New In-City Patrons	13	8	34
In-City Cards Renewed	10	16	43
In-City Cards Deleted	3	4	5
Total In-City Patrons	3,421	7,525	3,421
New Out-of-City Patrons	21	39	46
Out-of-City Cards Renewed	17	21	39
Out-of-City Cards Deleted	0	4	2
Total Out-of-City Patrons	5,205	6,612	5,205
New E-Book Users	1	5	7
Tex Share Cards Issued	0	0	0
Total Volunteers	1	2	5
Total Volunteer Hours	5.00	9.00	22.00
Traffic Count	2,471	2,770	5,493
	This Month	Last Year	FY to Date
Public Use Technology:			

Wireless Users	21	45	31
New Computer Users	30	44	76
Deleted Computer Users	0	0	0
Public Computers Users This Month	334	397	737
Hours of Patron Computer Use	217	348	499
Website Sessions: Ploud, Online Catalog	298	2,030	3,292
Website Users	1,683	199	2,105
Social Media Sessions: Facebook, Instagram	152	51	350
Social Media Users	131	102	290

						Liberty Municipal Library Volunteer Report for the Month of November 2019																																											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total																	
Name of volunteer																																																	
Arceneaux, Val																																	0																
Cash, Terry															2.5							2.5											5																
Davis, Beverly																																	0																
Harbour, Cathy																																	0																
Pickett, Sandy																																	0																
Mealer, Kaytlin																																	0																
Sundgren, Josh																																	0																
Sundgren, Gary																																	0																
Sundgren, Stacy																																	0																
Morgan, Alec																																	0																
Whittington, Nell																																	0																
																																	0																
																																	0																
Total for month																																	5																

NOVEMBER// 2019 //

PUBLIC WORKS MONTHLY REPORT

STREETS DEPARTMENT -THE ROAD TO SUCCESS IS ALWAYS UNDER CONSTRUCTION

This Month's Notes

**JAMES
REDDING –
STREETS
DIRECTOR**

- Notes:
- Sprayed mosquitos
- Swept streets
- Mowed on route
- Repaired curb on Lakeland
- Replaced 30MPH sign on Cook Rd.
- Repaired curb and gutter on Lone Oak
- Repaired curb and gutter on Sam Houston
- Repaired driveway on Edgewood
- Cleaned inlets
- Checked flood pumps every Monday
- Checked levee
- Trimmed low limbs around town
- P M all equipment
- Picked up concrete in Raywood
- Patched streets around town
- Repaired sink hole on Forest
- Cleaned ditch on Sue St.
- Repaired Monta St caused by oversized load
- Repaired street cuts
- Helped Elect. Dept. with Christmas decorations

Attachment: Public Works Rpt. - Nov. (4657 : Department Reports)



PUBLIC WORKS CHRISTMAS PARADE FLOAT

Attachment: Public Works Rpt. - Nov. (4657 : Department Reports)

FIXING THESE STREETS

Streets:						
	Graded:					Miles
	Swept:				35	Hours
	Street cut repairs:				7	Each
	Curb & Gutter Repair:				132	Feet
Drainage:						
	Ditch Cleaning:				60	Feet
	Culvert Installation:					Feet
	Catch Basin/inlets cleaned:				746	Each
	Levee Inspection:				yes	
	Flap gate Debris Removal:					
Spraying:						
	Herbicide:					Gallons
	Mosquito:				327	Miles
Signs:						
	Installed					Each
	Repaired/ Replaced				2	Each

PARKS DEPARTMENT

OUT WIT, OUT LAST, OUT MOW!!!

Work completed

TOM TULLOCK – PARKS

Work Completed:

Fields:

Work Performed: Picked up trash and maintained as needed. Mowed six times and weedeated twice.

Restrooms:

Work Performed: Washed all restrooms twice a week and cleaned and swept as needed. Replaced toilet paper and other things as needed also.

Concession Stands:

Work Performed: Picked up trash and debris around concession stands as needed every day.

Splash Pad:

Work Performed: Mowed and weedeated as needed. Maintained chemicals every day, cleaned and made sure everything was in working order. Backwashed filters every other day.

Jogging Trail:

Work Performed: Picked up limbs and trash as needed also, weedeated around trees and rocks as needed. Mowed as needed

Playground Equipment:

Work Performed: Checked and made sure all playground equipment was in good working order. Pressure washed the white fence around playground.

Pocket Parks:

Work Performed: Picked up trash and other debris every day. Put locks on all maintenance gates at all pocket parks. Changed trash barrels as needed.

Trees:

Work Performed: Cut down trees that had been twisted off or rotted throughout park. Picked up limbs as needed.

Flags:

Work Performed: Checked flags every day for damage.

Notes:

1. Filled holes throughout park.
2. Had 2 500 gallon fuel tanks delivered to the park, 1 diesel, and 1 gasoline.
3. Changed oil in all equipment at park.
4. Moved big tarp for PD to cover field c so they could play softball against fire dept.
5. Had leak fixed at playground area.
6. Fixed women's bathroom sign someone ripped off the wall on the outside of building.
7. Helped Street Dept. mow some of Woodsprings Dr. with tractor.
8. Weedeated all trees at park.



PARKS EMPLOYEES GETTING AFTER IT!

Attachment: Public Works Rpt. - Nov. (4657 : Department Reports)

HIGH QUALITY WATER NEVER GOES OUT OF STYLE!!!!

**MARK REED – WATER / WASTE
WATER DIRECTOR**



Attachment: Public Works Rpt. - Nov. (4657 : Department Reports)

REPAIRS COMPLETED

WATER LINE REPAIRS	12
SEWER LINE REPAIRS	17

LINE MAINTENANCE (VACCON TRUCK)

4 HOURS
1,000 FEET OF SEWER LINE CLEARED
2 MANHOLES CLEANED

WORK COMPLETED

0	MANHOLE REPAIRS
17	SEWER STOPPAGES
3	METER REPAIRS
11	RADIO REPLACEMENTS
0	WATER TAPS
0	SEWER TAPS
11	CUSTOMER PROBLEMS
65	LOCATE LINES
65	TEXAS 811 LINES LOCATES
0	METER BOXES REPLACED
1	METER LIDS REPLACED
1	CLEANOUTS REPLACED/INSTALLED
3	PULLED METERS
20	CUSTOMER REQUESTED TURN ON
28	CUSTOMER REQUESTED TURN OFF
3	CUT OFF SERVICE
92	RECHECKS

LIFT-STATION MAINTENANCE

TWICE / WEEK	FREQUENCY THAT LIFT-STATIONS CHECKED
2 DAILY	FREQUENCY THAT WATER WELLS CHECKED
40	WATER SAMPLES TAKEN
10	SAMPLES FRO MONTHLY MONITORING-CHLORINE REPORT

Misc.: HARDIN & AMES READINGS CHECKED DAILY



ELECTRICAL AERIAL WORK

ELECTRICAL DEPARTMENT

LIGHT IS ESSENTIAL
CHARLES YPMA – ELECTRICAL SUPERVISOR

The Electrical Department received 12 request this month and closed out 7 of them with 5 carrying overs to November. The requests range from power restoration, blown fuses, saging power lines, loose guy wires to security and street lights out. The Electrical department performed all these tasks with the aid of Texas Elite Electrical Services, LLC.

COMPLETED WORK REQUESTS

MISC. MAINTENANCE	0
PARTIAL POWER	1
NO POWER	1
POWER LINE ISSUE	0
POLE ISSUE	1
SECURITY LIGHT	2
STREET LIGHT	2
TREES AND VINES	0
SET NEW METER	0
TOTAL INCIDENTS RESOLVED	7

Attachment: Public Works Rpt. - Nov. (4657 : Department Reports)

NOVEMBER // 2019 //

MONTHLY REPORT

CITY OF LIBERTY CONSTRUCTION PROJECTS REPORT



TEXAS STREET DRAINAGE

US 90 Sanitary Sewer Improvements-Phase I is at 78% completion

ALLCO INC.

The City of Liberty, Texas Sanitary Sewer System Improvement, Phase I project involves improvements to the sanitary sewer trunk line along US 90 from Bowie to just east of FM 2684. This section included the install of the sanitary sewer trunk line by pipe bursting (18" pipe), micro-tunneling method (24" and 30" pipe) and abandoning existing sewer lines along US 90. It also includes the replacement of sanitary sewer manholes. This part of the project is near completion.

Attachment: Public Works Construction Rpt - Nov. (4657 : Department Reports)



BYPASS LIFT STATION

The lift station at McGuire Street is currently being wired for electricity. The Beaumont Street lift station about 80% complete. The Lift stations at Johnson and Lakeland Streets are complete. There was very little work completed this month (50% by contract amount).



BEAUMONT STREET: BEAUMONT LIFT STATION – PROJECTED COMPLETION END OF DECEMBER

Texas Street Improvements

Improvements activities along Texas Street have just started to increase. The contractor is removing 6" and 8" sanitary sewer lines and replacing with a 15" sewer line. The storm sewer improvements include removing existing 15" and 24" pipe and replacing them with 18", 24" and 30" pipe from Beaumont Street to just north of Newman St. The contractor will need to restore the pavement that was removed for the underground facilities. The pavement restoration work has not yet begun. This phase of the project is approximately 75% complete. The contractor has replaced old 15" sanitary sewer pipe with new 15" sanitary sewer pipe by pipe bursting method. Manholes have been removed and replaced. The project is being performed by ALLCO, Inc. out of Beaumont, Texas.

IN THIS ISSUE

MAIN B LEVEE REPAIR PROJECT

LEVEE SLOPE AND PIPE REPAIR *BOWIE STREET*

CONSTRUCTION IS 39% COMPLETE

BY TLC & CONTRACTING

TCL Trucking and Contracting was awarded the contract and the start date was September 6th, 2019. The project is to perform repairs to the Main B levee which include earth levee repairs and culvert repairs. The project shall be substantially completed in 120 calendar days and all work shall be completed in 165 calendar days. The final completion date is February 18th, 2020.

TLC Trucking and Contracting is out Houston, Texas. The contractor installed select fill, rockfill toe stabilization and a coffer dam this month.



MAIN B PIPE REPAIR WORK



MAIN B LEVEE REPAIR

HOLLY STREET

WATER AND STORM DRAINAGE IMPROVEMENT PROJECT 85% COMPLETE

WADECON, LLC

The Construction of the Holly Street involves upgrading the existing water line and storm drainage from North Travis heading west to the end of the Holly Street right of way. The contractor has installed the drainage culverts, inlets and waterline on the project. The intersection of N.Travis and Holly has been opened, completed and reopened to traffic. The contractor is currently working on the pavement restoration and inlets. The contractor started work on July 22nd, 2019. The work is being performed by Wadecon, LLC out of Kingwood, Texas. The projected completion of this project is the end of December 2019.



HOLLY STREET BASE PREPARATION FOR OVERLAY



HOLLY STREET BASE PREPARATION FOR OVERLAY



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4647)

DOC ID: 4647

Subject: SRMPA Report

Background: The Sam Rayburn Municipal Power Agency supplies the wholesale electrical energy needs of the member cities of Liberty, Jasper and Livingston. Mayor Pickett is the President of the Sam Rayburn Municipal Power Agency and desires to provide the Council and the public with updates on the Agency's projects and activities.

9:30 a.m.

Livingston, Texas

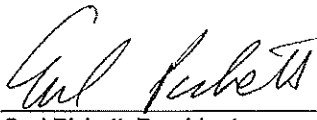
September 24, 2019

The special meeting of the Board of Directors of the Sam Rayburn Municipal Power Agency was held on the above date at the City of Livingston Administration Building with the following members present:

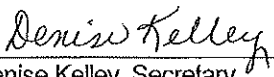
Carl Pickett	President
Clarke Evans	Vice President
Denise Kelley	Secretary
Judy Cochran	Director
Gary Gatlin	Director
Tom Warner	Director

Bruce Mintz, Executive Director, was also present.

1. Board President Carl Pickett presided over the meeting and called the meeting to order with a quorum present at 9:45 a.m.
2. Carl Pickett invited public comment. Tom Warner updated the audience regarding the heavy rain and flash flooding that occurred in Liberty in the previous week.
3. The Board considered the minutes of the regular meeting of August 20, 2019. A motion was made by Denise Kelley, seconded by Judy Cochran, to approve the minutes as presented. The motion passed unanimously.
4. The Board next considered the August 2019 payables. A motion was made by Tom Warner, seconded by Clarke Evans, to approve payment of the payables as presented. The motion passed unanimously.
5. The Board next considered the continuation of accounting services by Goff & Herrington, P.C. Bruce Mintz advised the Board that the firm had informed him that it would continue performing the monthly accounting work for the Agency for a fixed fee of \$2,500.00 per month, unless additional work was requested. Following discussion, a motion was made by Clarke Evans, seconded by Gary Gatlin, to approve the fee and continue the firm's services. The motion passed unanimously.
6. Bruce Mintz informed the Board that, given current Cambridge Project asset balances and reserve and capital project commitments, the Board could, if it deemed appropriate, distribute Cambridge Project proceeds to the member cities of up to \$12 million. Following discussion, a motion was made by Clarke Evans, seconded by Tom Warner, to distribute \$4 million of Cambridge Project proceeds to each of the member cities. The motion passed unanimously.
7. Jarod Taylor of Nowlin & Associates, Inc., was not present but the Board discussed his written engineer's report. No action was taken.
8. Bruce Mintz presented the Executive Director's update.
9. At 11:02 a.m., the Board went into closed session discuss competitive matters pursuant to Texas Government Code §551.086. The Board returned into open session at 11:24 a.m. having taken no formal action.
10. There being no further business before the Board, the meeting was adjourned at 11:41 a.m.



Carl Pickett, President

ATTEST: 

Denise Kelley, Secretary

9:00 a.m.

Livingston, Texas

October 15, 2019

The regular meeting of the Board of Directors of the Sam Rayburn Municipal Power Agency was held on the above date at the City of Livingston Administration Building with the following members present:

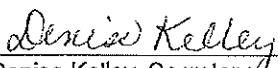
Carl Pickett	President
Clarke Evans	Vice President
Denise Kelley	Secretary
Judy Cochran	Director
Gary Gatlin	Director
Tom Warner	Director

Jarod Taylor of Nowlin & Assoc., Inc., Bill Wiggins of the City of Livingston, and Bruce Mintz, Executive Director, were also present.

1. Board President Carl Pickett presided over the meeting and called the meeting to order with a quorum present at 9:01 a.m.
2. Carl Pickett invited public comment and there was none.
3. The Board considered the minutes of the special meeting of September 24, 2019. A motion was made by Denise Kelley, seconded by Gary Gatlin, to approve the minutes subject to correction of a nonsubstantive error. The motion passed unanimously.
4. The Board next considered the September 2019 payables. A motion was made by Tom Warner, seconded by Clarke Evans, to approve payment of the payables as presented. The motion passed unanimously.
5. The Board discussed a possible amendment to the Cambridge Project Settlement Agent Agreement. No action was taken.
6. Jarod Taylor of Nowlin & Associates, Inc., presented his engineer's report.
7. The Board next considered action regarding site preparation for the Jason Substation Control House Rehab Project. Jarod Taylor explained that the demolition of the old building previously located there left a depression in the ground that collected water. Following discussion, a motion was made by Judy Cochran, seconded by Tom Warner, to channel drainage from the depression to the existing drainage on the property and backfill with dirt to be donated by the City of Jasper. The motion passed unanimously.
8. Bruce Mintz presented the Executive Director's update.
9. At 10:06 a.m., the Board went into closed session discuss competitive matters pursuant to Texas Government Code §551.086. The Board returned into open session at 10:36 a.m.
10. There being no further business before the Board, the meeting was adjourned at 10:36 a.m.



Carl Pickett, President

ATTEST: 

Denise Kelley, Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.E

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4648)

DOC ID: 4648

Subject: Mayor, Council and Staff Comments

Background: This agenda item relates to expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events organized or sponsored by the City or other entity, that is scheduled to be attended by City officials or employees, inquiry of staff regarding specific factual information or existing policies.



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, November 12, 2019

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 November 12, 2019 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 ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Pastor Clint Sylvester, Grace Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags were led by Fire Chief Brian Hurst and Police Chief Gary Martin, 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.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4622)

City Manager Report - City Projects and Activities - City Mgr. T. Warner * Transparency In Government * Tropical Depression Imelda *Cambridge Fund *City Hall Improvements *Fire / Police Softball Game

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the following:

- Transparency in Government - changes to Council Agendas and the City Manager's Report.
- Tropical Depression Imelda - Debris Monitoring and Collection conducted in accordance with FEMA regulations, approximate cost being \$110,000. Insurance proceeds currently received as a result of this storm, in the amount of \$261,003.38.
- Cambridge Fund - Addressed amount of Cambridge Fund Distributions since October 2013 - \$26,779,162.14. Addressed current Cambridge Fund balance and expenditures.
- City Hall Improvements - Addressed work being performed, with improvements to be completed by the end of December.
- Fire/Police Softball Game - Well attended event, with the Fire Department winning the trophy.

ATTACHMENTS:

- City Manager's Report Nov 12 (DOCX)

B. Information Item (ID # 4623)

Finance Report - Asst. City Mgr. / CFO - N. Herrington

COMMENTS - Current Meeting:

Asst. City Mgr./CFO Naomi Herrington reported on the City's financials, as of the end of September, 2019. Ms. Herrington addressed the revenues and expenditures of various funds, property and sales tax, and closing out the fiscal year. Ms. Herrington also stated the City's annual audit will begin in December.

C. Information Item (ID # 4636)

Department Reports

COMMENTS - Current Meeting:

These reports were placed in the Council Agenda for Council's review.

ATTACHMENTS:

- Fire Dept Report-Oct (XLS)
- Inspection Dept Rpt Oct (XLSX)
- Library Oct Narrative Report (DOCX)
- Library Oct Stats Rpt (XLSX)
- Library Volunteer Rpt Oct (XLSX)

- Police Dept Report Oct (XLS)
- Public Works Rpt Oct (DOCX)
- Public Works Construction Rpt Oct (DOCX)

D. Information Item (ID # 4625)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency (SRMPA), reported the next meeting of the Agency will be held November 19, addressed recent SRMPA Meeting minutes enclosed in the Agenda Packet, and reviewed various aspects of the electric transformers belonging to the Agency.

ATTACHMENTS:

- SRMPA Minutes-Aug 2019 (PDF)

E. Information Item (ID # 4626)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

In response to Veteran's Day, Mayor Pickett invited three local veterans to the Council Meeting; each of them spoke about which their branch of service and their military history. The veterans were Cleveland Walters, Jr., H.D. Jackson, and Joe Roberts.

Mayor Pickett reported on the City Manager's presentation to the Rotary Club regarding the Cambridge Project, and the success of the softball game between the Fire and Police Departments.

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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

1. Tuesday, October 08, 2019

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2019-27

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4.05, CREATING DIVISIONS 4 AND 5 REGULATING WRECKER SERVICES WITHIN THE CITY; SETTING AN EFFECTIVE DATE; ESTABLISHING PENALTIES FOR VIOLATIONS; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE DAYS

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4.05, CREATING DIVISIONS 4 AND 5 REGULATING WRECKER SERVICES WITHIN THE CITY; SETTING AN EFFECTIVE DATE; ESTABLISHING PENALTIES FOR VIOLATIONS; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASSIONS."

City Attorney Brandon Davis addressed the proposed wrecker ordinance including non-consent tows, the Police Department determining those to be included on the towing list, the application and permit process, an appeal process, and other related topics.

A motion was made to adopt the Ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Chipper Smith, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

2. Ordinance 2019-29

CONSIDER ADOPTION OF AN ORDINANCE CREATING CHAPTER 3.12 OF THE CODE OF ORDINANCES, REGULATING PARKING WITHIN THE CITY; 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 as follows:

"AN ORDINANCE CREATING CHAPTER 3.12 OF THE CODE OF ORDINANCES, REGULATING PARKING WITHIN THE CITY; 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."

Asst. City Manager Chris Jarmon explained the City does not currently provide guidance on off-street parking spaces required for new commercial development. The proposed ordinance will assist real estate brokers and architects with guidance on these requirements.

After lengthy discussion, a motion was made to adopt the Ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor ProTem
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

3. Ordinance 2019-28

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 THE ESTABLISHMENT OF WRECKER PERMITS AND NON-CONSENT WRECKER TOW FEES AND CLARIFICATION OF RESIDENTIAL BUILDING PERMIT FEES AND SIGN PERMIT FEES; 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:

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 PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR THE ESTABLISHMENT OF WRECKER PERMITS AND NON-CONSENT WRECKER TOW FEES AND CLARIFICATION OF RESIDENTIAL BUILDING PERMIT FEES AND SIGN PERMIT FEES; 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."

A motion was made to adopt the Ordinance, setting the fees as described.

ATTACHMENTS:

- Ord - MFS Exhibit-Wrecker and Bldg Permit Fees (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

4. Resolution 2019-13

Consider a Resolution casting the City's voting entitlement for a position on the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

A motion was made to approve a Resolution casting the City's voting entitlement of 160 votes, in favor of John Hebert, Jr. for a position on the Liberty County Central Appraisal

District Board of Directors.

ATTACHMENTS:

- CAD Info- Board of Directors Voting Entitlement (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

5. Council Action 2019-99

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

COMMENTS - Current Meeting:

This agenda item was passed on.

ATTACHMENTS:

- CAD Info-ARB Nomination (PDF)

RESULT:	NO ACTION TAKEN
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6. Council Action 2019-100

Consider an expenditure for replacement of the Golf Course Bridge, damaged as a result of Tropical Depression Imelda.

COMMENTS - Current Meeting:

Asst. City Manager Chris Jarmon stated that Tropical Depression Imelda caused extensive damage to a bridge at the Liberty Municipal Golf Course. Mr. Jarmon reported that three firms provided estimates to install a new bridge. Following discussion of the bid requirements and each of the firms, a motion was made to approve a contract with Greenscapes Six in the amount of \$58,207.20.

ATTACHMENTS:

- Golf Course Bridge - Exhibit (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

B. WORK SESSION

1. Work Session (ID # 4630)

The City Council will conduct a Work Session to discuss the regulation of game rooms, amusement redemption machines and related issues.

COMMENTS - Current Meeting:

A lengthy discussion was held regarding game rooms and related issues to include, signage and gambling, number of machines, memberships not to be required, individuals under the

age of 18 not allowed to play, alcohol, prize and cash payouts, required permits and machine tags, and numerous associated concerns.

ATTACHMENTS:

- ORD - Game Rooms (DOCX)

C. Executive Session

Gov. Code §551.072 - Deliberation regarding real property.

- To deliberate the purchase, exchange, lease or value of real property - Liberty Municipal Golf Course Property.

Gov. Code §551.071 - Private Consultation with Attorney.

- To seek advice regarding contemplated / pending litigation related to the Humphreys Cultural Center.

7:50 p.m., Mayor Pickett closed the open meeting, and opened the Executive Session as authorized above.

D. Reconvene into Regular Session

At 9:04 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2019-98

Consider and take action on items related to the pending litigation involving the Humphreys Cultural Center.

COMMENTS - Current Meeting:

A motion was made to approve the Settlement Agreement with Edwards Associates, PLLC and Schmitz/Lamb Engineers, Inc., as presented by the City Attorney in the Executive Session, also authorizing the attorneys to finalize the agreement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	David Arnold, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 9:05 p.m.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 12, 2019 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, November 19, 2019

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 November 19, 2019 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 ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. 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.

III. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 4642)

Presentation, and discussion, of the City's Stormwater System and related issues.

Minutes Acceptance: Minutes of Nov 19, 2019 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

A PowerPoint Presentation was given by City Manager Tom Warner regarding the ownership, maintenance, and responsibilities relating to the stormwater system in the City. Presented was a map and an overview of the entire system. Mr. Warner provided information regarding the levee, pump stations, culverts, detention ponds, drainage studies, and numerous related issues/concerns.

2. Council Action 2019-101

Consider approval of a policy for Rules of Decorum and Procedures for the conduct of City Council Meetings.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that recent changes to State Law regarding transparency in government, this policy addresses issues relating to Council Meetings, agenda preparation, Public Comment, placement of items on the agenda and other associated matters.

A motion was made to approve the City Council Agenda Preparation and Meeting Decorum Policy.

ATTACHMENTS:

- Agenda Prep & Meeting Decorum Policy(DOCX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

3. Ordinance 2019-30

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 4, BUSINESS REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 4.11 REGULATING GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES IN THE CITY; ESTABLISHING 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:

City Manager Tom Warner reported on the Council's recent work session on the City's existing game room ordinance. Discussion was held regarding items not addressed in the current ordinance, including parking space plans, floor plans for machine locations, background checks, and numerous additional issues.

After lengthy discussion, a motion was made to adopt the Ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Arnold, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

4. Ordinance 2019-31

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 AN INCREASE IN THE GAME ROOM LICENSE FEE; 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:

City Manager Tom Warner stated that with the adoption of the amended game room ordinance, Management and Staff proposes that the annual game room license fee be updated. Mr. Warner proposed an increase in this fee from \$50 to \$750.

Following discussion, a motion was made to adopt the Ordinance, increasing the annual game room license fee.

ATTACHMENTS:

- MFS Change-Game Room License Fee (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Arnold, Council Member
SECONDER:	Chipper Smith, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:13 p.m.

Carl Pickett, Mayor

Minutes Acceptance: Minutes of Nov 19, 2019 6:00 PM (Minutes Approval)

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 19, 2019 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 4650)

DOC ID: 4650

Department: Golf Course

Subject: Restaurant Lease

Background: Recently, representatives from Distinct Cantinas Inc. approached city staff to request changes to their lease agreement. Distinct Cantinas Inc. is asking for the following changes:

- 1 - Provide a two-month extension on the time given to open the restaurant, due to having to wait sixty (60) days for the TABC license
- 2 - Give the lessee access to the facility so they can start preparing the facility to open
- 3 - Provide a revised signature page

Funding Source: n/a

Staff Recommendation: Approval of the lease amendment

AMENDED COMMERCIAL LEASE AGREEMENT

A Commercial Lease Agreement was originally signed on the 5th day of September, 2019, between **CITY OF LIBERTY**, a home rule municipality organized under the laws of the State of Texas, having its principal office at 1829 Sam Houston St., Liberty, Texas 77575, hereinafter called the lessor, and **DISTINCT CANTINAS, INC.**, having its principal office at 2007 Lubbock Street, Houston, Texas 77007, hereinafter called the lessee. The Parties agree to amend said commercial lease agreement as follows:

Demise, Term and Rent

1. The lessor leases to the lessee the property known as the Liberty Municipal Golf Course Clubhouse, located at 100 Magnolia Ridge Drive, in the City of Liberty, Texas, for a term of three (3) years with two (2) one-year renewal options. The renewal options shall be exercised by both the lessor and lessee in writing.

2. The premises covered by this lease agreement shall include the following areas of the Liberty Municipal Golf Course Clubhouse property:

- a. Indoor and outdoor dining area (Outdoor dining area is denoted in the map attached as Exhibit A)
- b. Kitchen;
- c. Bar;
- d. Office space;
- e. Storage areas;
- f. Non-exclusive use of men's and women's restrooms.

3. For purposes of this commercial lease agreement, the golf course grounds shall also be considered part of the leased premises only to the extent that lessee provides food and beverages to customers on the golf course.

4. The term of this lease does not begin, and lessee will not open the restaurant, unless and until lessee obtains all necessary licensing to sell beer and wine on the premises. Lessee shall have six (6) months from the date of signing this agreement to obtain a license for beer, wine, and mixed drinks. Failure to obtain said licenses for beer, wine, and mixed drinks within six (6) months could result in termination of this lease agreement. Lessee shall have the right to access the premises prior to obtaining its liquor license in order to start preparing the premises for opening. Lessee shall not make any physical changes to the premises without first obtaining permission from the City Manager, or his designee.

5. Lessee shall pay to lessor the following amounts on the first business day of each month, commencing at the time lessee receives permission to access the premises:

- a. Year 1: \$250.00 per month;
- b. Year 2: \$500.00 per month;
- c. Year 3: \$750.00 per month;

- d. Year 4 (if the first one-year renewal option is exercised in writing): \$1,000.00 per month or 5% of all net sales generated annually above \$1,000,000.00 (whichever is higher);
 - e. Year 5 (if second one-year renewal option is exercised in writing): \$1,250.00 per month or 5% of all net sales generated annually above \$1,000,000.00 (whichever is higher).
6. Lessee shall have the right to provide food and beverage service on the leased premises and on the golf course. Lessee shall have the exclusive right to provide catering services at the golf course if Lessee charges reasonable rates and is able to offer the requested catered items.
7. The Pro Shop, Pro Shop office, and golf course restrooms are expressly excluded from the leased premises.
8. Lessee shall have the non-exclusive right to use the parking lot located at the Liberty Municipal Golf Course for employees and customers.
9. Lessee shall be permitted to use the equipment, furniture and fixtures provided by the lessor for the term of this agreement. Any equipment not located within the facility at the time of execution of this agreement must be provided by the lessee. Lessee agrees to provide Lessor with notice of any equipment located on the premises that Lessee does not plan on using. Lessor shall then remove said equipment.
10. Lessee agrees to obtain the necessary licenses and certifications to sell beer, wine and mixed drinks on the premises and on the golf course within a reasonable time not to exceed six (6) months from the execution date of this agreement. After obtaining the necessary licenses and certifications Lessee agrees to sell beer, wine and mixed drinks on the premises.
11. Lessee agrees to open and operate a restaurant on the Liberty Municipal Golf Course Clubhouse premises within eight (8) months of signing the original lease agreement.

Termination

12. This lease shall be terminated by either party in the event either party breaches a material provision hereof ("cause"). The non-breaching party must give the other party notice of such cause. In the event such cause is not remedied within thirty (30) days, the non-breaching party shall have the right to terminate this Agreement by serving upon the other party written notice of termination and setting the date for such termination.

Lessee's Covenants

13. The lessee agrees:
- a) That lessee will pay the said rent at the times and in the manner aforesaid.
 - b) That lessee will obtain, at its sole expense, the necessary licensing to sell beer, wine, and mixed drinks on the premises and on the golf course.

- c) That lessee will pay the general taxes which shall be assessed and levied upon the premises during the said term as they shall fall due.
- d) That lessee shall collect any applicable sales taxes and remit same to the appropriate taxing authority.
- e) That lessee will promptly pay all utility rates or charges which may become payable during the continuance of this lease for gas, electric, and water used on the premises.
- f) That lessee will not injure, overload, or deface or suffer to be injured, overloaded, or defaced the premises or any part thereof.
- g) That lessee will save harmless and indemnify the lessor from and against all loss, liability, or expense that may be incurred by reason of any accident with the equipment, gas or water or other pipes, or from any damage, neglect, or misadventure arising from or in any way growing out of lessee's use of the premises.
- h) That lessee will save harmless and indemnify the lessor from and against all loss, liability, or expense that may be incurred as a result of Lessee's use of the premises, including but not limited to injuries to any employees, visitors, or customers of Lessee.
- i) That lessee will save and keep harmless the lessor at all times during the term of this lease, from all damages, claims, fines, penalties, costs and expenses whatsoever which may result to the lessor or to said demised premises, or to any improvements at any time situated thereon, under the provisions of the present or any future statute, ordinance, rule or regulation of the State of Texas or of the United States, or of any municipality or body having jurisdiction in the matter, concerning the manufacture, sale, use or giving away of spirituous, fermented or intoxicating liquors on said demised premises or in any building at any time situated thereon during the term of this lease or any renewal or extension thereof.
- j) That lessee will pay for its commercial general liability insurance.
- k) That lessee will not make or suffer any unlawful, improper, or offensive use of the premises, or any use or occupancy thereof contrary to any law of the state or any ordinance of the said city now or hereafter made, or which shall be injurious to any person or property, or which shall be liable to endanger or affect any insurance on the said building or to increase the premium thereof.
- l) That lessee will not make any alterations or additions in or to the premises without the prior written consent of the lessor, or suffer any holes to be made or drilled in either the exterior or interior of the premises, or suffer any signs to be placed upon the building or premises except such as the lessor shall in writing approve beforehand.
- m) That lessee will not assign, underlet, or part with the possession of the whole or any part of the premises, furniture, fixtures, or equipment owned by lessor without first obtaining the written consent of the lessor.

- n) That lessee shall not cause any liens to be placed on the premises.
- o) That the lessor at all reasonable times may enter to view the premises and to make repairs which the lessor may see fit to make, or to show the premises to persons who may wish to lease or buy, and that during three months next preceding the expiration of the term lessee will permit the lessor to place and keep upon the front of the building a notice that the premises are for rent or for sale.
- p) That at the expiration of the said term lessee will peaceably yield up to the lessor the premises, including all furniture, fixtures and equipment owned by lessor, and all erections and additions made upon the same, in good repair in all respects, reasonable use and wear and damage by fire and other unavoidable casualties excepted, as the same now are or may be put in by the lessor.
- q) That all property of any kind that may be on the premises during the continuance of this lease shall be at the sole risk of the lessee, and that the lessor shall not be liable to the lessee or any other person for any injury, loss, or damage to property or to any person on the premises. Furthermore, lessee shall hold harmless and indemnify the lessor for any injury, loss, or damage to the property or to any person on the premises.
- r) That no assent, express or implied, by the lessor to any breach of any of the lessee's covenants, shall be deemed to be a waiver of any succeeding breach of the same covenant.
- s) That lessee will provide management and non-management employees to operate the premises and will prepare and process the payroll and benefits for its employees and will pay all applicable federal and state employment taxes and payroll insurance, including any income, social security and unemployment taxes and worker compensation costs. Lessee agrees to not discriminate against any person based on race, gender, religion, national origin, or sex.
- t) That lessee will purchase and hold in its own name an inventory of food, beverages and supplies necessary for the performance of its obligations under this agreement.
- u) That lessee will be responsible for the maintenance, housekeeping and sanitation of the food preparation areas, storage areas, serving areas, restrooms, grease traps, fire suppression system, propane tanks, eating areas, exterior landscaping and the outdoor areas outlined in Exhibit A.
- v) That lessee will be responsible for the daily maintenance and replacement of all equipment located in the facility. Lessee shall be responsible for repairing and/or replacing any lessor-owned equipment that gets damaged during the process of operating the facility. At the termination of this agreement, lessee shall return all lessor-owned equipment to the lessor in working order.
- w) That lessee will comply with all applicable requirements of the Texas Health and Safety Code for food service facilities and that all required approvals and permits will be obtained by lessee at its sole expense.

- x) That lessee is responsible for the maintenance and upkeep of all items of the leased premises, including all furniture, fixtures, and equipment, other than that which lessor expressly covenants to maintain. Should Lessee fail to adequately maintain the premises, or any item located thereon, the Lessor shall have the right to maintain and repair said premises and charge same to Lessee. Should Lessee fail to pay Lessor back for the maintenance and repair expenses within ten (10) days then the Lessor shall have the right to terminate this lease agreement and Lessee shall immediately vacate the premises upon said termination.
- y) That lessee will submit to lessor operating and financial statements on a quarterly basis, and will submit to lessor a statement of profits and losses and net sales for the previous year on or before sixty (60) days following each calendar year, and will maintain its books and records in accordance with generally accepted accounting principles, and lessor will maintain financial records during the term of this agreement and for a period of one (1) year from the termination of this contract.
- z) That the hours of operation, menus, prices, portions, and customary restaurant decisions necessary for the operation of the bar and restaurant located on the premises will be set by Lessee.
- aa) That lessee is permitted to hold special events on the premises. Special events shall include weddings, birthday parties, outdoor concerts, and other family-friendly entertainment. Lessee shall be responsible for coordinating and organizing all special events, except golf tournaments, located at the Liberty Municipal Golf Course. However, in the event that such special events are to be held off of the premises, lessee shall give notice of such special event to lessor and obtain lessor's written approval to hold such special event.
- bb) That lessee will provide catering for special events located on the premises and at the Liberty Municipal Golf Course.
- cc) Lessee shall, during the term of this agreement, comply with all applicable local, state, and federal laws.

Lessor's Covenants

14. The lessor agrees:

- a) That it is responsible for the maintenance and upkeep of the following items of the premises:
 - a. Parking lot;
 - b. Driveway;
 - c. Roof;
 - d. Ceiling;
 - e. Lighting;
 - f. HVAC;
 - g. Electrical systems;

- h. Water and plumbing systems;
 - i. Exterior walls;
 - j. Windows;
 - k. Foundation
- b) That lessor shall be responsible for the collection and removal of the refuse and recyclable material at its expense from the Liberty Municipal Golf Course. This shall include the dumpsters used by Lessee.
 - c) That the lessee shall peaceably hold and enjoy the premises.
 - d) That lessor agrees to paint the exterior of the clubhouse, Pro Shop and storage building located at the Liberty Municipal Golf Course within ninety (90) days of lessee obtaining the necessary licensing to serve beer, wine and mixed drinks on the premises. The lessor shall have the exclusive right to choose the color of the exterior paint.

Miscellaneous Terms

15. Independence of Lessee: Lessee shall perform all work and services described herein as an independent contractor and not as an officer, agent, servant or employee of Lessor. Lessee shall be responsible for the acts and omissions of its officers, agents, employees, or managers.

16. Notice: Any notice required to be given under this agreement shall be in writing and shall be personally delivered, sent by courier, or certified mail. Notices shall be sent to the following locations:

Lessor:

Attn: City Manager
City of Liberty
1829 Sam Houston St.
Liberty, TX 77575

Lessee:

Attn: Rolando Laurenzo
Distinct Cantinas Inc.
2007 Lubbock Street
Houston, TX 77007

17. Amendments: This agreement may be amended with the written approval of both lessor and lessee.

18. Condition of Premises: Lessee has examined and accepted the premises in their present "As Is" condition as suitable for the purposes for which the premises are leased and accepts the premises regardless of reasonable deterioration between the date of this lease and the date lessee begins occupying the premises. Lessee shall take responsibility for the premises and equipment under its custody and control. Lessee may not make any alterations or additions to the premises without the prior written approval of the lessor.

19. Proviso for Re-entry: If the lessee or its representatives or assigns shall neglect or fail to perform and observe any covenant which on the lessee's part is to be performed, or if its leasehold estate shall be taken on execution, or if the lessee shall be declared bankrupt or insolvent according to law, or shall make an assignment for the benefit of its creditors, then the lessor may, immediately or at any time thereafter, and without notice or demand, enter into and upon the

premises or any part thereof, and repossess the same as of their former estate, and expel the lessee and those claiming under him and remove their effects, forcibly, if necessary, without being taken or deemed to be guilty of any manner of trespass, and thereupon this lease shall terminate, but without prejudice to any remedies which might otherwise be used by the lessor for arrears of rent or any breach of the lessee's covenants.

20. Damages to the Premises: In case the premises or any part thereof shall at any time during the said term be destroyed or damaged by fire, flood, or other casualty so as to be unfit for occupancy and use, and so that the premises cannot be rebuilt or restored within sixty (60) days thereafter, then this lease shall terminate. If the premises or any part thereof is damaged or destroyed by fire, flood, or other casualty as a result of Lessee's direct or indirect use of the premises then Lessee shall be liable and responsible for all repairs to the premises and replacement of any furniture, fixtures, or equipment damaged thereon.

21. Payment of Attorney's Fees by Lessee: If lessor be compelled to pay any expense, including reasonable attorney's fees in instituting, prosecuting or defending any action or proceeding instituted by reason of any default of lessee hereunder, the sum or sums so paid by lessor with all interest, cost and damages shall be deemed to be additional rent hereunder and shall be due from lessee to lessor on the first day of the month following the payment of such expenses.

22. Payment of Expenses Incurred Due to Lessee's Breach: If the lessor is compelled to incur any expense by reason of the breach of this lease by lessee, the lessee shall be liable for the payment of such expense which shall be deemed additional rent and be added to and become a part of the rent herein reserved and next to become due.

LESSOR HAS MADE NO WARRANTIES TO LESSEE AS TO THE USE OR CONDITION OF THE PREMISES, EITHER EXPRESS OR IMPLIED, AND LESSOR AND LESSEE EXPRESSLY DISCLAIM ANY IMPLIED WARRANTY THAT THE PREMISES ARE SUITABLE FOR LESSEE'S INTENDED COMMERCIAL PURPOSE OR ANY OTHER WARRANTY (EXPRESS OR IMPLIED) REGARDING THE PREMISES. LESSEE EXPRESSLY WAIVES (TO THE EXTENT NOT PROHIBITED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL, STATE OR OTHER LAW THAT LESSEE MIGHT OTHERWISE HAVE AGAINST LESSOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE PREMISES. LESSOR AND LESSEE EXPRESSLY AGREE THAT THERE ARE NO, AND SHALL NOT BE ANY, IMPLIED WARRANTIES OF MERCHANTABILITY, HABITABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER KIND ARISING OUT OF THIS LEASE AND THAT ALL EXPRESS OR IMPLIED WARRANTIES IN CONNECTION HERewith ARE EXPRESSLY DISCLAIMED AND WAIVED.

IN WITNESS WHEREOF, the parties hereto have executed this lease the day and year first above written.

CITY OF LIBERTY

By:

Tom Warner, City Manager

Date: _____

DISTINCT CANTINAS, INC.

By:

Rolando Laurenzo

Date: _____

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Misc. Fees

ORDINANCE (ID # 4651)

DOC ID: 4651

Department: Fire Department

Subject: Permit and Inspection Fees

Background: The Fire Department does not currently charge for any of their inspection, permit or plan review services. The proposed amendment establishes fees for the Fire Department for when they perform inspections, plan review, or issue permits.

The proposed amendments are attached for your review.

Funding Source: n/a

Staff Recommendation: Approval of the Master Fee Schedule Amendment

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 FIRE DEPARTMENT INSPECTION AND PERMIT FEES; 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 of Liberty for Fire Department Inspection and Permit Fees.

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 rates shown in “Exhibit A” providing for Fire Department Inspection and Permit Fees 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 December 11, 2019.

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 10th day of December, 2019.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



LIBERTY FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

S. GRIMM, ASSISTANT CHIEF
FIRE MARSHAL

7.A.2.a

Fire Marshal Permit Fee Schedule

Fire Code Permit	\$50.00
Plans Review	\$50.00

Permit Type

Fire Sprinkler System Permit	\$50.00
Sprinkler Heads 1-10	\$10.00
Sprinkler Heads over 10	\$1.00 per head
Number of Risers	\$25.00 each
Number of Stand Pipes	\$25.00 each
Fire Pump	\$100.00 each
Jockey Pump	\$100.00 each

Fire Alarm System Permit	
Area up to 10,000 Sq. Ft.	\$50.00
10,000-100,000 Sq. Ft.	\$100.00
100,000 + Sq. Ft.	\$150.00
All Panels	\$50.00

Kitchen Suppression System	\$50.00
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Fuel Tanks	
Tank Installation	\$50.00 per tank
Tank Removal	\$50.00 per tank

Tent	
Inspection fee	\$20.00

Paint Booth	\$50.00
Additional booth	\$25.00

Burn Permit	\$25.00 requires inspection prior to approval
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Fire Hydrant Flow test	\$50.00
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Penalties

Work Performed Without Permit

Violation of Sections 105 and 110 IFC, May be cited as a Fire Code Violation, Misdemeanor punishable by up to \$2000.00 life safety violations or Fire Code Violation Penalty: violations or \$500.00 for all other violations as prescribed in Article 5.03 of code of ordinances. Each day shall constitute a separate offense.

Re-Inspection Fee	
3 rd Re-Inspection	\$50.00

1912 LAKELAND • LIBERTY TX • 77575
PHONE: 936.336.3922 • FAX: 936.336.5417

Attachment: EXHIBIT A - Fire Marshall Fees (4651 : Fire & Inspection Fees)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 4652)

DOC ID: 4652 A

Department: Administration

Subject: CenterPoint Rate Increase

Background: On November 14, 2019, CenterPoint filed an application for an increase in gas service rates. The total increase requested is \$6.816 million annually, representing a 9.4% increase in non-gas revenues. However, it should be noted that the proposed increase for residential customers is \$7.181 million, whereas small and large volume general service customers would receive rate *decreases* of \$0.175 million and \$0.190 million respectively. If approved, the average increase per residential customer would vary based on location from \$1.41 to \$8.19 monthly. CenterPoint has proposed that the gas service rate increase become effective on December 19, 2019. As such, the City must approve, deny, modify, or suspend the rate increase request by December 19, 2019. In previous CenterPoint rate increases, the City of Liberty has joined with other cities to retain legal counsel and rate consultants to represent the various cities. The proposed ordinance would suspend the effective date proposed by CenterPoint to February 12, 2020. Pursuant to Gas Utility Regulatory Act, Tex. Util. Code § 104.107, municipal regulatory authorities may suspend the rate change proposed by a utility up to 90 days from the effective date. The proposed ordinance also authorizes the City to join with the Steering Committee of Cities to retain legal counsel and rate consultants, participate in the gas service rate proceeding before the Railroad Commission and any courts, and to seek reimbursement for rate case expenses from CenterPoint. Once the consultants have an opportunity to review the case and supporting documentations, they will provide more information on the current rate increase request and a recommendation on the actions to be taken.

Funding Source: NA

Staff Recommendation: Staff recommends approval of the ordinance suspending CenterPoint's rate increase for ninety (90) days.

ORDINANCE OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE FOR AN ADDITIONAL NINETY (90) DAYS BEYOND THE EFFECTIVE DATE PROPOSED BY CENTERPOINT IN CONNECTION WITH ITS STATEMENT OF INTENT TO INCREASE RATES FOR CENTERPOINT'S BEAUMONT/EAST TEXAS DIVISION, FILED ON NOVEMBER 14, 2019; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE RAILROAD 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; DECLARING 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, on or about November 14, 2019, CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (“CenterPoint” or “Company”) filed a Statement of Intent with the City of Liberty (“City”) to increase gas rates in the Beaumont/East Texas Division Service Area by \$6.816 million per year; and

WHEREAS, City has exclusive original jurisdiction over the rates, operations and services of a gas utility in areas in the municipality pursuant to *Tex. Util. Code* §103.001; and

WHEREAS, Gas Utility Regulatory Act § 103.021 requires a local regulatory authority to make a reasonable determination of rate base, expenses, investment and rate of return and retain the necessary personnel to determine reasonable rates; and

WHEREAS, the City’s reasonable cost for regulatory expenses in ratemaking proceedings shall be reimbursed by the gas utility under Gas Utility Regulatory Act § 103.022; and

WHEREAS, given the complexity of the proposed rate increase and the need to fully review the proposed rate adjustment it is necessary to suspend the effective date for implementing the proposed rates until at least February 12, 2020 in order to allow the City’s rate experts sufficient time to determine the merits of CenterPoint’s proposed rates; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing, and investigating CenterPoint’s \$6.816 million rate increase request, City’s efforts will be coordinated with similarly situated municipalities in CenterPoint’s Beaumont/East Texas Division Service Area; and

WHEREAS, the City will join with other municipalities in a steering committee in order to coordinate the hiring and direction of counsel and consultants working on behalf of the steering committee and the City.

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

Section 1. That the statement and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The effective date of CenterPoint’s proposed rate increase, and the proposed tariffs related thereto, is hereby suspended for an additional ninety (90) days until February 12, 2020 in order to complete the review and investigation by City’s experts.

Section 3. The City is authorized to join with other municipalities as part of the CenterPoint Beaumont/East Texas Division Service Area Steering Committee with the

understanding that the steering committee will provide direction and guidance to the lawyers who are representing said cities.

Section 4. The City employs The Lawton Law Firm, P.C. to represent the City with regard to the proposed rate increase of CenterPoint before local and state regulatory authorities and any court of law and authorizes counsel to employ such rate experts as are recommended by the Steering Committee.

Section 5. The Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to CenterPoint for reimbursement.

Section 6. City's legal representatives shall have the right to obtain additional information from CenterPoint through the service of requests for information, which shall be responded to within seven (7) calendar days of receipt of such requests for information.

Section 7. CenterPoint shall reimburse the City, through the designated representative of the Steering Committee, for the reasonable costs of attorneys and consultant fees and expenses related thereto, upon the presentation of invoices reviewed by the Steering Committee.

Section 8. The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. This ordinance shall become effective from and after its passage.

Section 10. 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 10th day of December, 2019

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Property Sale

COUNCIL ACTION (ID # 4656)

DOC ID: 4656

Department: Administration

Subject: Tax Resale Property (1610 Texas)

Background: The Tax Resale Property is located at 1610 Texas. The prospective buyer is offering \$51,000 for the property. The amount to be distributed after court costs, publication fees and filing fees totals \$50,161.00. The amount of funds to be distributed to the City of Liberty from the sale of the property is \$12,038.64.

Funding Source: NA.

Staff Recommendation: Staff recommends approval of the sale of the property for \$51,000.00.

We have an offer on the following property:

Account numbers: 003660-000014-006 PIDN: 46077

PROPERTY DESCRIPTION

Being approximately 0.3719 acres located on Lot 1, 2 (N/2) of the Bill Davis Subdivision, more fully described in Volume 857, Page 584 of the Deed Records of Liberty County, Texas (Account No. 46077).

OFFEROR: JOSEPH THARP (713)398-1854

Tax Owed:	Liberty ISD	<u>\$45,600.49</u>	=	<u>47%</u>
	Liberty County	<u>\$28,072.53</u>	=	<u>29%</u>
	City of Liberty	<u>\$24,055.08</u>	=	<u>24%</u>

Total Taxes Owed \$97,728.10

Offer:	<u>\$51,000.00</u>	
Less court costs	<u>\$565.00</u>	Suit # <u>TX17104260</u>
Publication Fee	<u>\$250.00</u>	
Filing Fees	<u>\$24.00</u>	
Amount to be distributed:	<u>\$50,161.00</u>	

Amount to be received by Liberty ISD	<u>\$23,575.67</u>
Amount to be received by Liberty County	<u>\$14,546.69</u>
Amount to be received by City of Liberty	<u>\$12,038.64</u>

Per Cent recovered by Liberty ISD, and Liberty County 51%

CAD Value: \$173,410.00

Percent of CAD Value Recovered: 29%

12/04/19

Attachment: Tax Property Info (4656 : Tax Trust Property)

Liberty County Strike off Property

Liberty
ISD**RESALE OFFER INFORMATION FORM****Buyer Information**

Name:

Tharp, Joseph

Address:

2804 E. 3305 Preston Rd

Pasadena TX 77505

Phone number:

713 398 1854

Property Information

Suit #

TX 17104260

Account #

46077

Legal Description:

Proposed Bid Information

Amount of Bid

\$ 51,000.⁰⁰

A Publication fee of \$250.00, \$24.00 for fee to file the deed and the amount of Court Costs will be deducted from this figure first and then the remaining amount is the figure to be distributed to the taxing authorities.

****The acceptance of this proposed bid sheet does not warranty nor guarantee that the proposed bid will be approved by the taxing entities****

Return completed form to:

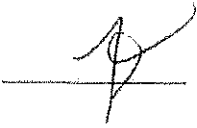
Mike Fielder
Davis, Fielder & Randolph
108 W. Clayton
P.O. Box 1265
Dayton, TX 77535

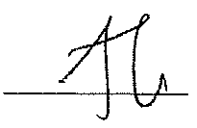
Phone(936)258-5536, Fax: (936)258-5508, email: karie@texasriverslaw.com

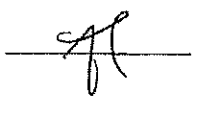
Attachment: Tax Property Info (4656 : Tax Trust Property)

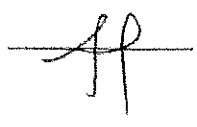
Rec'd
11-5-19

TERMS OF OFFER TO PURCHASE

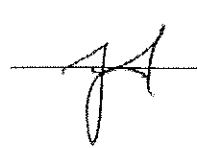

I understand and agree that if this offer to purchase is accepted by all involved taxing authorities, a contract for such purchase by me will have been completed and I will become fully obligated to complete such purchase.


I understand and agree that said tax lien foreclosure interest will be deeded to me on a "quit-claim" basis with no warranties, express or implied. I understand and agree that it is my responsibility to fully investigate said property as to its completeness of title, size, location, and state of the property prior to my offer to purchase the same, and that none of the involved taxing authorities has made any representations or guaranties as to such state of the title or of the property.


I understand and agree that by tendering this offer to purchase said property, I fully agree to accept the property interest "as is", with no representations or warranties whatsoever on the part of the taxing authorities, and understand that such interest may represent full title, part title, or no title to said property.


I understand and agree that for any of several reasons a title insurance agency or underwriter may decline to insure the title to the property for the purchase of a sale or a loan for an extended period of time.


Further, I understand and agree that my purchase of said property interest will be final and that the taxing authorities cannot refund the purchase price of said property because of any flaw in its title, location, size or state of the property and that neither the taxing authorities nor their attorneys can give me legal advice or opinions as to the same.


In addition, I understand and agree to accept the property subject to any existing right of redemption granted by law in the former owner(s) or occupiers of the property.

AS
AF

Further, I understand and agree that if improvements are made to the property during the redemption period I may not be able to recover their value.

I have read and understand the above terms and under the same do offer to purchase said property for the total purchase price stated.

Signed this the 5 day of Nov, 20 19.

Please print:
Name:

Joseph Tharp

Address:

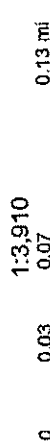
3305 Preston

Phone No.:

713 398 1054

Other
contact
information:

781-991-6101



Abstracts

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Liberty County Appraisal District & BIS Consulting - www.bisconsultants.com

may be used and evaluated outside the scope of the research project only and BIS Consultants. Use is restricted for official purposes.

 Property Details**Account**

Property ID: 46077
Legal Description: DAVIS BILL, BLOCK D, LOT 1, 2 (N/2), ACRES .3719
Geographic ID: 003660-000014-006
Agent Code:

Type: Real

Location

Address: 1610 TEXAS TX
Map ID: GRID 908, 39 B
Neighborhood CD: LISD01

Owner

Owner ID: 46077
Name: GODBY RUSSELL L
Mailing Address: 119 WAHOO TRL
GOODRICH, TX 77335

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$150,600
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$22,810
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$173,410
Ag Use Value:	\$0
Appraised Value:	\$173,410
Homestead Cap Loss: ⓘ	\$0
Assessed Value:	\$173,410

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	APPRAISAL DIST	0.000000	\$173,410	\$173,410	\$0.00	
CLI	CITY OF LIBERTY	0.585100	\$173,410	\$173,410	\$1,014.62	
GLI	LIBERTY COUNTY	0.578800	\$173,410	\$173,410	\$1,003.70	
HD1	HOSPITAL DISTRICT 1	0.090000	\$173,410	\$173,410	\$156.07	
NAVS	NAVIGATION-SOUTH	0.013850	\$173,410	\$173,410	\$24.02	
PR1	PRECINCT 1	0.000000	\$173,410	\$173,410	\$0.00	
SLI	LIBERTY ISD	1.312500	\$173,410	\$173,410	\$2,276.01	
WD5	WATER DISTRICT 5	0.089900	\$173,410	\$173,410	\$155.90	

Total Tax Rate: 2.670150 Estimated Taxes With Exemptions: \$4,630.31 Estimated Taxes Without Exemptions: \$4,630.31

Property Improvement - Building

Description: RESIDENTIAL Type: RESIDENTIAL State Code: A1 Living Area: 1,816.00sqft Value: \$150,600

Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
MA	MAIN AREA	7M		BV	1980	1,816.00
121	OPEN MA PORCH	*			1980	24.00
128	ATTACHED GARAGE	*			1980	748.00
121	OPEN MA PORCH	*			1980	104.00
128	ATTACHED GARAGE	*			1980	1,412.00
111	OPEN FRAME PORCH	*			1980	340.00

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
CL	CORNER LOT	0.3719	16,200.00			\$22,810	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2020	N/A	N/A	N/A	N/A	N/A	N/A
2019	\$150,600	\$22,810	\$0	\$173,410	\$0	\$173,410
2018	\$145,720	\$21,030	\$0	\$166,750	\$0	\$166,750
2017	\$145,720	\$16,040	\$0	\$161,760	\$0	\$161,760
2016	\$137,460	\$13,370	\$0	\$150,830	\$0	\$150,830
2015	\$126,920	\$13,370	\$0	\$140,290	\$0	\$140,290
2014	\$122,140	\$13,370	\$0	\$135,510	\$0	\$135,510
2013	\$122,140	\$13,370	\$0	\$135,510	\$0	\$135,510
2012	\$122,140	\$13,370	\$0	\$135,510	\$0	\$135,510
2011	\$122,140	\$13,370	\$0	\$135,510	\$0	\$135,510

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
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DISCLAIMER

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents.

Please contact the Appraisal District to verify all information for accuracy.



Liberty County Tax Office

Wednesday,
December 4, 2019

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Property Tax Record

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Account: 46077

APD: 003660-000014-006

Location: 0001610TEXAS

Legal: DAVIS BILL|BLOCK D|LOT 1|2
(N/
2)|ACRES .3719

Owner: GODBY RUSSELL L

119 WAHOO TRL
GOODRICH TX 77335-

Acres: 0.372

Yr Built: 0

Sq Ft: 0

Def. Start: NONE

Def. End: NONE

Roll: R

UDI: 0%

2019 Values

Improvement 150600

Land 22810

2019 Exemptions

Username:

Password:

[Login](#)

Click on the e-Payment button to make a credit card or eCheck payment
Please enter Jurisdiction Code 5321

[Current status](#)

[Tax Estimator](#)

[e-Payment](#)

[e-Statement](#)

[All years](#)

Year	Unit	Levy Amount	Amount Paid	Levy Due	Penalty	Interest	Col Penalty	Total Due	Receipt Date
2019	CLI	1,014.62	0.00	1,014.62	0.00	0.00	0.00	1,014.62	-
2019	GLI	1,003.70	0.00	1,003.70	0.00	0.00	0.00	1,003.70	-
2019	HD1	156.07	0.00	156.07	0.00	0.00	0.00	156.07	-
2019	NVS	24.02	0.00	24.02	0.00	0.00	0.00	24.02	-
2019	SLI	2,276.01	0.00	2,276.01	0.00	0.00	0.00	2,276.01	-
2019	WD5	155.90	0.00	155.90	0.00	0.00	0.00	155.90	-
2019	Totals	4,630.32	0.00	4,630.32	0.00	0.00	0.00	4,630.32	-
2018	CLI	975.65	0.00	975.65	117.08	107.32	180.01	1,380.06	-
2018	GLI	965.15	0.00	965.15	115.82	106.17	178.07	1,365.21	-
2018	HD1	150.08	0.00	150.08	18.01	16.51	27.69	212.29	-
2018	NVS	23.09	0.00	23.09	2.77	2.54	4.26	32.66	-
2018	SLI	2,324.50	0.00	2,324.50	278.94	255.70	428.87	3,288.01	-
2018	WD5	149.91	0.00	149.91	17.99	16.49	27.66	212.05	-
2018	Totals	4,588.38	0.00	4,588.38	550.61	504.73	846.56	6,490.28	-
2017	CLI	986.74	0.00	986.74	118.41	226.95	199.82	1,531.92	-
2017	GLI	936.27	0.00	936.27	112.35	215.34	189.59	1,453.55	-
2017	HD1	145.58	0.00	145.58	17.47	33.48	29.48	226.01	-
2017	NVS	24.67	0.00	24.67	2.96	5.67	5.00	38.30	-
2017	SLI	2,254.93	0.00	2,254.93	270.59	518.63	456.62	3,500.77	-
2017	WD5	97.33	0.00	97.33	11.68	22.39	19.71	151.11	-
2017	Totals	4,445.52	0.00	4,445.52	533.46	1,022.46	900.22	6,901.66	-
2016	CLI	920.06	0.00	920.06	110.41	322.02	202.87	1,555.36	-
2016	GLI	873.00	0.00	873.00	104.76	305.55	192.50	1,475.81	-
2016	HD1	135.75	0.00	135.75	16.29	47.51	29.93	229.48	-
2016	NVS	27.15	0.00	27.15	3.26	9.50	5.99	45.90	-
2016	SLI	2,117.65	0.00	2,117.65	254.12	741.18	466.94	3,579.89	-
2016	WD5	90.05	0.00	90.05	10.81	31.52	19.86	152.24	-

11/11 4467.34
USD 10368.67

Attachment: Tax Property Info (4656 : Tax Trust Property)

2016 Totals		4,163.66	0.00	4,163.66	499.65	1,457.28	918.09	7,038.68	
2015	GLI	827.71	0.00	827.71	99.33	389.02	197.41	1,513.47	--
2015	GLI	812.00	0.00	812.00	97.44	381.64	193.66	1,484.74	--
2015	HD1	126.26	0.00	126.26	15.15	59.34	30.11	230.86	--
2015	NVS	24.97	0.00	24.97	3.00	11.74	5.96	45.67	--
2015	SLI	1,956.06	0.00	1,956.06	234.73	919.35	466.52	3,576.66	--
2015	WD5	83.75	0.00	83.75	10.05	39.36	19.97	153.13	--
2015 Totals		3,830.75	0.00	3,830.75	459.70	1,800.45	913.63	7,004.53	
2014	GLI	799.51	0.00	799.51	95.94	471.71	205.07	1,572.23	--
2014	GLI	784.33	0.00	784.33	94.12	462.75	201.18	1,542.38	--
2014	HD1	121.96	0.00	121.96	14.64	71.96	31.28	239.84	--
2014	NVS	24.12	0.00	24.12	2.89	14.23	6.19	47.43	--
2014	SLI	1,583.57	0.00	1,583.57	190.03	934.31	406.19	3,114.10	--
2014	WD5	80.90	0.00	80.90	9.71	47.73	20.75	159.09	--
2014 Totals		3,394.39	0.00	3,394.39	407.33	2,002.69	870.66	6,675.07	
2013	GLI	685.43	0.00	685.43	82.25	486.66	188.15	1,412.49	--
2013	GLI	592.43	0.00	592.43	71.09	420.63	162.62	1,246.77	--
2013	HD1	112.96	0.00	112.96	13.56	80.20	31.01	237.73	--
2013	NVS	8.61	0.00	8.61	1.03	6.11	2.36	18.11	--
2013	SLI	1,068.96	0.00	1,068.96	128.28	758.96	293.43	2,249.63	--
2013	WD5	74.93	0.00	74.93	8.99	53.20	20.57	157.69	--
2013 Totals		2,543.32	0.00	2,543.32	305.20	1,805.76	698.14	5,352.42	
2012	GLI	685.43	0.00	685.43	82.25	568.91	200.49	1,537.08	--
2012	GLI	592.43	0.00	592.43	71.09	491.72	173.29	1,328.53	--
2012	HD1	112.96	0.00	112.96	13.56	93.76	33.04	253.32	--
2012	NVS	8.74	0.00	8.74	1.05	7.25	2.56	19.60	--
2012	SLI	1,068.96	0.00	1,068.96	128.28	887.24	312.67	2,397.15	--
2012	WD5	69.78	0.00	69.78	8.37	57.92	20.41	156.48	--
2012 Totals		2,538.30	0.00	2,538.30	304.60	2,106.80	742.46	5,692.16	
2011	GLI	685.43	0.00	685.43	82.25	651.16	212.83	1,631.57	--
2011	GLI	592.43	0.00	592.43	71.09	562.81	183.95	1,410.28	--
2011	HD1	112.96	0.00	112.96	13.56	107.31	35.07	268.90	--
2011	NVS	8.74	0.00	8.74	1.05	8.30	2.71	20.80	--
2011	SLI	1,068.96	0.00	1,068.96	128.28	1,015.51	331.91	2,544.66	--
2011	WD5	65.39	0.00	65.39	7.85	62.12	20.30	155.66	--
2011 Totals		2,533.91	0.00	2,533.91	304.08	2,407.21	786.77	6,031.97	
2010	GLI	685.43	0.00	685.43	82.25	733.41	225.16	1,720.25	--
2010	GLI	592.43	0.00	592.43	71.09	633.90	194.61	1,492.03	--
2010	HD1	112.96	0.00	112.96	13.56	120.87	37.11	284.50	--
2010	NVS	9.07	0.00	9.07	1.09	9.70	2.98	22.84	--
2010	SLI	1,068.96	0.00	1,068.96	128.28	1,143.79	351.15	2,692.18	--
2010	WD5	66.39	0.00	66.39	7.97	71.04	21.81	167.21	--
2010 Totals		2,535.24	0.00	2,535.24	304.24	2,712.71	832.82	6,385.01	
2009	GLI	685.43	0.00	685.43	82.25	815.66	237.50	1,820.84	--
2009	GLI	592.43	0.00	592.43	71.09	704.99	205.28	1,573.79	--
2009	HD1	107.97	0.00	107.97	12.96	128.48	37.41	286.82	--
2009	NVS	8.24	0.00	8.24	0.99	9.81	2.86	21.90	--
2009	SLI	1,068.96	0.00	1,068.96	128.28	1,272.06	370.40	2,839.70	--
2009	WD5	65.14	0.00	65.14	7.82	77.52	22.57	173.05	--
2009 Totals		2,528.17	0.00	2,528.17	303.39	3,008.52	876.02	6,716.10	
2008	GLI	685.43	0.00	685.43	82.25	897.91	249.84	1,915.43	--
2008	GLI	592.43	0.00	592.43	71.09	776.08	215.94	1,655.54	--
2008	HD1	107.97	0.00	107.97	12.96	141.44	39.36	301.73	--
2008	NVS	7.96	0.00	7.96	0.96	10.43	2.90	22.25	--
2008	SLI	1,068.96	0.00	1,068.96	128.28	1,400.34	389.64	2,987.22	--

CITY 13,159,480
USD 2,240,350

2008	WD5	59.99	0.00	59.99	7.20	78.59	21.87	167.65	-
2008 Totals		2,522.74	0.00	2,522.74	302.74	3,304.79	919.55	7,049.82	
2007	CLI	679.40	0.00	679.40	81.53	971.54	259.87	1,992.34	-
2007	GLI	592.43	0.00	592.43	71.09	847.17	226.60	1,737.29	-
2007	HD1	100.19	0.00	100.19	12.02	143.27	38.32	293.80	-
2007	NVS	7.15	0.00	7.15	0.86	10.22	2.73	20.96	-
2007	SLI	1,068.96	0.00	1,068.96	128.28	1,528.61	408.88	3,134.73	-
2007	WD5	57.33	0.00	57.33	6.88	81.98	21.93	168.12	-
2007 Totals		2,505.46	0.00	2,505.46	300.66	3,582.79	958.33	7,347.24	
2006	CLI	677.38	0.00	677.38	81.29	1,049.94	271.29	2,079.90	-
2006	GLI	592.43	0.00	592.43	71.09	918.27	237.27	1,819.06	-
2006	HD1	96.42	0.00	96.42	11.57	149.45	38.62	296.06	-
2006	NVS	7.54	0.00	7.54	0.90	11.69	3.02	23.15	-
2006	SLI	1,452.64	0.00	1,452.64	174.32	2,251.59	581.78	4,460.33	-
2006	WD5	57.14	0.00	57.14	6.86	88.57	22.89	175.46	-
2006 Totals		2,883.55	0.00	2,883.55	346.03	4,469.51	1,154.87	8,853.96	
2005	CLI	685.44	0.00	685.44	82.25	1,144.68	286.86	2,199.23	-
2005	GLI	592.43	0.00	592.43	71.09	989.36	247.93	1,900.81	-
2005	HD1	93.99	0.00	93.99	11.28	156.96	39.33	301.56	-
2005	NVS	7.57	0.00	7.57	0.91	12.64	3.17	24.29	-
2005	SLI	1,494.64	0.00	1,494.64	179.36	2,496.05	625.51	4,795.56	-
2005	WD5	55.77	0.00	55.77	6.69	93.14	23.34	178.94	-
2005 Totals		2,929.84	0.00	2,929.84	351.58	4,892.83	1,226.14	9,400.39	
2004	CLI	46.86	0.00	46.86	5.62	83.88	20.45	156.81	-
2004	GLI	50.21	0.00	50.21	6.03	89.88	21.92	168.04	-
2004	NVS	2.01	0.00	2.01	0.24	3.60	0.88	6.73	-
2004	SLI	131.45	0.00	131.45	15.77	235.30	57.38	439.90	-
2004	WD5	5.18	0.00	5.18	0.62	9.27	2.26	17.33	-
2004 Totals		235.71	0.00	235.71	28.28	421.93	102.89	788.81	
2003	CLI	547.47	614.21	0.00	0.00	0.00	0.00	0.00	6/24/2004
2003	GLI	549.45	616.42	0.00	0.00	0.00	0.00	0.00	6/24/2004
2003	NVS	21.56	24.20	0.00	0.00	0.00	0.00	0.00	6/24/2004
2003	SLI	1,441.49	1,617.24	0.00	0.00	0.00	0.00	0.00	6/24/2004
2003	WD5	64.97	72.89	0.00	0.00	0.00	0.00	0.00	6/24/2004
2003 Totals		2,624.94	2,944.96	0.00	0.00	0.00	0.00	0.00	
2002	CLI	497.68	962.80	0.00	0.00	0.00	0.00	0.00	7/31/2007
2002	GLI	499.49	966.29	0.00	0.00	0.00	0.00	0.00	7/31/2007
2002	NVS	19.60	37.94	0.00	0.00	0.00	0.00	0.00	7/31/2007
2002	SLI	1,195.99	2,217.33	0.00	0.00	0.00	0.00	0.00	7/31/2007
2002	WD5	56.65	109.60	0.00	0.00	0.00	0.00	0.00	7/31/2007
2002 Totals		2,269.41	4,293.96	0.00	0.00	0.00	0.00	0.00	
2001	CLI	490.03	860.79	0.00	0.00	0.00	0.00	0.00	11/29/2006
2001	GLI	499.49	877.46	0.00	0.00	0.00	0.00	0.00	11/29/2006
2001	NVS	19.60	34.42	0.00	0.00	0.00	0.00	0.00	11/29/2006
2001	SLI	1,018.56	1,714.64	0.00	0.00	0.00	0.00	0.00	11/29/2006
2001	WD5	54.08	95.03	0.00	0.00	0.00	0.00	0.00	11/29/2006
2001 Totals		2,081.76	3,582.34	0.00	0.00	0.00	0.00	0.00	
2000	CLI	441.54	441.54	0.00	0.00	0.00	0.00	0.00	1/6/2001
2000	GLI	473.75	473.75	0.00	0.00	0.00	0.00	0.00	1/6/2001
2000	NVS	18.59	18.59	0.00	0.00	0.00	0.00	0.00	1/6/2001
2000	SLI	982.80	982.80	0.00	0.00	0.00	0.00	0.00	1/6/2001
2000	WD5	60.34	60.34	0.00	0.00	0.00	0.00	0.00	1/6/2001
2000 Totals		1,977.02	1,977.02	0.00	0.00	0.00	0.00	0.00	
1999	CLI	407.05	407.05	0.00	0.00	0.00	0.00	0.00	1/11/2000

Attachment: Tax Property Info (4656 : Tax Trust Property)

1999	GLI	433.54	433.54	0.00	0.00	0.00	0.00	0.00	1/11/2000
1999	NAV	13.01	13.01	0.00	0.00	0.00	0.00	0.00	1/11/2000
1999	SLI	880.59	880.59	0.00	0.00	0.00	0.00	0.00	1/11/2000
1999	WD5	55.59	55.59	0.00	0.00	0.00	0.00	0.00	1/11/2000
1999 Totals		1,789.78	1,789.78	0.00	0.00	0.00	0.00	0.00	
1998	CLI	370.07	370.07	0.00	0.00	0.00	0.00	0.00	1/6/1999
1998	GLI	394.15	394.15	0.00	0.00	0.00	0.00	0.00	1/6/1999
1998	NAV	12.75	12.75	0.00	0.00	0.00	0.00	0.00	1/6/1999
1998	SLI	794.66	794.66	0.00	0.00	0.00	0.00	0.00	1/6/1999
1998	WD5	54.41	54.41	0.00	0.00	0.00	0.00	0.00	1/6/1999
1998 Totals		1,626.04	1,626.04	0.00	0.00	0.00	0.00	0.00	
1997	CLI	401.27	401.27	0.00	0.00	0.00	0.00	0.00	1/12/1998
1997	GLI	412.67	412.67	0.00	0.00	0.00	0.00	0.00	1/12/1998
1997	NAV	14.12	14.12	0.00	0.00	0.00	0.00	0.00	1/12/1998
1997	SLI	880.68	880.68	0.00	0.00	0.00	0.00	0.00	1/12/1998
1997	WD5	60.32	60.32	0.00	0.00	0.00	0.00	0.00	1/12/1998
1997 Totals		1,769.06	1,769.06	0.00	0.00	0.00	0.00	0.00	
1996	CLI	376.73	376.73	0.00	0.00	0.00	0.00	0.00	12/30/1996
1996	GLI	374.13	374.13	0.00	0.00	0.00	0.00	0.00	12/30/1996
1996	NAV	12.86	12.86	0.00	0.00	0.00	0.00	0.00	12/30/1996
1996	SLI	927.76	927.76	0.00	0.00	0.00	0.00	0.00	12/30/1996
1996	WD5	55.49	55.49	0.00	0.00	0.00	0.00	0.00	12/30/1996
1996 Totals		1,746.97	1,746.97	0.00	0.00	0.00	0.00	0.00	
Grand Totals		64,694.24	19,730.13	48,809.26	5,301.55	35,500.46	12,747.15	102,358.42	

[Read our Privacy Policy](#)

Liberty County

Liberty County Tax Assessor/Collector

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Site Design by Spindlemedia

2 pgs
DEED

2019029896

DEED UNDER ORDER OF SALE IN TAX SUITS

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 TRANSFER 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.

(Language pursuant Section 11.008 of the Texas Property Code)

Date: October 1, 2019

Grantor: Sheriff Bobby Rader, Liberty County, Texas

Grantee(s): Liberty Independent School District, Trustee, for itself and for City of Liberty, Liberty County Hospital District #1, Water District #5, Chambers Liberty Counties Navigation District and Liberty County

Consideration/High Bid: Taxes, penalties, interest and cost owing.

Land and Premises: Being approximately 0.3719 acres located on Lot 1, 2 (N/2) of the Bill Davis Subdivision; more fully described in Volume 857, Page 584 of the Deed Records of Liberty County, Texas (Account No. 46077).

LCAD number: 46077

Sheriff: Sheriff Bobby Rader, Liberty County, Texas

Order of Sale in Tax Suit: That Order of Sale issued on August 19, 2019 out of the 75th Judicial District Court of Liberty County, Texas, pursuant to a judgment and decree of sale in Cause No. TX17104260; Liberty Independent School District vs. Russell L. Godby rendered on: April 2, 2019

Newspaper: Liberty Vindicator
Dates of publications: September 5, 2019, September 12, 2019 and September 19, 2019

Levy Date: August 20, 2019

Defendant(s): Russell L. Godby

Date of Sale: October 1, 2019, being the first Tuesday of the month therein.

By virtue of that certain Order of Sale described above and further directed and delivered to me as Sheriff on the above stated Levy Date, commanding me to seize and sell the land and premises described in the Order of Sale, I did advertise for sale the said land and premises described in the Order of Sale, by having a notice of the sale published in the English language once a week for three consecutive weeks preceding the Date of Sale in the above-described Newspaper, a newspaper published in Liberty County, Texas, the first publication appearing not less than twenty days immediately preceding the day of the sale, containing a statement of the authority by virtue of which the sale is to be made, time and place of sale; also a brief description of the property to be sold by stating the number of acres and the original survey; if the property was located in a platted subdivision or addition the name by which the land is generally known with reference to that subdivision or addition; or by adopting the description of the land as contained in the judgment. Also, a copy of the Notice of Sale was mailed to the last known address of the above named Defendant(s).

On the Date of Sale stated above, between the hours of ten o'clock a.m. and four o'clock p.m., I offered the above described land and premises at public venue in the County of Liberty, State of Texas, at the door of the Courthouse of said Liberty County, Texas, and said land and premises were struck off to the taxing units, for the sum stated above.

Accordingly, and in consideration that no monies were received nor exchanged, which is hereby acknowledged, I hereby convey to the Grantee(s) all of the right title and interest owned by the Defendants in the property described above.

Attachment: Tax Property Info (4656 : Tax Trust Property)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Miscellaneous

WORK SESSION (ID # 4653)

DOC ID: 4653

Department: Administration

Subject: 2019 Charter Review Commission Proposed Changes

Background: The City Council will discuss and consider proposed changes to the City's Home Rule Charter.

PROPOSED CHARTER AMENDMENTS

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

The boundaries of the city may be altered by extension or contraction through annexation or disannexation of territory by one or more of the following methods:

a. Annexation.

1. The city council shall have the power to annex territory to the city in any manner and by any procedure that may now or hereafter be provided by law.~~with or without the consent of the inhabitants or owners of such territory.~~

2. ~~Territory may also be annexed to the city in any manner and by any procedure that may now or hereafter [by] be provided by law.~~

b. Disannexation of territory. Territory in the city may be detached from the corporate limits pursuant only to state law and city charter. However, any detached territory shall remain liable for its prorated share of indebtedness incurred while such territory was a part of the city, and the city shall continue to levy and collect taxes within the territory until such indebtedness is discharged.

Municipal services shall be extended to annexed territory in accordance with state law and city ordinances.

Sec. 3.02. **Qualifications.**

Each member of the city council shall be a permanent resident citizen of the City of Liberty; shall not owe any property taxes to the City of Liberty; shall have resided in the State of Texas for a period of twelve (12) months; [and] shall have been such resident citizen of the City of Liberty for a period of not less than twelve months immediately preceding his election, provided however, that any person with the above qualifications, except as to residence, who shall have been a permanent resident, for a period of not less than twelve (12) months immediately preceding his election, of any of the territory not formerly within the corporate limits of said city, but which is annexed under the provisions of section 1.03 of this charter, shall be eligible for said office. A person also must meet the following requirements to be eligible to be a candidate for or elected or appointed to, or to remain in the office of mayor or councilperson: be a United States citizen; be a qualified voter; not have been determined mentally incompetent by a final judgment of a court of proper jurisdiction; not have been finally convicted of a felony from which the person has not been pardoned or otherwise released from resulting disabilities; or convicted in a felony or in a crime involving moral turpitude from which the person has not been pardoned or otherwise released from resulting disabilities. A member of the city council who ceases to be eligible to serve on the council shall automatically forfeit his office.

Sec. 3.05. **Resignations and Vacancies.**

The resignation of any member of council, including the mayor must be in writing, signed and delivered to the presiding officer. The city council may not refuse to accept a resignation. If a resignation is submitted, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the city council or on the eighth day after the

date of its receipt by the council, whichever is earlier.

All public officers shall continue to perform the duties of their offices until their successors shall be duly qualified (i.e., sworn in). Until the vacancy created by a resignation is filled by a successor, the public officer continues to serve and have the duties and powers of office and continues to be subject to the nepotism provisions. A holdover public official may not vote on the appointment of his or her successor. A person elected or appointed to serve as a council member, or mayor, must remain a resident of the city throughout the term of office.

If a vacancy occurs on the city council, the remaining city council members and mayor may fill the vacancy by appointment until the next regularly scheduled city council election or may order a special election to fill the vacancy. Said special election shall be held on the next available uniform election date. If more than one year remains in the term of the position vacated, the vacancy shall be filled not later than the 180th day after the date the vacancy occurs. To be eligible to be appointed to the city council, a person must meet the qualifications for a councilmember set forth in this charter.

A special election to fill a vacancy shall be conducted in the same manner as the city's general election and in accordance with all state laws related to municipal elections. An election to fill a vacancy shall be to fill the unexpired term only.

The same rules outlined above shall apply to filling a vacancy in the mayor's position.

~~When a vacancy occurs in the city council by refusal to accept, failure to qualify, death, resignation, or otherwise; the remaining members of the council, shall, within thirty (30) days after the next regularly scheduled city council meeting, appoint a qualified person to fill the unexpired term from submissions in writing within fifteen (15) days of request by the city council for vacancy applicants of qualified interested parties to the city council. The city council remaining members and mayor also may present submission in writing within fifteen (15) days of request by the city council for vacancy applicants of qualified interested parties and prior to the first vote by council remaining members and mayor on properly qualified vacancy applicants.~~

~~From submissions properly submitted by or on behalf of qualified interested parties, nominations will be made by council remaining members or mayor, with a second required by a council remaining member or mayor for an applicant to be voted on by the city council remaining members and mayor to fill the vacancy. A public voice note [vote] by each of the city council remaining members and mayor will be taken by the mayor of properly nominated and seconded applicants to fill the unexpired term. If no properly nominated and seconded applicant receives a majority vote on the first ballot, subsequent votes may be taken until a majority vote selects a replacement.~~

~~If for any reason an appointment of a properly submitted, nominated and seconded applicant is not made by a majority decision of remaining council members within the thirty (30) day period after the next regularly scheduled city council meeting from properly submitted applicants, the city council shall call a special election within sixty (60) days from the date of the vacancy, to be held on the first uniform election date which permits compliance with all procedural requirement[s] of the V.T.C.A., Election Code. An election is not required if a regularly~~

~~scheduled election is to be held within ninety (90) days of the time of a vacancy. If a vacancy in the office of mayor occurs, and such vacancy is filled by an elected councilperson, then such designation is not considered an appointment for purposes of determining if an election is required.~~

Sec. 3.06. Powers of the city council.

All powers of the city and the determination of all matters of policy shall be vested in the city council. Without limitation of the foregoing, the council shall have power to:

- (a) Remove from any office or position of employment in the city government any officer, employee, ~~or employee~~ or member of any board or commission, appointed by the city council provided that said officer, employee, or board member was appointed to the position directly by the City Council.
- (b) Establish, consolidate or abolish ~~administrative departments. and distribute the work of divisions.~~
- (c) Adopt the budget of the city.
- (d) Authorize the issuance of bonds by a bond ordinance.
- (e) Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs.
- (f) Provide for such additional boards and commissions, not otherwise provided for in this charter, as may be deemed necessary, and appoint the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this charter, by city ordinance or by law.
- (g) Adopt and modify the zoning plan and ~~the~~ building codes of the city.
- (h) Adopt and modify the map of the city.
- (i) Adopt, modify and carry out plans proposed by the city planning and zoning commission and city staff related to properties and improvements in non-compliance with city ordinances within the city's jurisdiction.
- (j) Adopt, modify and carry out plans proposed by the city planning and zoning commission for the re-planning, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.
- (k) Regulate, license and fix the charges on [or] fare made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the city.
- (l) Provide for the establishment and designation of the fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings, or buildings calculated to increase the fire hazard and prescribe the manner of their removal or destruction within said limits.
- (m) ~~Fix the salaries and compensation of the city officers and employees.~~ Approve salary ranges for city officers and employees.

(n) Provide for a sanitary sewer and water system and require property owners, when readily available, to make connections of such sewers with their premises and to provide for fixing a lien against any property owner's premises who fails or refuses to make sanitary sewer connections and to charge the cost against said owner and make it a personal liability. To provide for fixing penalties for a failure to make sanitary sewer connections.

(o) Provide for sanitary garbage disposal and set fees and charges therefor, and provide penalties for failure to pay such fees and charges.

(p) The City of Liberty shall have the power to lay out, establish, open, alter, widen, lower, extend, grade, abandon, discontinue, abolish, close, sell, convey, care for, pave, supervise, maintain and improve streets, alleys, sidewalks, parks, squares, public places and bridges; and regulate the use thereof and require the removal from streets, sidewalks, alleys and other public property or places of all obstructions and encroachments of every nature or character thereon.

(q) The city shall have exclusive dominion, control and jurisdiction in, upon, and over and under the public streets, avenues, alleys, highways, and public ways of the city, and may provide for the improvement thereof by paving, repaving, raising, draining, or otherwise. The provisions, without limitations, of Chapter 106, page 489, Fortieth Legislature, First Called Session, Acts 1927, and/or the provisions, without limitations, of Chapter 14 of the Acts of the Thirty-First Legislature, Second Called Session, page 402, known as the Street Improvement Law, enacted in 1909, together with all amendments now existing or hereafter enacted, are expressly adopted. Such exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys, highways and public ways of the city shall also include, but not be limited to, the power to regulate, locate, relocate, remove, or prohibit the location of all utility pipes, conduits, lines, poles, wires or other property of any public utility.

(r) Require the filling up, drainage, and regulating of any lot or lots, grounds, yards, or any other places in the city which shall be unwholesome, or have stagnant water therein, or from any other cause be in such condition as to be liable to produce disease; to cause all premises to be inspected and to impose fines on the owners of houses under which stagnant water may be found, or upon whose premises such stagnant water may be found, and to pass such ordinances as they may deem necessary for the purposes aforesaid and for making, filling up, altering or repairing of all sinks, and privies, and directing the mode and material for constructing them in the future, and for cleaning and disinfecting the same; and for cleansing of any house, building, establishment, lot, yard or ground from filth, carrion or other impure or unwholesome matter of any kind; to require the owner of any lot or lots within the City of Liberty to keep the same free from weeds, rubbish, brush and any and all other objectionable, unsightly or unsanitary matter of whatever nature, and if such owner fails or refuses to do so, ~~[within ten (10) days after notice in writing, or by letter addressed to such owner at his post-office address, or by publication as many as two (2) times within ten (10) consecutive days, if personal service may not be had as aforesaid, or the owner's address be not known]~~ then the city may, in accordance with state law, do such work or may cause the same to be done and may pay therefor and charge the expenses incurred in doing or having such work done or improvements made, to the owner of such property as herein provided; and to punish any owner or occupant violating the provisions of any ordinance so passed, as aforesaid; and the city council shall also, in addition to the foregoing remedy, have the power to cause any of the improvements above mentioned to be done at the expense of the city, on account of the owners, and cause the expense thereof to be assessed on the real estate, or lot or lots upon which such expense is incurred. On filing with the county clerk

of Liberty County, Texas, a statement by the mayor or city code enforcement officer ~~health officer~~ of such expenses, the city shall have a privileged lien thereon, second only to tax liens and liens for street improvements to secure the expenditures so made, and ten (10) percent interest on the amount from the date of such payment. For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure had in the name of the City of Liberty; and the statement so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

(s) Define all nuisances and prohibit the same within the city ~~and outside the city limits for a distance of five thousand (5,000) feet~~; to police all parks or grounds, speedways, or boulevards owned by the city and lying outside of the city, to prohibit the pollution of any stream, drain or tributaries thereof, which may constitute the source of water supply of the city and to provide for policing the same as well as to provide for the protection of any watersheds and the policing of same; to inspect dairies, slaughter pens and slaughterhouses inside or outside the city limits, from which meat or milk is furnished to the inhabitants of the city.

(t) Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Liberty.

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

The city council shall hold at least one (1) regular meeting in each month at a time to be fixed by ordinance, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens. ~~All meetings of the city council shall be held in the council chambers at the city hall, except that the city council may designate another place for such meetings after publishing the notice thereof in one (1) issue of a newspaper in general circulation in the City of Liberty.~~ The mayor, city manager, or any two (2) members of the city council may call special meetings of the city council at any time. All meetings shall be held upon such notice given pursuant to and shall be conducted in compliance with the Texas Open Meetings Act, now or hereafter amended. The city council will from time to time at discretion of the city council establish policies approved by majority vote for calling meetings and setting agendas of the city council.

Sec. 3.09. Rules of procedure.

The city council shall determine its own rules of procedure and shall compel the attendance of its members. ~~[Two-thirds]~~ A simple majority of the qualified members of the city council shall constitute a quorum to do business and the affirmative vote of the majority of those present shall be necessary to adopt any ordinance or resolution. Minutes of the proceedings of all meetings of the city council shall be kept, to which any citizen may have access at all reasonable times, and which shall constitute one (1) of the archives of the city. The vote upon the passage of all ordinances and resolutions shall be taken by the “ayes” and “nays” and entered upon the minutes, and every ordinance or resolution upon its final passage, shall be recorded ~~[in a book kept for that purpose]~~ and shall be authenticated by the signature of the presiding officer and the person performing the duties of the city secretary. It shall not be necessary to copy ordinances in the minutes, but only the number and caption of all ordinances passes [passed] shall be copied in the minutes.

Sec. 3.10. Procedure for passage of ordinances.

Ordinances and resolutions shall be introduced in the city council only in written or printed form. Ordinances making appropriations shall be confined to the subject of appropriations. ~~[No ordinance shall be finally passed until it has been read on two (2) separate days unless the requirements for reading on two (2) separate days be dispensed with by an affirmative vote of all the councilmembers present. The final reading of each ordinance shall be in full unless written or printed copy thereof shall have been furnished to each member of the city council prior to such meeting. The enacting clause of all ordinances shall be: "Be it ordained by the council of the City of Liberty, Texas."]~~ All ordinances which levy a fine or penalty shall be published in full in two (2) successive issues of the official newspaper of the City of Liberty, or a descriptive caption or title stating in summary the general purpose of the ordinance and the penalty for violation thereof shall be published in two (2) successive issues of the official newspaper of the City of Liberty before the same shall become effective.

Sec. 4.02. Department of police.

There shall be established and maintained a department of police to preserve order within the city and to secure the residents of said city from violence and the property therein from injury or loss.

(a) Chief of police. The chief of police shall be the chief administrative officer of the department of police. He shall, with the approval of the city manager, appoint and remove the employees of said department and shall perform such duties as may be required of him by the city council. The chief of police shall be appointed by the city manager with the approval of the city council, for an indefinite term ~~, as provided in V.T.C.A., Local Government Code section 141.004.~~ The chief of police shall be responsible to the city manager for the administration of his department and the carrying out of the directives of the city council. He may be removed from office by the city manager ~~[with the approval of the city council].~~

(b) Special police. No persons except as otherwise provided by general law or the charter or the ordinances passed pursuant thereto shall act as special police or special detective.

Sec. 4.03. City secretary.

The city manager shall appoint the city secretary and such assistant city secretaries as deemed necessary by the city manager ~~[as the city council shall deem advisable]~~. The city secretary, or an assistant city secretary, shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his signature and record in full ~~[in a book kept and indexed for the purpose]~~, all ordinances and resolutions, and shall perform such other duties as the city council and city manager shall assign to him, and those elsewhere provided for in this charter.

Sec. 4.04. Municipal court.

(a) There shall be established and maintained a court designated as a "municipal court" for the trial of misdemeanor offenses, with all such powers and duties as are now or hereafter may be prescribed by the laws of the State of Texas relative to municipal or recorder's court, and such other duties as may be prescribed by the city council.

(b) The judge of said court shall be a qualified voter of the City of Liberty, shall be appointed by the city council, shall hold his office at the pleasure of the city council, and shall receive such salary as may be fixed by the city council.

~~[(c) The city secretary, or an assistant city secretary, shall be an ex-officio clerk of said court.]~~

~~[(d)] (c)~~ The clerk of said court and his deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto and generally do and perform any and all acts usual and necessary by the clerk of courts in issuing process of said courts and conducting the business thereof.

~~[(e)] (d)~~ In case of the disability or absence of the judge of the municipal court, ~~[the mayor, or in the absence or disability of the mayor, the mayor pro tem or a justice of the peace of Liberty County may act as judge of said court]~~ the city council shall appoint an interim judge of the municipal court.

Sec. 4.07. ~~Other departments.~~

~~The city council may abolish or consolidate such offices and departments as it may deem to be [in] the best interest of the city, and may divide the administration of any such department as it may deem advisable; may create new departments, and may discontinue any offices or departments at its discretion, except those specifically established by this charter.~~

Sec. 5.01. Elections generally.

The ~~regular~~ general city election shall be held annually on a date set by ordinance which shall be a date authorized by state law, at which time officers will be elected to fill those offices which become vacant that year. The city council shall fix the hours and place of holding such election. The city council may ~~, by resolution,~~ order a special election, fix the time and place for holding same and provide all means for holding such special election.

Sec. 5.04. The official ballot.

The names of all candidates for office, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designations in the order determined in ~~[a drawing of lots conducted by the city council]~~ accordance with state law. All official ballots shall be printed at least twenty (20) days prior to the date of any general or special election, and absentee voting shall be governed by the general election laws of the State of Texas.

Sec. 5.05. Election by plurality.

At any general ~~regular~~ or special municipal election the candidates for the offices, up to the number to be elected to any one (1) office, who shall have received the greater number of votes cast in such election shall be declared elected. In the event a tie vote makes it impossible to determine the winning candidate, the council shall ~~[cause to be held a runoff election between the tied candidates between thirty (30) to forty five (45) days after said special or regular election]~~ proceed in accordance with state law.

Sec. 5.08. Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to ~~[the following oath or affirmation to be filed and kept in the office of the city secretary: "I _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____, of the City of Liberty, State of Texas, and will to the best of my ability preserve, protect and defend the constitution and laws of the United States and of this state and the charter and ordinances of this city; and I furthermore solemnly swear (or affirm), that I have not directly or indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected, or if the office is one of appointment, to secure my appointment. So help me God."]~~ the oath or affirmation of office as prescribed by state law.

Sec. 6.03. Form of recall petition.

The recall petition mentioned above must be addressed to the city council of the City of Liberty, must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, and, if there be more than one (1) ground, such as for the incompetency, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of the matters and things with which he is charged. The signature shall be verified by oath in the following form:

"THE STATE OF TEXAS

COUNTY OF LIBERTY

I, _____, being first duly sworn, on oath depose and say that I am one (1) of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be.

Sworn and subscribed to before me this _____ day of _____, 1920.

Notary Public in and for the
State of Texas."

Sec. 6.05. Presentation of petition to city council.

At the next regularly scheduled council meeting which is not less than ~~[five (5)]~~ ten (10) working days after the date of the filing of the papers constituting the recall petition, the person performing the duties of the city secretary, shall present such petition to the city council.

Sec. 6.07. Election to be called.

If the officer whose removal is sought does not resign, then it shall become the duty of the city council to order an election and fix a date for holding such recall election, the date of which

election shall be ~~not less than twenty-five (25) nor more than thirty-five (35) days from the date such petition was presented to the city council, or from the date of the public hearing if one was held~~ held as required by state law.

Sec. 7.02. Initiative.

Qualified voters of the City of Liberty may initiate legislation by submitting a petition addressed to the city council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the city. Said petition must be signed by qualified voters of the city equal in number to twenty (20) percent of the number of votes cast at the last ~~general regular~~ municipal election of the city, or one hundred fifty (150), whichever is greater, and each copy of the petition shall [have] attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed, as provided in section 6.02 of this charter, and shall be verified by oath in the manner and form provided for recall petitions in section 6.03 of this charter. The petition may consist of one (1) or more copies as permitted for recall petitions in section 6.04 of this charter. Such petition shall be filed with the person performing the duties of city secretary. At the next regularly scheduled council meeting which is not less than ~~[five (5)]~~ ten (10) working days after the date of the filing of the papers constituting the initiative petition, the person performing the duties of the city secretary shall present such petition to the city council. Upon presentation to it of the petition and draft of the proposed ordinance or resolution, it shall become the duty of the city council, at the next regularly scheduled council meeting, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election, to be held on the first possible uniform election date, at which the qualified voters of the City of Liberty shall vote on the question of adopting or rejecting the proposed legislation. However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.

Sec. 7.03. Referendum.

Qualified voters of the City of Liberty may require that any ordinance or resolution passed by the city council be submitted to the voters of the city for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition shall be addressed, prepared, signed and verified as required for petition initiating legislation as provided in section 7.02 of this charter [and] shall be submitted to the person performing the duties of city secretary. At the next regularly scheduled council meeting which is not less than ~~[five (5)]~~ ten (10) working days after the date of the filing of the papers constituting the referendum petition, the person performing the duties of the city secretary, shall present such petition to the city council. Thereupon the city council shall immediately reconsider such ordinance or resolution and, if it does not entirely repeal the same, shall submit it to popular vote as provided in section 7.02 of this charter. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereof.

Sec. 8.02. Department of city planning and zoning.

(a) Director of city planning and zoning. The department of city planning and zoning shall be under the control and direction of the ~~director of city planning who shall be, by experience and education, a person versed in city planning and zoning~~ city manager or his designee. He shall have such assistance as may be provided by ordinance. The city council shall have the power to enact any ordinances necessary to enable the department to perform the duties assigned to it and to effectuate the aim and purposes of this article.

(b) On or after May 1 of each year council shall appoint resident qualified voters of the City of Liberty who shall constitute the city planning and zoning commission for three-year terms, and until their respective successors shall have been appointed and qualified, as follows: two (2) regular members first year; two (2) regular members the following year; and one (1) regular member plus two (2) alternates the following year. Individuals may only serve three consecutive terms on the planning and zoning commission. Individuals may serve more than (3) three terms if said terms are non-consecutive. Said commissioners shall serve without pay and shall adopt such rules and regulations as they deem best governing their actions, proceedings and deliberations and time and place of meeting. Any member of the city planning and zoning commission may be removed by the city council for any cause deemed sufficient for his removal in the interest of public service; but only after a public hearing before the city council of charges publicly made, if demanded by such member within ten (10) days. The purpose and object of said planning and zoning commission is to act as an advisory board to the city council relating to all nature of public improvements, civic improvements, city planning, opening, widening and changing of streets, routing of public utilities, controlling and regulating traffic upon the public streets and ways of the City of Liberty, and such other matters relating to city improvements as the city planning and zoning commission and the city council of the City of Liberty may deem beneficial to the City of Liberty.

(c) A majority of said commissioners shall constitute a quorum. If a vacancy occurs upon the said city planning and zoning commission, caused by death, resignation, removal from the city, or otherwise, the city council shall appoint a member to fill such vacancy for the unexpired term. All of the provisions of V.T.C.A., Local Government Code sections 211.001 et seq., 241.001 et seq., as now or hereafter amended, are hereby adopted and made a part of this article and shall be controlling on the city planning and zoning commission. The city planning and zoning commission shall also act and be the zoning commission of the city under the state zoning law as it now exists or as it may hereafter be amended. The department of city planning and zoning shall have the power to make amend, extend, or add to the master plan for the physical development of the city. It shall serve as a general guide of the making of public improvements and development of land for urban use. In the preparation of this plan or guide, the department shall consult and coordinate its planning with whatever other departments of the city that may be affected thereby. When such plan or guide has been prepared by the department, the same shall be submitted to the city council through the city manager for approval, rejection or revision after a public hearing. After adoption of such guide, or any part thereof, the city manager in recommending any public improvement covered or affected by this guide, shall advise the council as to whether or not the proposed improvement is in conformity with such guide [or] plan of development, and if not, he will advise the council the extent of, and reasons for, his variance. The city shall have the power through the city planning and zoning commission to require the owners of land who desire to subdivide, plat or replat land for urban development, to

provide for setback building lines, to dedicate streets and alleys of adequate width in conformity with the extension and widening of existing streets and alleys in the vicinity, [and] to coordinate street layouts and street planning with municipalities, whether they adjoin or not, [and] with county, state and federal designated highways so that a coordinated street and traffic plan may be established and continued for the best interest of the general public. In connection with zoning and platting, the city planning and zoning commission shall have the power to consider the character of development or land use contemplated by the proposed platting and zoning and require off-street parking, streets and alleys of adequate width to be provided for that purpose.

(d) Alternate members of the city planning and zoning commission. In addition to the membership provided by state law to serve on the city planning and zoning commission, the city council may, if it so desires, appoint two (2) additional members who shall be designated as alternate members who shall serve on said board at the designation of the director of planning in case any regular members of the city planning and zoning commission are either absent or unable to serve in any particular case for any reason. Regardless of whether the city council appoints such alternate members, a majority of three (3) members shall constitute a quorum. These alternate members when appointed shall serve for the same period as the regular members and any vacancies shall be filled in the same manner.

Sec. 9.02. Preparation and submission of budget.

The city manager, between thirty (30) and sixty (60) days prior to the beginning of each fiscal year, shall submit to the council a proposed budget, which budget shall provide a complete financial plan for the fiscal year, and shall contain the following:

- (a) A budget message, explanatory of the budget, which message shall contain an outline of the proposed financial policies of the city for the fiscal year, shall set forth the reasons for salient changes from the previous fiscal year in expenditure and revenue items, and shall explain any major changes in financial policy.
- (b) A consolidated statement of anticipated receipts and proposed expenditures for all funds.
- (c) An analysis of property valuations.
- (d) An analysis of tax rate.
- (e) Tax levies and tax collections by years for at least the five (5) years immediately preceding.
- (f) Cash on hand to the credit of each fund.
- (g) Special fund resources in detail.
- (h) Summary of proposed expenditures by function, department, and activity.
- (i) Detailed estimates of expenditures shown separately for each activity to support the summaries. (No. (h) above.) Such estimates of expenditures are to include an itemization of positions showing the number of persons having each title and [~~rate~~] range of pay for positions.
- (j) A description of all bond issues outstanding, showing rate of interest, date of issue, maturity date, amount authorized, amount issued and amount outstanding.
- (k) A schedule of requirements for the principal and interest of each issue of bonds.
- (l) The appropriation ordinance.

- (m) The tax levying ordinance.
- (n) Anticipated revenues and proposed expenditures compared with other years.

The city manager in the preparation of the budget shall show in parallel columns opposite the various properly classified items of revenues and expenditures, the actual amount of such items for the last completed fiscal year, the estimated amount for the current fiscal year, and the proposed amount for the ensuing fiscal year.

Sec. 9.07. Vote required for adoption of budget.

The budget shall be adopted by a majority vote of the city council ~~as provided in section 3.10 hereof~~ as prescribed by state law.

Sec. 9.08. Date of final adoption of budget.

The budget shall be finally adopted in accordance with the timelines as set forth in Texas State Law. ~~The budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year and should the city council fail to so adopt a budget prior to such date, the budget as submitted by the city manager shall be deemed to have been finally adopted by the city council.~~

Sec. 9.09. Effective date of budget; certification; copies made available.

Upon final adoption, the budget shall be in effect for the fiscal year. A copy of the budget, as finally adopted, shall be filed with the person performing the duties of city secretary, the county clerk of Liberty County and the state comptroller of public accounts at in Austin. The final budget shall be printed, mimeographed or otherwise reproduced and copies shall be made available for the use of all offices, departments, and agencies and for the use of interested persons and civic organizations.

Sec. 9.15. ~~Department of taxation.~~

~~There shall be established a department of taxation to assess and collect taxes, the head of which shall be the city assessor-collector which office shall be filled by appointment by the city manager. The assessor-collector shall give a surety bond for faithful performance of his duties, including compliance with all controlling provisions of the state law bearing upon the functions of his office, in a sum which shall be fixed by the council at not less than five thousand dollars (\$5,000.00).~~

~~In lieu of a city assessor-collector, city council has the option to contract with another governmental entity for the assessment and/or collection of taxes for the City of Liberty. All taxes due the city shall be payable at the office of the city assessor-collector or any other office that city council may designate as collector of city taxes.~~

~~(Resolution adopted 8/10/91, sec. 1)~~

Sec. 9.18 Taxes; when due and payable.

All taxes due the City of Liberty shall be payable at the office of the city-assessor-collector and may be paid at any time after the tax rolls for the year have been completed and approved, which shall be not later than October 1st. Taxes shall be paid on or before the due date set by Texas law, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to such penalty and interest as provided by state law.

Sec. 9.19. Seizure and sale of personal property.

The assessor-collector of taxes shall, by virtue of his tax rolls, have power and authority to seize and levy upon all personal property and sell the same to satisfy all taxes, together with all penalty, interest and costs due on said personal property by said delinquent tax to the city, in accordance with state law. ~~When he seizes personal property for such purposes, he shall keep the same at the expense of the owner until sale is made, and shall give notice of the time and place of same by posting a written notice at the city hall door and one (1) at another public place within the City of Liberty at least ten (10) days before the date of sale. He shall sell the same to the highest bidder for cash for all taxes, interest, cost and expense of caring for said property, and shall make an entry in the book of sales of the amount realized. All such sales shall be made at the front door of the city hall. A sale of personal property for delinquent taxes shall convey with it an absolute title, and the owner shall have no right to redeem the same.~~

Sec. 10.05. ~~Grant not to be exclusive.~~

~~No grant or franchise to construct, maintain, or operate a public utility and no renewal or extension of such grant shall be exclusive.~~

Sec. 10.10. Public service corporations to file annual reports.

It shall be the duty of the city council to pass an ordinance requiring all public service corporations operating within the corporate limits of the city to file a sworn annual report of the receipts from the operation of the said business for the current year, how expended, how much thereof for betterments or improvements, the rate of tolls or charges for services rendered to the public, and any other facts or information that the council may deem pertinent for its use in intelligently passing upon any questions that may arise between the city and the said public service corporations; said reports to be filed with the city ~~clerk~~ secretary, and preserved for the use of the city council. Such reports shall be reviewed annually by the council to determine the propriety of the rates being charged.

Sec. 11.04. Sales of water and sewer services.

- (a) The city council shall have the power and authority to sell and distribute water and provide for sewer services to any person, firm or corporation outside the limits of the City of Liberty, and to permit them to connect with said systems under contract with the city, under such terms and conditions as may appear to be for the best interests of the city; provided the charges fixed for such services outside the city limits shall return a fair and reasonable ~~profit~~ revenue to the city.
- (b) The city council shall have the power and authority to prescribe the kind of water or sewer

pipes within or beyond the limits of the City of Liberty, where it furnishes the service, and to inspect the same and require them to be kept in good order and condition at all times and to make such rules and regulations as shall be necessary and proper, and prescribe penalties for noncompliance with same.

Sec. 12.02. Revenue bonds.

The city shall have the power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing of public utilities, recreational facilities or facilities for any other self-liquidating municipal function not now or hereafter prohibited by any general laws of the state, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and payable solely from the properties, or interest therein, acquired and the income therefrom, and shall never be a debt of the city. All revenue bonds issued by the city shall first be authorized by a majority of the qualified electors voting at an election held for such purpose. The council shall have authority to provide for the terms and form of any purchase agreement, contract, mortgage, bond or document desired or necessary for the issuance of revenue bonds and the acquisition and operation of any such property or interest.

Sec. 12.04. Execution of bonds.

All bonds, warrants and certificates of indebtedness shall be signed by the mayor, countersigned by the city ~~[clerk]~~ secretary and sealed with the seal of the city in the manner provided by general law, and shall be payable at such times and place or places as may be fixed, not more than forty (40) years from their date.

Sec. 12.07. Misapplication of bond funds.

Any officer of the city who shall willfully or knowingly divert or use any funds arising from the issuance of any bonds or any sinking fund for any other purpose, except that for which the funds ~~is~~ are created or is herein otherwise authorized, shall be deemed guilty of a misapplication of public funds and be subject to prosecution as provided under the laws of the state for the diversion and conversion of funds belonging to any of the municipalities of the state.

Sec. 13.02. Personal interest in city contract.

~~(a) — For the purposes of this section:~~

~~(1) — “Local public official” means a member of the council, including the mayor, or any other officer, whether elected, appointed, paid, or unpaid, of the city who exercises responsibilities beyond those that are advisory in nature.~~

~~(2) — “Substantial interest in a business entity” means:~~

~~(i) — The ownership of ten (10) percent of more of the voting stock or shares of the business entity or the ownership of either ten (10) percent or more or fifteen thousand dollars (\$15,000.00) or more of the fair market value of the business entity which contracts or sells to the city.~~

~~(ii) — Funds received by the person from the business entity exceeding ten (10) percent of the person’s gross income for the previous year.~~

(3) — “Substantial interest in real property” means an equitable or legal ownership with a fair market value of two thousand five hundred dollars (\$2,500.00) or more.

(4) — “Business entity” shall have the meaning as prescribed in V.T.C.A., Local Government Code section 171.001.(2), now or as hereafter amended.

(b) — If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

(1) — In the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or

(2) — In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

(c) — The affidavit must be filed with the city secretary.

(d) — If a local public official is required to file and does file an affidavit under Subsection (b), the official is not required to abstain from further participation in the matter requiring the affidavit if a majority of the members of the council is composed of persons who are likewise required to file and who do file affidavits of similar interests on the same official action.

(e) — A local public official is considered to have a substantial interest under this section if a person related to the official within the first degree of consanguinity or affinity, as determined under Chapter 573, Government Code, has a substantial interest under this section.

(f) — A willful violation of this section shall constitute malfeasance in office, and local public official guilty thereof shall be subject to removal from his office or position.

(g) — A violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with the council shall render the contract involved voidable by the city manager or the council.

(Ordinance 910, sec. 1, adopted 5/11/99; Ordinance 945, sec. 1, adopted 12/10/02)

Any officer of the city shall fully comply with state law regarding his or her personal interest in city contracts.

Sec. 13.03. Drilling operations.

[The city council may, by ordinance, prohibit the drilling of oil, gas and sulphur wells, or may provide regulations for the drilling, spacing, completion and operation of oil, gas and sulphur wells.] The city council may, by ordinance, prohibit the drilling of water wells for commercial, industrial and agricultural purposes, and may provide regulations for the drilling and use of water wells for commercial, industrial, agricultural and domestic purposes.

Sec. 13.13. Charter review commission.

(a) The city council shall appoint, at its first regular meeting in January of each [odd-numbered] tenth year, beginning in the year 2030, a charter review commission of five (5)

citizens of the City of Liberty. However, the City Council shall have the right to appoint and convene a special charter review commission at any time if they so choose. Said individuals may only serve for two (2) consecutive terms on the charter review commission. Individuals may serve more than (2) two terms if said terms are non-consecutive.

(b) Action by city council. The city council shall receive and have published in a newspaper of general circulation in the City of Liberty any report presented by the charter review commission, shall consider any recommendations made, and if any amendment or amendments be presented as a part of such report, may order such amendment or amendments to be submitted to the voters of the city in the manner provided by Texas Local Government Code, Chapter 9, as now or hereafter amended.

(c) Term of office. The term of office of such charter review commission shall be six (6) months, and if during such term no report is presented to the city council, then all records of the proceedings of such commission shall be filed with the person performing the duties of the city secretary and shall become public record. Upon the written request of a majority of charter review commission members, the city council may extend the commission's term of office for a period not to exceed ninety (90) days.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Budget Amendments

ORDINANCE (ID # 4654)

DOC ID: 4654

Subject: Action Taken Following an Executive Session

Background: A vote on a matter deliberated in a closed session may only be made in an open meeting that is held in compliance with the notice provisions.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020; PROVIDING FOR AN INCREASE IN EXPENDITURES IN THE LIBERTY MUNICIPAL GOLF COURSE BUDGET AND THE LIBRARY BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED AND ADOPTED; 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 Council of the City of Liberty heretofore adopted its Annual Budget for the Fiscal Year beginning on October 1, 2019 and ending on September 30, 2020; and

WHEREAS, said Budget was adopted by Ordinance No. 2019-21 On September 10, 2019, and after approval of said Ordinance, conditions have arisen that require amendment of said Budget previously adopted; and

WHEREAS, These changes in estimated expenditures have been duly noted in the Fiscal Year 2019-2020 budget; and

WHEREAS, after full and final consideration, it is the consensus of the City Council that the 2019-2020 Fiscal Year Budget as hereinafter set forth should be amended as provided herein.

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

SECTION 1.

The Annual Budget for the Fiscal Year 2019-2020, including adjustments, is hereby amended to increase expenditures in the Liberty Municipal Golf Course Budget and the Library Budget as shown in Exhibit "A", attached hereto and incorporated herein.

SECTION 2.

The expenditures and amendments authorized by this Ordinance are necessary to meet conditions or circumstances that could not have been included in the original budget, through the use of reasonably diligent thought and consideration.

SECTION 3.

Expenditures during the 2019-2020 Fiscal Year shall be made in accordance with the amended budget approved herein, and said budget document shall be on file for public inspection in the office of the Asst. City Manager/CFO.

SECTION 4.

That this Ordinance shall take effect immediately from and after its passage as indicated below.

SECTION 5.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas on the 10th day of December, 2019.

Carl Pickett
Mayor

ATTEST:

Dianne Tidwell
City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.2

Meeting: 12/10/19 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 4655)

DOC ID: 4655

Subject: Action Taken Following an Executive Session

Background: A vote on a matter deliberated in a closed session may only be made in an open meeting that is held in compliance with the notice provisions.