The City of Liberty
City Council

Regular Meeting

~ Agenda ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, August 11, 2020 | **6:00 PM** | **City Hall - Liberty Center**

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 Driggers	☐	☐	☐	
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 / CITIZENS FORUM

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 # 4849)

City Manager's Report - City Manager Tom Warner - COVID-19 and Electric Department.

- City Manager's Report August 11 2020 (DOCX)

B. Information Item (ID # 4850)

Finance Report - Assistant City Manager / CFO - Naomi Herrington

C. Information Item (ID # 4851)

Department Reports

- Building Report (PDF)
- Fire Department (XLS)
- Library July 2020 condensed report (XLSX)
- Library July 2020 narrative Report (DOCX)
- Library July 2020 volunteer report (XLSX)
- Police Department (XLS)
- Public Works (DOCX)

D. Information Item (ID # 4852)

Sam Rayburn Municipal Power Agency - Mayor Pickett

E. Information Item (ID # 4853)

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, July 14, 2020

2. Wednesday, July 15, 2020

B. Resolution 2020-32

Consider a Resolution granting a permanent easement to ExxonMobil on property north of Liberty Municipal Airport.

- EXHIBIT A - ExxonMobil (PDF)
- EXHIBIT B - ExxonMobil (PDF)

C. Resolution 2020-33

Consider a Resolution awarding a contract to Club Car, LLC for the lease of thirty (30) electric carts at the Liberty Municipal Golf Course.

D. Resolution 2020-34

Consider a Resolution approving a License to Encroach for property located at 439 Highway 90 and Carter Street.

- License to Encroach Riverside Seafood (DOCX)

E. Resolution 2020-35

Consider a Resolution approving a request to abandon the Plymouth Street Right-of-Way.

- EXHIBIT A - Plymouth Abandonment (PDF)

F. Resolution 2020-36

Consider a Resolution amending the signatories on all City of Liberty's bank accounts.

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2020-22

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING SECTION 3.07.041 DESIGNATING A FLOODPLAIN ADMINISTRATOR; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

- EXHIBIT A - Flood Damage Prevention Ordinance (DOCX)

2. Information Item (ID # 4860)

Presentation, and discussion, of the Proposed Fiscal Year 2020-2021 Budget.

3. Resolution 2020-37

Consider a Resolution setting the date, time and location for a Public hearing on the Proposed Budget for Fiscal Year 2020-2021.

4. Resolution 2020-38

Consider a Resolution approving the Proposed Tax Rate for Fiscal Year 2020-2021.

5. Ordinance 2020-23

AMENDED ORDER OF ELECTION - CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE ORDER OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 3rd DAY OF NOVEMBER, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

6. Ordinance 2020-24

AMENDED ORDER OF SPECIAL ELECTION - CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE ORDER OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON THE 3rd DAY OF NOVEMBER, 2020 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION

3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

- Exhibit A - Charter Ballot Language (DOCX)

7. Resolution 2020-40

Consider a Resolution authorizing the Mayor to execute all agreement related documents for the DR 4332-012 Hurricane Harvey Hazard Mitigation Grant Program (HMGP).

8. Resolution 2020-41

Consider a Resolution authorizing the expenditure of $722,960 in Cambridge Funds.

- Proposed Cambridge Expenditures Revised August 7 2020 (1) (XLSX)

9. Resolution 2020-42

Consider a Resolution approving the selection of professional services provider to assist the City in submitting CDBG-MIT applications and authorizing the City Manager to begin contract negotiations.

10. Resolution 2020-43

Consider a Resolution approving the selection of engineering firms to assist the City in preparing CDBG-MIT applications and authorizing the City Manager to begin contract negotiations.

- CDBG-MIT Enegineer Evaluation Tabulation August 4 2020 (XLSX)

11. Resolution 2020-39

Consider a Resolution setting the date, time and location for a Public Hearing on the Tax Rate for Fiscal Year 2020-2021.

12. Resolution (ID # 4870)

Consider a Resolution approving the Request for Proposal award for employee health, dental, vision and life insurance.

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 7th day of August, 2020 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.

April Gilliland

April Gilliland, 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 _____, 2020.

IX. Resolutions

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4849)

DOC ID: 4849

Subject: City Manager's Report

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

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Memo

To: Mayor & City Council

From: Tom Warner, City Manager

Date: August 11, 2020

Re: City Manager Report

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1. As a result of the recent increases in COVID-19 cases, City Council Meetings will continue to be held in the Liberty Center until further notice.

2. All public areas within City facilities continue to be closed to the public except the Golf Course. Additionally, City staff has returned to working their normal schedules. Since the pandemic began, there have been seven (7) employees with confirmed cases of COVID-19 and nine (9) employees that have had to self quarantine.

3. The Electrical Department has begun tracking each power outage by date, location, time called out, time power restored, response time, outage time and cause of outage. The July 2020 outage reports are included with the Electric Department's Monthly Report to City Council.

4. The following is a status of the current Electric Projects based on the budget changes:

Project	Complete	Estimated Cost	Spent to Date
a. Pine Place Subdivision	41%	$ 63,137	$ 25,903
b. Featherstone Subdivision	50%	$126,186	$ 62,866
c. Whittington Subdivision	68%	$242,236	$166,134
d. Live Front Transformer	59%	$214,004	$125,805
e. Beaumont #3 Lateral	61%	$383,748	$233,114
f. UG Primary	76%	$190,000	$143,535
g. OH Transformer Platform	41%	$ 64,819	$ 26,415
h. Regency Place	65%	$270,040	$175,300
i. Travis Park	90%	$332,000	$299,650
j. Street Lighting	68%	$331,318	$225,356
k. Beaumont #2 Laterals	76%	$724,548	$547,519
l. Beaumont #4 Laterals	73%	$416,365	$301,893
m. Beaumont #5 Laterals	56%	$358,916	$206,235
n. Liberty #1 Laterals	49%	$ 59.280	$ 28,746
o. Liberty #2 Laterals	0%	$175,000	$
p. Liberty #3 Laterals	0%	$126,266	$
q. Liberty #4 Laterals	0%	$230,000	$
Totals		$4,307,863	$2,568,471

Attachment: City Manager's Report August 11 2020 (4849 : City Manager's Report)

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4850)

DOC ID: 4850

Subject: Finance Report

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

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4851)

DOC ID: 4851

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.

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CITY OF LIBERTY
INSPECTIONS & PERMITS
MONTHLY REPORT

	Apr-20	May-20	Jun-20	Jul-20
PLAN REVIEW				
# of Plans Reviewed	N/A	7	12	10
BUILDING PERMITS				
Commercial Building Permits - New	1	0	0	1
Commercial Building Permits - Renovation/Remodel	1	1	0	1
Commercial Building Permits - Addition/Expansion	0	0	0	0
Residential Building Permits - New (Single Family)	3	5	3	2
Residential Building Permits - New (Multi-Family)	0	0	0	0
All Other Permits Issued	32	24	64	50
CERTIFICATE OF OCCUPANCY				
Commercial C of O's Issued	N/A	0	0	1
FEE REVENUE				
Permit Fee Revenue	$ 6,615.00	$ 8,083.70	$ 3,516.14	$ 8,789.01
Tap Fee Revenue		$ 1,550.00	$ 400.00	$ 975.00

May 2020 Commercial Permits
* Liberty High School-tennis court light poles replaced

July 2020 Commercial Permits
* First Liberty National Bank-refigure drive thru lanes
*1606 Grand Ave. LISD-plumbing under bldg.
*CO "Interactive Center for Toddlers"

Attachment: Building Report (4851 : Department Reports)

All Departments Weekly Activity Report

Month Of: July 1 to July 31, 2020

Department: Fire Department **Report Prepared By:** Misty Dulaney

FULL: **(All Authorized Filled)** **YES** **NO**

If No, Why Not? **Sick** **Vacancy** **Vacation**

Explain:

Accomplishements 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** 34 **Mutual Aid** 3

Number Of Runs: (EMS Only) **911 Calls** 131 **Mutual Aid** 2

Transfers-Out of Town 57 **Transfers-In Town** 12 **Dialysis** 54

Other Information:

Total of payments that have been received at the Fire Department for EMS is: 49,882.16

EMS Payments received at Fire Department: Year to Date (fiscal): $531,516.80

Year to Date (calendar): $379,992.62

Attachment: Fire Department (4851 : Department Reports)

Liberty Municipal Library Monthly Report February 2020 through July 2020

Circulation	February	March	April	May	June	July
Spanish Materials Circulation	97	49	1	8	42	8
Total Adult & YA Circulation All Formats	2,084	1,431	532	786	1,453	1,025
Total Juvenile Circulation All Formats	1,311	809	89	146	818	344
Total Circulation All Formats	3,395	2,240	621	932	2,271	1,369
Reference Services						
In-house Reference	400	169	0	38	75	37
Telephone Reference	178	247	117	207	273	278
Public Computer Assistance/Facebook Ref.	142	101	0	0	17	0
Collection Statistics						
Total Volumes in Collection	52,678	52,738	52,170	52,187	52,392	52,364
Total Titles in Collection	62,724	63,083	63,528	63,652	64,071	64,192
Cataloging						
Books Cataloged	188	161	95	78	283	97
DVD/ Blu-Rays Cataloged	18	6	29	15	6	0
Audiobooks & Music CDs Cataloged	4	0	0	0	0	0
Periodical Cataloged	59	55	71	49	58	53
Building Use/ Programs/Public Relations						
Meeting Room/Pavilion Use	18	8	0	0	0	0
Story Time Attendance	100	71	0	0	0	0
Misc. Children's Programs/Tours Attendance	120	0	0	0	0	0
Adult Programs Attendance	67	31	0	0	0	0
Total Programs	17	7	0	0	0	0
Total Attendance All Programs	283	102	0	0	0	0
Patron Count/ Volunteers						
Total Active Accounts In-City Patrons	3,373	3,377	3,349	3,318	3,224	3,196
Total Active Accounts Out-of-City Patrons	5,141	5,144	5,099	5,067	4,988	4,930
Total Volunteers	7	2	0	0	0	0
Total Volunteer Hours	37	11	0	0	0	0
Patron Visits Count	2,636	1,306	0	0	492	0
Public Use Technology						
Wireless Users Estimate	26	10	17	8	12	10
Public Computers Users This Month	431	228	0	0	0	0
Hours of Patron Computer Use	311	168	0	0	0	0
Website Visits: Ploud, Online Catalog	1,492	1,453	1,419	1,397	2,285	3,200
Social Media: Facebook, Instagram	955	183	155	159	141	192

Attachment: Library July 2020 condensed report (4851 : Department Reports)

Liberty Municipal Library July 2020 Report

We were closed to the public due to COVID-19 in July, but front door checkout service continued. We had several weeks of split shifts and everyone was very happy when we were all together again on July 23. We were pleased with our circulation for the month, although it was very unusual historically because of COVID-19. Normally we would check out 15,000 or more items during the summer, but things were quite different this year since we could not have our usual Summer Reading Programs.

The highlight of programming this summer continued to be our weekly virtual Story Time, done by Children's Librarian Katie Edgell and Bilingual Library Technician Maggie Varela. Katie was also developing a virtual story time for older children with a more mature book selection.

We hired Paige Garcia to fill the information desk position that became open when Kristin Gilley left to teach chemistry at DISD. Paige is working out very well and is learning quickly. She has helped with our adult fiction inventory, learned how to do maintain our New York Times Best Sellers list, has shelved many books, and is generally learning the collection. She is also maintaining the library's Instagram page. Former employee Kristin Gilley worked with Paige for a week and taught her how to laminate book covers and process books.

We had numerous building maintenance problems during the month. Our fire alarm displayed a DACT fault alarm for two days. This means the dedicated telephone lines weren't operable. When a technician arrived onsite at midday the alarm had cleared. We had just checked it earlier in the morning.

RTU5, our main air conditioner for the addition, developed bad bearings toward the end of the month. Our boiler pump motor developed a leak at about the same time. Our HVAC service provider, Mesa Mechanical, checked out the problems. The boiler pump motor will have to be rebuilt and the bearings must be replaced on the AC unit's variable frequency drive.

The HVAC system received its quarterly maintenance and it was discovered that a compressor is going out on one of the units. Mesa was able to get one AC back online for the first time in a long while. They cleaned the coils up on the roof and said they were almost completely clogged.

Custodian Mike Kaiser put the elbow grease into cleaning mold off the outside of the building at the foyer front doors. The mold is an ongoing problem because of roof drains that empty water down the side of the building.

Beth from Computer Solutions came by to look over and add software to staff computers. While at the library, Beth discovered a corrupted hard drive causing problems with the main Cassie computer and was able to fix the problem. Cassie is the time and print management system we have used for several years. Beth was also able to get the Centurion security software up and running on our security server.

July 31 was a very sad day for the staff, as it was Peggy Carr's last day on the job. She said she was having a hard time keeping up, but the truth is she could just about outwork everyone on staff. Peggy has delighted us over the years with her witticism, can-do spirit and her cooking, and we will all miss her terribly. We put together a Mexican luncheon in Peggy's honor and she entertained us well, as usual.

Attachment: Library July 2020 narrative Report (4851 : Department Reports)

Library Director Dana Abshier was on KSHN.com during the month.

Attachment: Library July 2020 narrative Report (4851 : Department Reports)

Liberty Municipal Library Volunteer Report for the Month of July 2020

Name of volunteer	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
Arceneaux, Val																																0
Cash, Terry																																0
Davis, Beverly																																0
Harbour, Cathy																																0
Pickett, Sandy																																0
Rogers, Ann																																0
Sundgren, Gary																																0
Sundgren, Josh																																0
Sundgren, Stacy																																0
																																0
Total for month																																0

Attachment: Library July 2020 volunteer report (4851 : Department Reports)

YEARLY ACTIVITY REPORT FOR 2018

ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVI
CALLS FOR SERVICE	1608	1141	1560	1433	1290	1560	1679	1657	1508	1553	1521	1627	1813
OFFENSES REPORTED	74	53	62	52	50	60	72	63	68	52	69	66	741
OFFENSES CLEARED	35	9	6	9	8	11	10	11	15	11	21	15	161
OFFENSES EXCEPTIONALLY CLEARED	100	103	0	0	103	0	0	0	1	1	3	3	314
TRAFFIC CITATIONS	50	191	104	76	61	63	66	68	65	59	62	51	916
TRAFFIC ACCIDENTS	25	23	26	34	33	35	27	26	23	45	26	38	361
WARNING TICKETS	224	176	194	259	237	196	136	133	117	105	86	131	1994
ARRESTS	29	20	34	12	12	23	19	28	34	16	31	45	303
ANIMALS HANDLED	66	64	79	94	191	131	54	91	85	93	79	67	1094
ALARM CALLS	63	44	52	62	61	99	58	64	57	67	86	80	793
GARAGE/YARD SALES	0	0	0	0	0	0	0	0	0	1	0	0	1

YEARLY ACTIVITY REPORT FOR 2019

ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVI
CALLS FOR SERVICE	1593	1421	1566	1825	1984	1958	1985	1714	1695	1772	1530	1682	2072
OFFENSES REPORTED	75	66	76	91	95	75	77	73	63	85	83	93	952
OFFENSES CLEARED	17	12	13	15	7	12	14	14	11	18	12	14	159
OFFENSES EXCEPTIONALLY CLEARED	2	2	2	1	1	1	0	4	2	4	1	2	22
TRAFFIC CITATIONS	61	57	71	77	91	47	48	42	26	32	23	64	639
TRAFFIC ACCIDENTS	30	27	36	41	30	29	30	26	28	40	37	28	382
WARNING TICKETS	146	125	120	110	329	127	178	119	120	149	71	148	1742
ARRESTS	43	22	32	41	69	50	28	33	29	42	41	37	467
ANIMALS HANDLED	52	39	21	29	73	77	93	57	81	51	33	56	662
ALARM CALLS	54	69	16	91	97	86	68	69	89	64	53	60	816
GARAGE/YARD SALES	0	0	0	0	0	0	0	0	0	0	0	0	0

YEARLY ACTIVITY REPORT FOR 2020

ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVI
CALLS FOR SERVICE	1577	1344	1444	1351	1444	1384	1314						9858
OFFENSES REPORTED	76	60	63	52	70	44	57						422
OFFENSES CLEARED	13	11	19	5	12	4	3						67
OFFENSES EXCEPTIONALLY CLEARED	0	0	5	2	4	1	2						14
TRAFFIC CITATIONS	28	36	48	12	23	18	25						190
TRAFFIC ACCIDENTS	23	27	17	24	27	22	27						167
WARNING TICKETS	86	80	62	22	94	68	53						465
ARRESTS	31	37	32	19	28	19	25						191
ANIMALS HANDLED	76	64	41	20	38	67	30						336
ALARM CALLS	51	56	42	56	42	67	62						376
GARAGE/YARD SALES	0	0	0	0	0	0	0						0

Attachment: Police Department (4851 : Department Reports)

JULY/ / 2020 / /

PUBLIC WORKS MONTHLY REPORT

STREETS DEPARTMENT -THE ROAD TO SUCCESS IS ALWAYS UNDER CONSTRUCTION

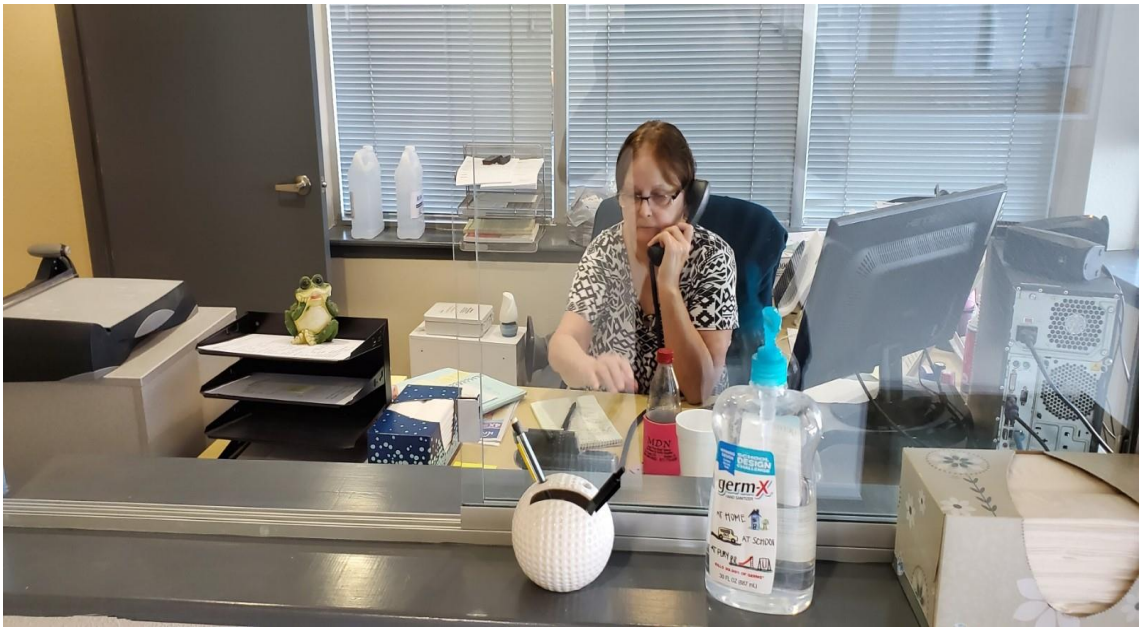
This Month's Notes

JAMES REDDING – STREETS DIRECTOR

- Notes
- Picked up trash on Sand Dune Rd.
- Sprayed for mosquitoes
- Patched around town
- Opened gates at Main B
- Mowed at golf course
- Mowed on route
- Cleaned flower beds at golf course
- Repaired concrete street cut on Miliam
- Cleaned inlets
- Picked up dead deer on Loblolly
- Repaired asphalt street cuts
- Swept streets
- Repaired stop sign at Daniel and Travis
- Replaced steet sign on Timberlane
- Installed driveway culvert on Lee Tim Rd. and cleaned ditch
- Repaired storm sewer pipe on Marshall
- Repaired inlet bax on Edgewood
- Poured transformer pad behind bank

Attachment: Public Works (4851 : Department Reports)

STREETS REPAIRING STORM SEWER CULVERT ON MARSHALL ST. – RAYMOND KOCIAN, RUDY IZAGUIRRE AND VICTOR TREVIZO



BRENDA BUTLER – PUBLIC WORKS OFFICE SECRETARY

Attachment: Public Works (4851 : Department Reports)

FIXING THESE STREETS

Streets:						
	Graded:					Miles
	Swept:				8	Hours
	Street cut repairs:				7	Each
	Curb & Gutter Repair:					Feet
Drainage:						
	Ditch Cleaning:				200	Feet
	Culvert Installation:				30	Feet
	Catch Basin/inlets cleaned:				753	Each
	Levee Inspection:				Yes	
	Flap gate Debris Removal:					
Spraying:						
	Herbicide:					Gallons
	Mosquito:				325	Miles
Signs:						
	Installed					Each
	Repaired/ Replaced				3	Each

Attachment: Public Works (4851 : Department Reports)

PARKS DEPARTMENT

MEASURE TWICE, CUT ONCE!!!

Work completed

TOM TULLOCK – PARKS

Work Completed:

Fields:

Work Performed: Picked up trash and maintained as needed. Mowed five (5) 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. Installed new paper towel holders and toilet paper holders in restrooms. Disinfected restrooms every other day due to Corona Virus.

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. Splash pad is shut down.

Jogging Trail:

Work Performed: Picked up limbs and trash as needed also, weedeated around trees and rocks as needed. Mowed four (4) times.

Playground Equipment:

Attachment: Public Works (4851 : Department Reports)

Work Performed: Checked and made sure all playground equipment was in good working order. Pressure washed the white fence around playground. Re-opened all playground equipment, benches, etc.

-

Pocket Parks:

Work Performed: Picked up trash and other debris every day. Changed trash barrels as needed in all pocket parks. Opened up all pocket parks.

Trees:

Work Performed: Cut down trees that had been twisted off or rotted throughout park. Picked up limbs as needed, trimmed all trees along road way in park.

Flags:

Work Performed: Checked flags every day for damage.

Notes:

1. Filled holes throughout park.
2. Sprayed walking trail and all rocks throughout park.
3. Disinfected all playground equipment at the municipal park and all pocket parks.
4. Helped mow the golf course 7/14/20 and cleaned out flower beds at the clubhouse on 7/17/20
5. Removed broken benches and tables at the golf course and pro shop.
6. Replaced flags at monument sign on highway 90
7. Lowered flags on 7/11/20 until 7/13/20
8. On 7/27/20 went to golf course to help mow 3 guys and 3 mowers

Attachment: Public Works (4851 : Department Reports)

PARKS MAINTAINING THE JOGGING TRAIL

Attachment: Public Works (4851 : Department Reports)

LIKE A GOOD NEIGHBOR, WATER DEPARTMENT IS THERE!!!!

MARK REED – WATER / WASTE
WATER DIRECTOR

TRINITY ST – MIKE FLINN AND JAYMES YOUNG REMOVING A DEAD WATER METER

Attachment: Public Works (4851 : Department Reports)

REPAIRS COMPLETED

36	WATER REPAIRS
6	SEWER REPAIRS

LINE MAINTENANCE (VACCON)

34 / 373	HOURS OF OPERATION / TOTAL
1400	FEET OF SEWER LINE CLEARED / CLEANED
4	MANHOLES CLEANED

WORK COMPLETED

0	MANHOLE REPAIRS
6	SEWER STOPAGES
6	METER REPAIRS
0	RADIO REPLACEMENTS
1	WATER TAPS
1	SEWER TAPS
4	CUSTOMER PROBLEMS
110	LOCATE LINES
110	TEXAS 811 LINE LOCATES
0	METER BOXES REPLACED
0	METER LIDS REPLACED
0	CLEANOUTS REPLACED / INSTALLED
0	PULLED METERS
44	CUSTOMER REQUESTED TURN ON
18	CUSTOMER REQUESTED TURN OFF
36	CUT OFF SERVICE
30	RECHECKS

MISC:

HARDIN & AMES READINGS CHECKED DAILY

MONTHLY OPERATIONS

2 DAILY	FREQUENCY THAT WATER WELLS ARE CHECKED
40	DISINFECTANT WATER SAMPLES THAT ARE TAKEN
10	SAMPLES FOR MONTHLY MONITORING-CHLORINE REPORT
X2/WKLY	FRQUENCY THAT LIFT-STATIONS ARE CHECKED
MONTHLY	END LINE FLUSHING

Attachment: Public Works (4851 : Department Reports)

BEAUMONT ELECTRICAL SUBSTATION

ELECTRICAL DEPARTMENT

LIGHT IS ESSENTIAL

CHARLES YPMA – ELECTRICAL SUPERVISOR

The Electrical Department received 32 request this month and closed out 27 of them with 5 carrying overs to August 2020. 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 and Davey Tree.

COMPLETED WORK REQUESTS

MISC. MAINTENANCE	5
NO POWER	8
POWER LINE ISSUE	2
POLE ISSUE	2
SECURITY LIGHT	0
STREET LIGHT	8
TREES AND VINES	2
TOTAL INCIDENTS RESOLVED	**27**

Attachment: Public Works (4851 : Department Reports)

POWER OUTAGES

July 2020

Date	Location	Time Called Out	Time Power Restored	Response Time (min)	Outage Time (min)	Cause of Outage
3	2902 US 90	2:51 p.m.	4:10 p.m.	16	65	Lightning arrester and cut-out failure
6	1717 US 90	12:00 a.m.	3:00 a.m.	13	187	Transformer T2 tripped out and lightning arres
11	130 Linden	8:55 a.m.	8:21 a.m.	15	11	Transformer fuse
16	3300 Neyland	8:35 p.m.	9:10 p.m.	15	20	Transformer fuse
20	214 Carter & Confederate	8:28 a.m.	9:15 a.m.	4	43	Vines caused blown fuse
21	101 Avenue I	6:15 p.m.	7:35 p.m.	10	70	Tree limb, blown line fuse
24	125 Timber Ridge	5:23 p.m.	5:52 a.m.	14	15	Blown fuse
29	2812 N. Main	4:27 p.m.	5:05 p.m.	6	32	Bad Electric meter
31	Feeder 2, 3 & 4	8:45 p.m.	11:30 p.m.	5	160	Transformer T1 tripped out and lightning/vege
31	1719 Webster	11:19 p.m.	3:00 p.m.	11	210	Blown Transformer
31	Avenue F	11:19 p.m.	1:00 a.m.	11	90	2 Blown lightning arrester
Average				**11**	**82**	
				11 Minutes	**82 Minutes**	

- Due to Covid-19 the production of the Public Works Department was negatively affected.

Attachment: Public Works (4851 : Department Reports)

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4852)

DOC ID: 4852

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.

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Comments

INFORMATION ITEM (ID # 4853)

DOC ID: 4853

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.

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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, July 14, 2020 **6:00 PM** **City Hall - Liberty Center**

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

Those individuals listed in the Call to Order were physically present in the Liberty Center. The public was not yet allowed entrance into the meeting due to COVID-19. Public access was allowed through the Zoom Meeting Platform.

The meeting was called to order on July 14, 2020 at the City Hall - Liberty Center, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Driggers	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	
Naomi Herrington	Finance Director	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

An Invocation was not given.

III. PLEDGE OF ALLEGIANCE

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

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.

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

Mayor Pickett welcomed those participating in the meeting through telephone conference, and introduced other Staff members present.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4823)

City Manager's Report - T. Warner - Projects & Activities - COVID-19 - Sales Tax - Electric System Improvements

COMMENTS - Current Meeting:

City Manager Tom Warner addressed several issues including an update on the City as it relates to COVID-19, current sales tax revenue, the budget process and a table reflecting electric system improvements and associated funds in the current and proposed budget.

ATTACHMENTS:

- City Manager's Report(DOCX)

B. Information Item (ID # 4824)

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

COMMENTS - Current Meeting:

Asst. City Manager/CFO Naomi Herrington reviewed the various funds and the status of each, including that the General Fund balance sheet shows $2 million and sales tax revenues are up from this time last year. Ms. Herrington further reviewed the Boomerang Reserve Account and payment related to Boomerang Contract for taxes.

C. Information Item (ID # 4825)

Department Reports

COMMENTS - Current Meeting:

City Manager Tom Warner stated that monthly department reports are included in the Council Packet, and was prepared to answer any related questions.

ATTACHMENTS:

- Fire Dept Report (XLS)
- Inspections and Permits Report(PDF)
- Library Condensed Report (XLSX)
- Library Narrative Report (DOCX)
- Library Volunteer Report (XLSX)
- Police Dept. Report (XLS)
- Public Works Dept. Report (DOCX)

D. Information Item (ID # 4826)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, reported that with

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

the Agency's recent lawsuit being dismissed, there were no activities to report other than the continuation of business as usual, and that the Cambridge Project continues to be successful.

E. Information Item (ID # 4827)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the City had received three (3) of The Vindicator's Reader's Choice Awards and congratulated each of the following:

1) Best Fire Department
2) Best Police Department
3) Best City Services - Public Works Department

Mr. Warner also stated that the Trinity Valley Exposition and Rodeo have been cancelled. Only the Livestock Auction will be held.

Council Member Thornton reported on the recent Covenant with Christ Food Drives in Liberty to assist families through the VOVID-19 crisis.

At this time, Mayor Pickett made a presentation to City Secretary Dianne Tidwell, who will be retiring July 31, 2020. Mayor Pickett thanked her for her dedication and 34.5 years of service to the City and its citizens. Ms. Tidwell expressed her appreciation and enjoyment in serving the community.

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, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

1. Tuesday, June 09, 2020

2. Tuesday, June 23, 2020

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

VII. REGULAR AGENDA

A. Regular Session

1. Resolution 2020-29

Consider a Resolution approving a bid for Tax Resale Property described as approximately .76 acres, Tract 31, B C Franklin Survey, Abstract 196 (434 Wallisville Road).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported on tax resale property located at 434 Wallisville Road. An offer of $42,000.00 has been made. Following discussion of various costs, taxes owed, and the amount to be distributed to the City, if approved, the property will then be placed back onto the tax roll.

A motion was made to accept the bid of $42,000.00, for the tax resale property described as Tract 31, B C Franklin Survey, Abstract 196 - approximately 0.76 acres (434 Wallisville Rd.).

ATTACHMENTS:

- Tax Resale Property Info (PDF)
- Tax Resale Property-CAD Map (PDF)
- Tax Resale Property-Photos (PDF)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Diane Driggers, Mayor ProTem
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Driggers, Beasley, Simonson, Smith, Thornton
ABSTAIN:	David Arnold

2. Resolution 2020-30

Consider a Resolution approving a Parking Variance for Hankins Development, LLC.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on a request from Hankins Development for a variance from the City's parking ordinance in order to provide one parking space for every 300 square feet of floor space for a proposed 10,000 square foot Dollar Tree Store. Current regulations require one parking space for every 200 feet of floor space. Hankins stated that a reduction in the parking spaces (50 to 34) would allow them to provide additional landscaping to beautify the site.

A motion was made to approve the parking variance for Hankins Development, LLC.

ATTACHMENTS:

- Variance Request-Hankins Development Parking (PDF)
- Hankins Development Site and Landscapping Plan (PDF)

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

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

3. Resolution 2020-31

Consider a Resolution rejecting all bids received for the Main Street Sidewalk Rehabilitation Project.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on three bids received for the Main Street Sidewalk Rehabilitation Project. Mr. Warner stated that the engineer's estimate for construction costs was $122,512.02, the low bidder withdrew their bid, and the second low bid was in the amount of $215,267.00. With the cost differential of $92,700 between the bid and the engineer's estimate, it is recommended that the project be reevaluated the current submitted bids be rejected.

Following brief discussion, a motion was made to reject the bids.

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

4. Ordinance 2020-21

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 3.13 REQUIRING CERTIFICATES OF OCCUPANCY OR CERTIFICATES OF COMPLIANCE FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; REQUIRING LIFE, HEALTH AND SAFETY INSPECTIONS AND FIRE SAFETY INSPECTIONS FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 3.13 REQUIRING CERTIFICATES OF OCCUPANCY OR CERTIFICATES OF COMPLIANCE FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; REQUIRING LIFE, HEALTH AND SAFETY INSPECTIONS AND FIRE SAFETY INSPECTIONS FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS."

An Ordinance creating Article 3.13 Certificates of Occupancy and Compliance was adopted at the June 23rd Council Meeting. A concern was expressed regarding tenants

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

placing deposits for a residential rental unit and the property does not meet the requirements of the Article. This Ordinance amends Section 3.13.002 requiring the owner of a residential rental unit (excluding apt. complexes) to obtain a Certificate of Occupancy prior to accepting a deposit from new prospective tenants.

A motion was made to adopt the Ordinance as presented.

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

5. Resolution 2020-28

Take action to consider and approve contingent fee contracts with Perdue Brandon Fielder Collins and Mott, LLP for the collection of delinquent government receivables owed to the City of Liberty and notice of said contracts are posted with the agenda in accordance with Section 2254 of the Government Code, and consider a Resolution approving the same.

COMMENTS - Current Meeting:

City Council recently approved Resolutions to hire the firm of Perdue Brandon Fielder Collins and Mott, LLP for the collection of delinquent fines and fees for the City. The contracts were approved as required, however, the last Texas Legislative Session necessitates additional notice postings at the normal physical location and web page that the City uses for posting of other notices. This posting requirement has now been completed.

A motion was made to approve the Resolution for contingent fee contracts with Perdue Brandon Fielder Collins and Mott, LLP.

ATTACHMENTS:

- Public Notice-Contingent Fee Contracts (PDF)
- Contract- Delinquent Utility and Library Collections (DOC)
- Contract- Court Fines & Fees Collections (DOC)

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

6. Public Hearing (ID # 4832)

Public Hearing on the 2019 Drinking Water Quality Report.

COMMENTS - Current Meeting:

At 6:58 p.m., Mayor Pickett opened the Public Hearing on 2019 Drinking Water Quality Report. City Manager Tom Warner reported that this report is required to be provided to the City's water system customers on an annual basis (included in utility bills) as a part of the Safe Drinking Water Act. The report summarizes various information regarding legal limits of contaminants in the water, compliance issues, and other information. This report reflects that the City has met or exceeded all Federal drinking water requirements.

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

Mayor Pickett closed the Public Hearing at 7:02 p.m.

ATTACHMENTS:

- CCR Report (DOCX)

7. Work Session (ID # 4836)

Presentation, and discussion, of the Proposed Fiscal Year 2020-2021 Budget.

COMMENTS - Current Meeting:

City Manager Tom Warner presented a power point presentation representing the Proposed Fiscal Year Budget 2020-2021. Mr. Warner reviewed the proposed budget with discussion held on the following topics:

- General Fund revenues to include no increase in property tax, delinquent tax collection increased, sales tax revenue to remain at $2,150,000, and other General Fund related issues
- City Organizational Chart
- Personnel Requests
- Non Capital items requested from various departments
- Fleet Fund and Fleet requests
- Other General Fund issues

A work session will be held the following day, July 15 to review the various other funds and other budget issues.

ATTACHMENTS:

- Proposed Budget 2020-2021 (PDF)

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:50 p.m.

The July 14, 2020 Meeting was attended, and minutes completed, by previous City Secretary Dianne Tidwell. New City Secretary April Gilliland was in attendance at the August 11, 2020 meeting in which these minutes were approved.

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

Minutes Acceptance: Minutes of Jul 14, 2020 6:00 PM (Minutes Approval)

The City of Liberty

City Council

Work Session

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Wednesday, July 15, 2020 **6:00 PM** **City Hall - Liberty Center**

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

Those individuals listed in the Call to Order were physically present in the Liberty Center. The public was not yet allowed entrance into the meeting due to COVID-19. Public access was allowed through the Zoom Meeting Platform.

The meeting was called to order on July 15, 2020 at the City Hall - Liberty Center, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Driggers	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	Assistant City Manager	Remote	
Naomi Herrington	Assistant City Manager	Present	
April Gilliland	Administrative Assistant	Present	
Brandon Davis	City Attorney	Present	

II. WORK SESSION

1. Work Session (ID # 4833)

Presentation and Work Session regarding the Proposed Budget for Fiscal Year 2020-2021.

COMMENTS - Current Meeting:

City Manager Tom Warner presented a power point presentation to further discuss the Proposed Fiscal Year Budget 2020-2021. Mr. Warner and Asst. City Manager/CFO Naomi Herrington reported on, and discussion was held, on the following:

- Water & Wastewater Revenue Increase by 8% as per the rate study
- Water & Wastewater Utility Fees
- Water & Wastewater Fleet Request & Projects

Minutes Acceptance: Minutes of Jul 15, 2020 6:00 PM (Minutes Approval)

- Electric Department Open positions and current contract services
- Continuation with current solid waste provider, Frontier Waste, and current provided services.
- Golf Course Revenues, Expenses and Non-Capital Outlay. Upgrades/Improvements discussed being funded by Cambridge Funds
- LCDC Revenues and Expenses
- Airport projects
- Requests for phone system, computers and Fiber Trunk Line to be funded from Cambridge Funds
- Capital Improvement Programs for Street Rehabilitation Projects, Water and Wastewater Projects and Electric Projects

A discussion was held regarding these projects and other proposed budget related issues.

III. ADJOURNMENT

1. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before Council, Mayor Pickett adjourned the Budget Work Session at 7:23 p.m.

Adm. Asst. April Gilliland attended this budget work session, and took minutes for, previous City Secretary Dianne Tidwell. New City Secretary April Gilliland was in attendance at the August 11, 2020 meeting in which these minutes were approved.

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

Minutes Acceptance: Minutes of Jul 15, 2020 6:00 PM (Minutes Approval)

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Property

RESOLUTION 2020-32

DOC ID: 4854

Subject: ExxonMobil Easement Agreement

Background: ExxonMobil has requested the city grant them an fifty (50) foot wide permanent easement to facilitate the construction of an oil pipeline on property located north of the Airport. The easement will not cross the Airport's future runway extension. On June 16, 2020, LCDC transferred deed of this property to the City of Liberty and on June 23, 2020 the City of Liberty approved and accepted the transfer of property from LCDC.

ExxonMobil requires verification of the recording of the deed transfer before the agreement can be executed.

Funding Source: ExxonMobil will pay the city $75,337.50 upon execution of the agreement

Staff Recommendation: Staff recommends approval of the agreement granting a permanent easement to ExxonMobil.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, APPROVING AN AGREEMENT GRANTING A PERMANENT EASEMENT TO EXXONMOBIL

WHEREAS, ExxonMobil has requested the City grant them a fifty (50)-foot wide permanent easement to facilitate the construction of a pipeline on property located north of the Liberty Municipal Airport (the "Airport"); and

WHEREAS, the easement is not expected the cross the Airport's future runway extension; and

WHEREAS, on June 16, 2020, the Liberty Community Development Corporation ("LCDC") transferred deed of this property to the City, and on June 23, 2020, the City approved and accepted the transfer of property from LCDC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the agreement attached hereto as Exhibit "A" granting a permanent easement to ExxonMobil.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

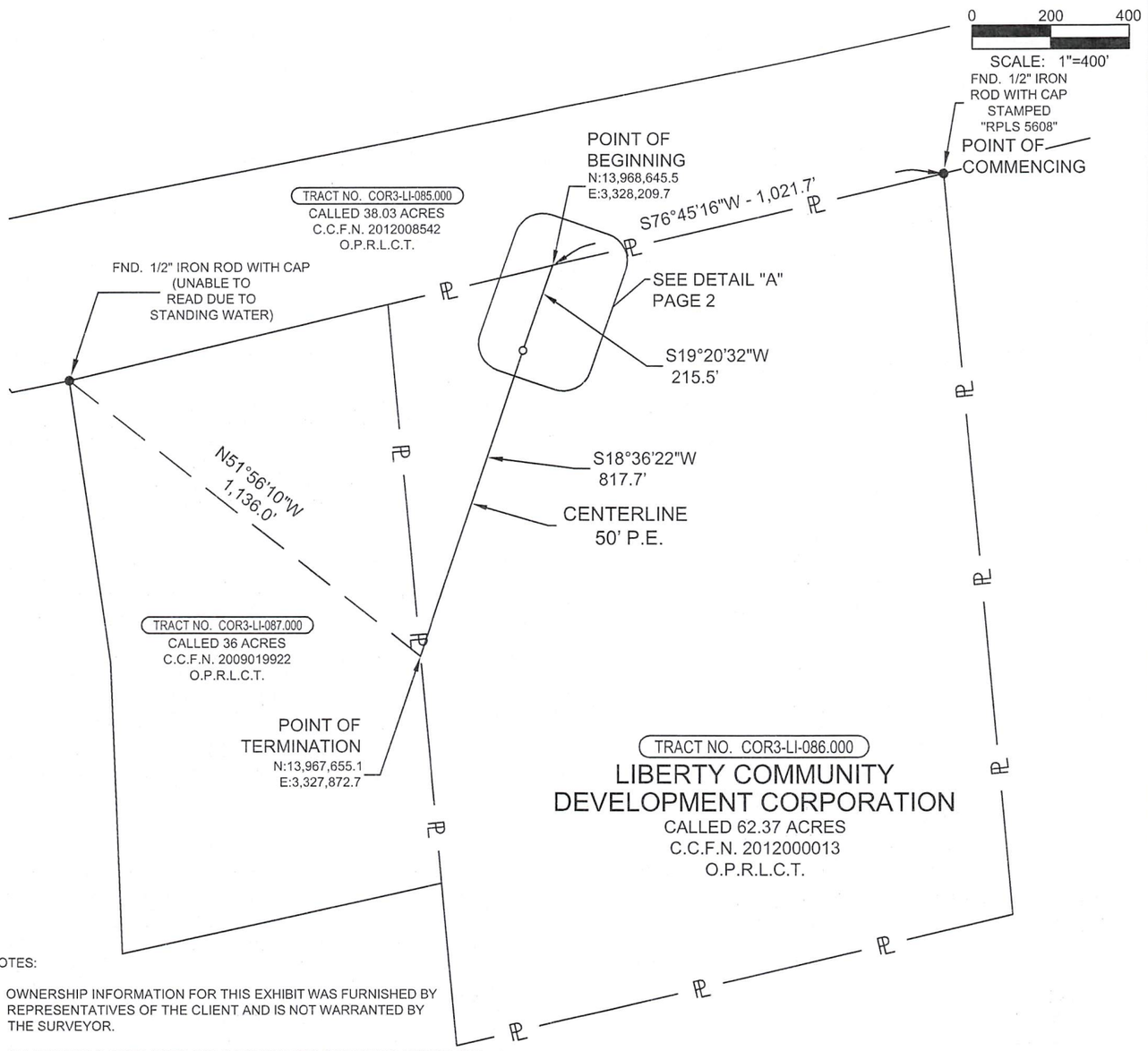
_____

April Gilliland, City Secretary

EXHIBIT "A"
LIBERTY COUNTY, TEXAS
PHILIP P. DEVER SURVEY, ABSTRACT NO. 22

LEGEND

FND.	FOUND
PROP.	PROPOSED
N.T.S.	NOT TO SCALE
DOC. NO.	DOCUMENT NUMBER
—℄—	PROPERTY LINE
———	CENTERLINE
– – – –	PERMANENT EASEMENT
P.E.	PERMANENT EASEMENT
T.W.S.	TEMPORARY WORKSPACE
TRACT NO.	TRACT NUMBER
O.P.R.L.C.T.	OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS
VOL.	VOLUME
C.I.R.	CAPPED IRON ROD
C.C.F.N.	COUNTY CLERK'S FILE NUMBER



NOTES:

1. OWNERSHIP INFORMATION FOR THIS EXHIBIT WAS FURNISHED BY REPRESENTATIVES OF THE CLIENT AND IS NOT WARRANTED BY THE SURVEYOR.
2. ALL BEARINGS, DISTANCES AND COORDINATES CONTAINED HEREIN ARE GRID BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (NAD 83), U.S. SURVEY FEET AS DERIVED FROM A GPS SURVEY PERFORMED BY UNIVERSAL ENSCO, INC., OCTOBER 2018.
3. WARRANTY DEED CONVEYING 62.37 ACRES TO LIBERTY COMMUNITY DEVELOPMENT CORPORATION CALLS FOR THE SOUTH AND WEST LINE TO BE "AREAS OF CONFLICT" WITH THE ADJOINING PROPERTY. PLAT IS BASED ON DEED CALLS AND FOUND MONUMENTATION. AREAS OF CONFLICT WERE NOT ADDRESSED IN THIS PLAT.
4. THIS PLAT IS PROVIDED WITH AN ACCOMPANYING DESCRIPTION LABELED "EXHIBIT B" AND ATTACHED HERETO.
5. THIS SURVEY WAS PERFORMED FOR THE SPECIFIC PURPOSE OF ESTABLISHING A SURFACE FOR AN EASEMENT ACQUISITION.

I, PHIL HAMMONS, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

12/23/19

PHIL HAMMONS DATE:
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5840
UEI TEXAS REGISTRATION NO. 10031600
UNIVERSAL ENSCO, INC./4848 LOOP CENTRAL DR., HOUSTON, TX 77081/713-425-6000

STATE OF TEXAS REGISTERED PHIL HAMMONS 5840 PROFESSIONAL LAND SURVEYOR

LIBERTY COMMUNITY DEVELOPMENT CORPORATION
TOTAL DISTANCE ACROSS PROPERTY: 1,046.2'
AREA OF PERMANENT EASEMENT: 1.20 ACRES
AREA OF TEMPORARY WORKSPACE: 1.01 ACRES

REV	DWN	CHKD	DATE
0	LG	PC	12/23/2019
A1	OU	PC	12/20/2019

SCALE: AS SHOWN	DATE
DWN BY: OU	12/20/19
CHKD BY: PH	12/20/19
FINAL CK: DH	12/23/19
ENGR.: RF	12/23/19
APPRV: PH	12/20/19

PROJECT NAME
BEAUMONT 2 PIPELINE PROJECT

PREPARED BY: UNIVERSAL ENSCO, INC. PROJECT NUMBER: 99996

ExxonMobil

EXXONMOBIL DOC. NO.
BMT-HL-0000-UP-LD-0028

UPI DOC. NO.
99996-250-PPL-15028

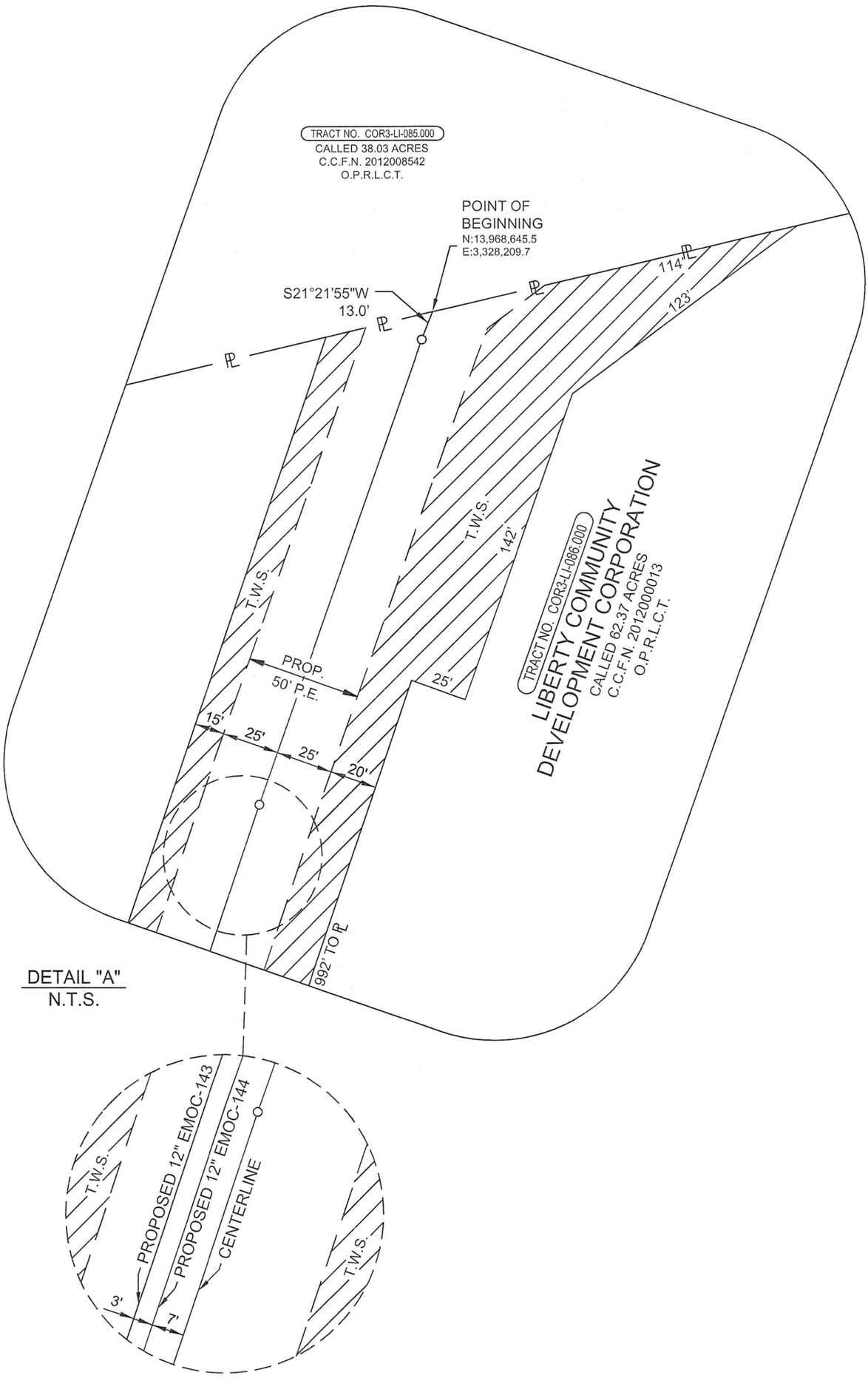
REVISION
0

EASEMENT PLAT – PERMANENT EASEMENT UPON THE PROPERTY OF
LIBERTY COMMUNITY DEVELOPMENT CORPORATION
COR3-LI-086.000

FILE INFO:P:\99996\01\200_SURV\250_PLAT\PPL-PRPRTY_PLAT\LIBERTY\LI-086.000\REV 0\COR3-LI-086.000_REV 0.DWG;LAST SAVED BY: PHILLIP.HAMMONS ON 2019-12-23

Attachment: EXHIBIT A - ExxonMobil (RES-2020-32 : Resolution - Exxon Mobil Easement - Airport Property)

EXHIBIT "A"
LIBERTY COUNTY, TEXAS
PHILIP P. DEVER SURVEY, ABSTRACT NO. 22



DETAIL "A"
N.T.S.

REV	DWN	CHKD	DATE
0	LG	PC	12/23/2019
A1	OU	PC	12/20/2019

SCALE: AS SHOWN	DATE
DWN BY: OU	12/20/19
CHKD BY: PH	12/20/19
FINAL CK: DH	12/23/19
ENGR.: RF	12/23/19
APPRV: PH	12/20/19

PROJECT NAME
BEAUMONT 2
PIPELINE PROJECT

PREPARED BY: UNIVERSAL ENSCO, INC.
PROJECT NUMBER: 99996

ExxonMobil

EXXONMOBIL DOC. NO.
BMT-HL-0000-UP-LD-0028

UPI DOC. NO.
99996-250-PPL-15028

REVISION
0

EASEMENT PLAT – PERMANENT EASEMENT UPON THE PROPERTY OF
LIBERTY COMMUNITY DEVELOPMENT CORPORATION
COR3-LI-086.000

FILE INFO:P:\99996\0\200_SURV\250_PLAT\PPL-PRPRTY_PLAT\LIBERTY\LI-086.000\REV 0\COR3-LI-086.000_REV 0.DWG;LAST SAVED BY: LEONEL.GARIBAY ON 2019-12-23

Attachment: EXHIBIT A - ExxonMobil (RES-2020-32 : Resolution - Exxon Mobil Easement - Airport Property)

TRACT No. COR3-LI-086.000
UPI Doc No. 99996-250-PPL-15028
ExxonMobil Doc. No. BMT-HL-000-UP-LD-0028

EXHIBIT "B"

DESCRIPTION OF A FIFTY (50) FOOT WIDE PERMANENT EASEMENT (P.E.), SITUATED IN THE PHILIP P. DEVER SURVEY, ABSTRACT NO. 22, OF LIBERTY COUNTY, TEXAS, AND BEING UPON, OVER, THROUGH AND ACROSS THAT CERTAIN LIBERTY COMMUNITY DEVELOPMENT CORPORATION TRACT OF LAND, BEING A CALLED 62.37 ACRES TRACT OF LAND, AS RECORDED UNDER COUNTY CLERK'S FILE NUMBER (C.C.F.N.) 2012000013, OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS (O.P.R.H.C.T.), REFERRED TO HEREIN AFTER AS THE ABOVE REFERENCED TRACT OF LAND, SAID FIFTY (50) FOOT WIDE P.E. BEING SITUATED TWENTY-FIVE (25) FEET ON EACH SIDE (AS SHOWN ON THE ACCOMPANYING DRAWING) OF THE HEREIN DESCRIBED CENTERLINE AND BEING MORE PARTICULARLY DEPICTED BY THE ACCOMPANYING PLAT AND DESCRIBED AS FOLLOWS, WITH ALL BEARINGS AND DISTANCES HEREIN BEING GRID, BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (NAD 83), US SURVEY FEET, AS DERIVED FROM A GLOBAL POSITIONING SYSTEM (GPS) SURVEY PERFORMED BY UNIVERSAL ENSCO, INC., IN OCTOBER 2018;

COMMENCING at a one-half (1/2) inch iron rod with cap stamped "RPLS 5608" found at the Northeast corner of the above referenced tract of land, also being in the South line of a called 38.03 acres tract as recorded in C.C.F.N. 2012008542, O.P.R.L.C.T..;

THENCE South 76° 45' 16" West, with the North line of the above referenced tract of land and the South line of said called 38.03 acres tract, a distance of 1,021.7 feet to the **POINT OF BEGINNING** of the herein described centerline, having coordinates of North 13,968,645.5 and East 3,328,209.7;

THENCE through and across the above referenced tract of land, the following courses and distances:

South 21° 21' 55" West, a distance of 13.0 feet;
South 19° 20' 32" West, a distance of 215.5 feet;
South 18° 36' 22" West, a distance of 817.7 feet;

to the **POINT OF TERMINATION** of the herein described centerline, having coordinates of North 13,967,655.1 and East 3,327,872.7, being on the westerly line of the above referenced tract of land, same being on the easterly line of a called 36 acres tract of land as recorded in C.C.F.N. 2009019922, O.P.R.L.C.T., from which a one-half (1/2) inch iron rod with cap (illegible) found for the Northwest corner of said called 36 acres tract, bears North 51° 56' 10" West, a distance of 1,136.0 feet, said baseline having a total length of 1,046.2 feet, said Permanent Easement containing 1.20 acres of land, more or less.

TEMPORARY WORKSPACE(S)

Being two (2) temporary workspace as shown on the accompanying drawing containing 1.01 acres, more or less.

This description is provided with an accompanying drawing labeled "Exhibit A" and attached hereto.

Universal Ensco, Inc. 4848 Loop Central Drive Houston, Texas 77081 713-425-6000 Texas Firm No. 10031600

Attachment: EXHIBIT A - ExxonMobil (RES-2020-32 : Resolution - Exxon Mobil Easement - Airport Property)

EXXONMOBIL PIPELINE PROJECT
CALCULATION WORKSHEET

Date 8/23/2019

Tract Number: COR3-LI-086.000

Landowner Name: Liberty Community Development Corporation

Permanent Easement and Temporary Work Space

ROW 60.27 (rod) X $1,250.00 = $75,337.50

Total ROW Compensation ***$75,337.50***

Other Compensation:

Describe: _____

Calculate: X per = $0.00

Total Other Compensation ***$0.00***

TOTAL COMPENSATION ***$75,337.50***

AGENT: _____ DATE: _____

LANDOWNER: _____ DATE: _____

LANDOWNER: _____ DATE: _____

Attachment: EXHIBIT B - ExxonMobil (RES-2020-32 : Resolution - Exxon Mobil Easement - Airport Property)

Scanned with CamScanner

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Equipment Lease

RESOLUTION 2020-33

DOC ID: 4855

Subject: Golf Cart Lease

Background: The City of Liberty currently has an agreement with EZ-GO to lease 15 electric carts at the golf course. The lease agreement expires in September 2020 and due to increased play at the course, there is a need for the city to lease additional carts. The City requested bids for cart leases and received responses from EZ-GO and Club Car. The bids call for the lease of 30 electric carts with lithium ion batteries. The comparison of the bids is provided below:

	CLUB CAR	EZ-GO
Items:	30 Electric Carts	30 Electric Carts
Monthly Price (Lease)	$ 2,168.40	$ 2,579.40
Annual Price (Lease)	$ 26,020.80	$ 30,952.80
Purchase Price	-----	$ 202,830.00
Lease Term	54 months	61 months
Battery Warranty	8 years	5 years
Battery Type	Lithium Ion	Lithium Ion

Club Car is approximately $5,000 per year cheaper than EZ-GO and ClubCar has indicated to staff that they can deliver the fleet of new carts by the end of August.

Funding Source: Golf Course Fund

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AWARDING A CONTRACT FOR THE LEASE OF THIRTY (30) GOLF CARTS TO CLUB CAR, LLC

WHEREAS, The City of Liberty currently has an agreement with EZ-GO to lease fifteen (15) electric carts at the Liberty Municipal Golf Course (the "Course"); and

WHEREAS, the EZ-GO lease agreement expires in September 2020; and

WHEREAS, due to increased play at the Course, there is a need for the City to lease additional golf carts; and

WHEREAS, the City requested bids for golf cart leases and received responses from EZ-GO and Club Car, LLC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby awards the contract attached hereto as Exhibit "A" for the lease of thirty (30) golf carts to Club Car, LLC.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Property

RESOLUTION 2020-34

DOC ID: 4856

Subject: Carter Street License to Encroach

Background: The owner of the former Riverside Café was in the process of selling the property when it was determined that a portion of the building extended into the Carter Street right-of-way. The building extends approximately nineteen (19) feet into the fifty-five and one-half (55.5) foot right-of-way. The License to Encroach will allow the building to remain within the right-of-way and will provide clear title to the property. If the building is ever removed from the right-of-way, it may not be replaced.

Funding Source: N/A.

Staff Recommendation: Staff recommends approval of the License to Encroach for the building located at 439 Highway 90 and Carter Street.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, APPROVING A LICENSE TO ENCROACH FOR PROPERTY LOCATED AT 439 HIGHWAY 90 AND CARTER STREET

WHEREAS, the owner of the property located at 439 Highway 90 and Carter Street, the former Riverside Café, was in the process of selling the property when it was determined that a portion of the building extended into the City's Carter Street right-of-way; and

WHEREAS, the building extends approximately nineteen (19) feet into the fifty-five and one-half (55.5) foot right-of-way; and

WHEREAS, a license to encroach will allow the building to remain within the right-of-way and will provide clear title to the property; and

WHEREAS, if the building is ever removed from the right-of-way, it may not be replaced.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the License to Encroach, attached hereto as Exhibit "A", for the building located at 439 Highway 90 and Carter Street.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____

April Gilliland, City Secretary

AGREEMENT AS TO ENCROACHMENT OF BUILDING

The Estate of Johnnie Sue Pollock Brannen ("First Party"), whose mailing address is _____, and the City of Liberty, Texas ("Second Party"), whose mailing address is 1829 Sam Houston St., Liberty, TX 77575, enter into this Agreement concerning a building encroachment, on the basis of the following facts and understandings.

RECITALS

1. First Party owns a building situated on certain property with an address of 439 Highway 90, Liberty, Texas that is described as follows: Being a part of Lot 3 in Inner Block 90 of the Town of Liberty, Texas, as designated on the map or plat of said town as described on the map or plat of said town as described in deed from James B. Bower, et ux, to Dora Hays dated March 4, 1950 recorded in Volume 327, Page 465, Deed Records of Liberty County, Texas.

2. Second Party owns certain other property ("Property B") adjoining Property A on the east. Property B is described as the Carter Street right-of-way.

3. By mistake a portion of the east side of the building belonging to First Party encroaches on Property B. Both parties desire that this encroachment shall not create a right or easement.

NOW, THEREFORE, the parties agree as follows.

LICENSE

1. The encroachment on Property B by the eastern portion of the building belonging to First Party exists with the express license and consent of Second Party. First Party shall not acquire any easement or right with respect to this encroachment.

TERMINATION OF LICENSE

2. Said License shall last as long as the current building is located on the Property B. In no event shall the owner of Property A be allowed to construct any new premises on Property B. If the building currently located on Property B is ever removed then this License shall terminate at that time.

INDEMNITY

3. First Party shall hold harmless, defend, and indemnify Second Party against any suits, liabilities, claims, demands, or damages, including but not limited to personal injuries and attorneys' fees, arising from First Party's exercise of privileges granted by this Agreement.

Attachment: License to Encroach Riverside Seafood (RES-2020-34 : Resolution - License to Encroach - Riverside)

SUCCESSORS AND ASSIGNS

4. This Agreement shall bind and inure to the benefit of the parties and their respective heirs, successors, assigns, and successors in title to all or part of Property A and Property B, until the building located on Property B is removed as provided by this Agreement.

Executed this _____ day of _____, 2020.

CITY OF LIBERTY

_____

Mayor, Carl Pickett

ESTATE OF JOHNNIE SUE POLLOCK BRANNEN

_____

THE STATE OF TEXAS §

COUNTY OF LIBERTY §

This instrument was acknowledged before me on the _____ day of _____, 2020, by Carl Pickett, acting in his capacity as Mayor of the City of Liberty, Texas.

_____

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2020, by _____, acting in his/her capacity as Executor of the Estate of Johnnie Sue Pollock Brannen.

_____

Notary Public, State of Texas

Attachment: License to Encroach Riverside Seafood (RES-2020-34 : Resolution - License to Encroach - Riverside)

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Property

RESOLUTION 2020-35

DOC ID: 4857

Subject: Right-of-Way Abandonment

Background: Brandon K. Smith is requesting the city abandon an approximately 59' x 330' portion of Plymouth Street, located near the intersection of Jefferson at Chrysler. Mr. Smith states that the abandonment will allow him to provide parking and driveway space for future commercial development.

Upon review by staff, it was determined that the city has electrical facilities in this section of Right-of-Way, but an easement would meet the city's access needs.

Funding Source: n/a

Staff Recommendation: Approval of the abandonment with the following conditions: 1) city retains an electrical easement, 2) applicant submits a sealed survey prior to filing at the Courthouse.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, ABANDONING A PORTION OF THE PLYMOUTH STREET RIGHT-OF-WAY.

WHEREAS, Brandon K. Smith requested the City to abandon an approximately 59' x 330' portion of the Plymouth Street right-of-way near the intersection of Jefferson and Chrysler; and

WHEREAS, Mr. Smith states that the abandonment will allow him to provide parking and driveway space for future commercial development; and

WHEREAS, the Plymouth Street right-of-way is currently undeveloped and a roadway does not exist at this time; and

WHEREAS, city staff reviewed the request and determined that electrical facilities are currently located in this section of the right-of-way; and

WHEREAS, city staff does not oppose the right-of-way abandonment as long as an electric utility easement over the property is granted to the City; and

WHEREAS, the Planning and Zoning Commission has previously approved this request.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the abandonment of an approximate 59' by 330' portion of the Plymouth Street right-of-way provided that the City receives an electric utility easement over the property, as needed, and that the applicant submits a stamped survey prior to filing the abandonment paperwork. Furthermore, the Mayor is authorized to execute any documents necessary to abandon the right-of-way as outlined herein.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

ABANDONMENT APPLICATION

City of Liberty Community Development Department
1829 Sam Houston, Liberty, Texas 77575
Phone: 936-336-3684 | Fax: 936-334-0949

APPLICATION OF ABANDONMENT FOR

☐ Utility Easement (UE)

☑ Right-of-Way (ROW) PLYMOUTH ST.

APPLICANT INFORMATION

Name: BRANDON KYLE SMITH / STEPHANIE JANEL SMITH

Company Name: _____

Address: 102 REGENCY DR.

Telephone: (936) 334-5243 Email: brandonkyle73@yahoo.com

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Name: _____

Company Name: _____

Address: _____

Telephone: _____ Email: _____

PROPERTY DESCRIPTION

Address: PROPERTY ID #239722

Subdivision: TROTTI Tract _____

Block No. A OR Plat _____

Lot No. 1-3, 7-9 Survey _____

REQUIREMENTS

1. Applicant must attach a letter stating the reasons for the abandonment **(EXHIBIT A)**.
2. Applicant must receive written approval from the city's Building Official and Public Works Director **(EXHIBIT B)**.
3. For unplatted property, applicant must attach a signed, sealed and dated metes and bounds description of the area proposed for abandonment **(EXHIBIT C)**.
4. For platted property, applicant must attached a copy of the plat showing the lot block, subdivision and recording information **(EXHIBIT D)**.
5. Applicant must attach the consent to such abandonment of all the abutting/impacted property owners **(EXHIBIT E)**.

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

NOTICE AND SIGNATURE

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct. The applicant will hold the City of Liberty harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.

Signature

06/29/2020
Date

Updated 06-26-2020

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

EXHIBIT A

Please attach a letter stating why the right-of-way/easement should be abandoned.

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

June 14, 2020

Brandon K Smith
102 Regency Dr.
Liberty, TX 77575

City of Liberty
1829 Sam Houston St.
Liberty, TX 77575

To Whom It May Concern:

I am writing concerning the city easement of Plymouth Street that is adjacent to my property #239722 off Jefferson St. I am asking if the city would consider abandoning this easement and deeding the property to the adjacent owners, as there is not currently an accessible roadway. This would benefit me by providing parking and driveway space for future commercial property. In addition, it would add the easement to the tax roll, which would, in turn, benefit the City of Liberty. Thank you for your consideration in this matter.

Best Regards,

Brandon K Smith

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

EXHIBIT B

The undersigned, City staff of the City of Liberty, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of the City of Liberty ordinances and with respect to present and future needs of the City of Liberty and see no objection to the requested abandonment from the City's standpoint.

Public Works Director
City of Liberty

Comment: City must retain Electrical Easement.

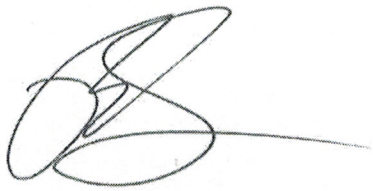
Building Official
City of Liberty

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

EXHIBIT C

Attached is a sealed copy of the metes and bounds description of the public right-of-way/easement situated in _____ Addition/Subdivision to the City of Liberty, Liberty County, Texas, sought to be abandoned. The metes and bounds description must be prepared by a Registered Public Surveyor.

Not Applicable as property is platted.

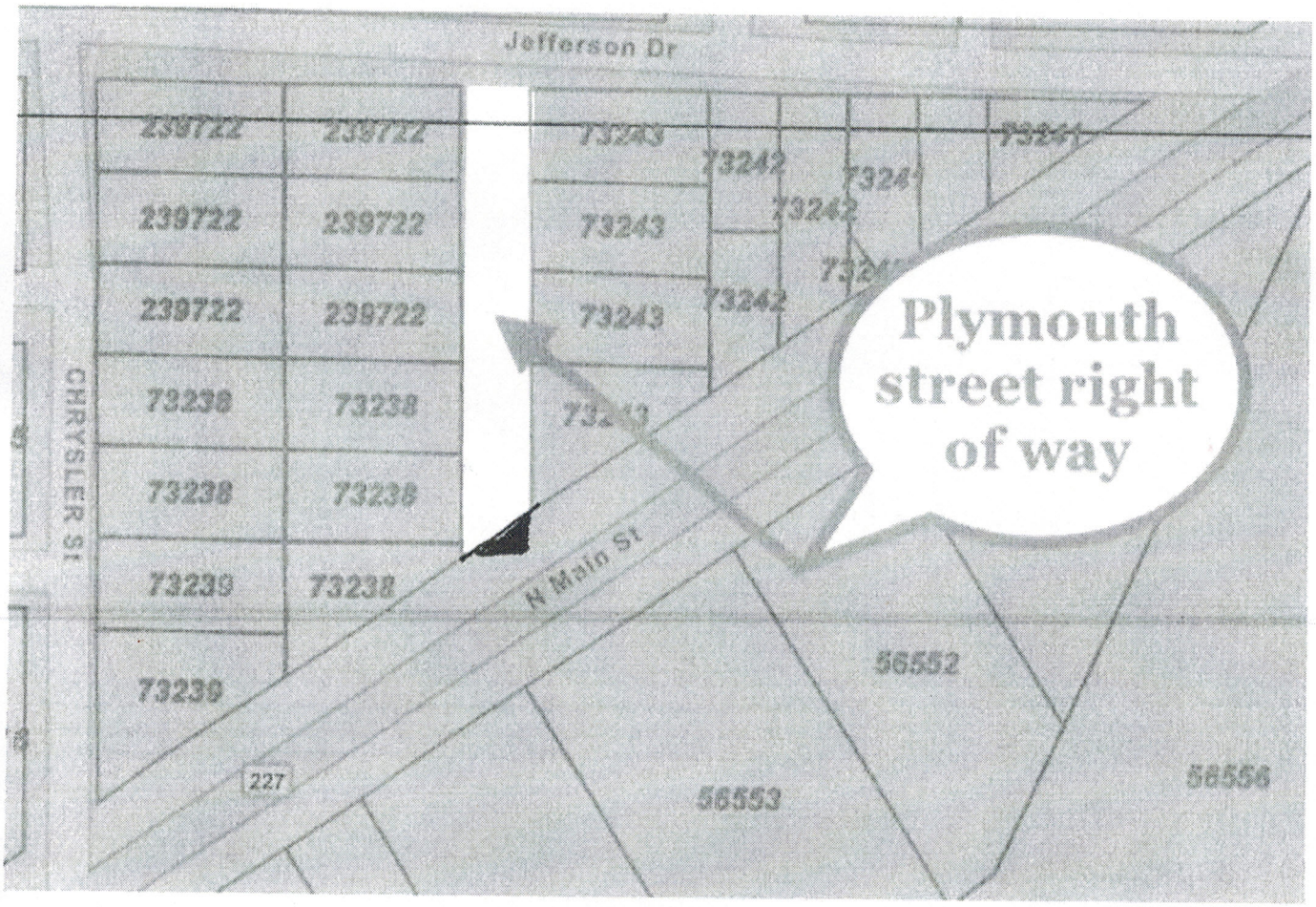


Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

EXHIBIT D

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated.

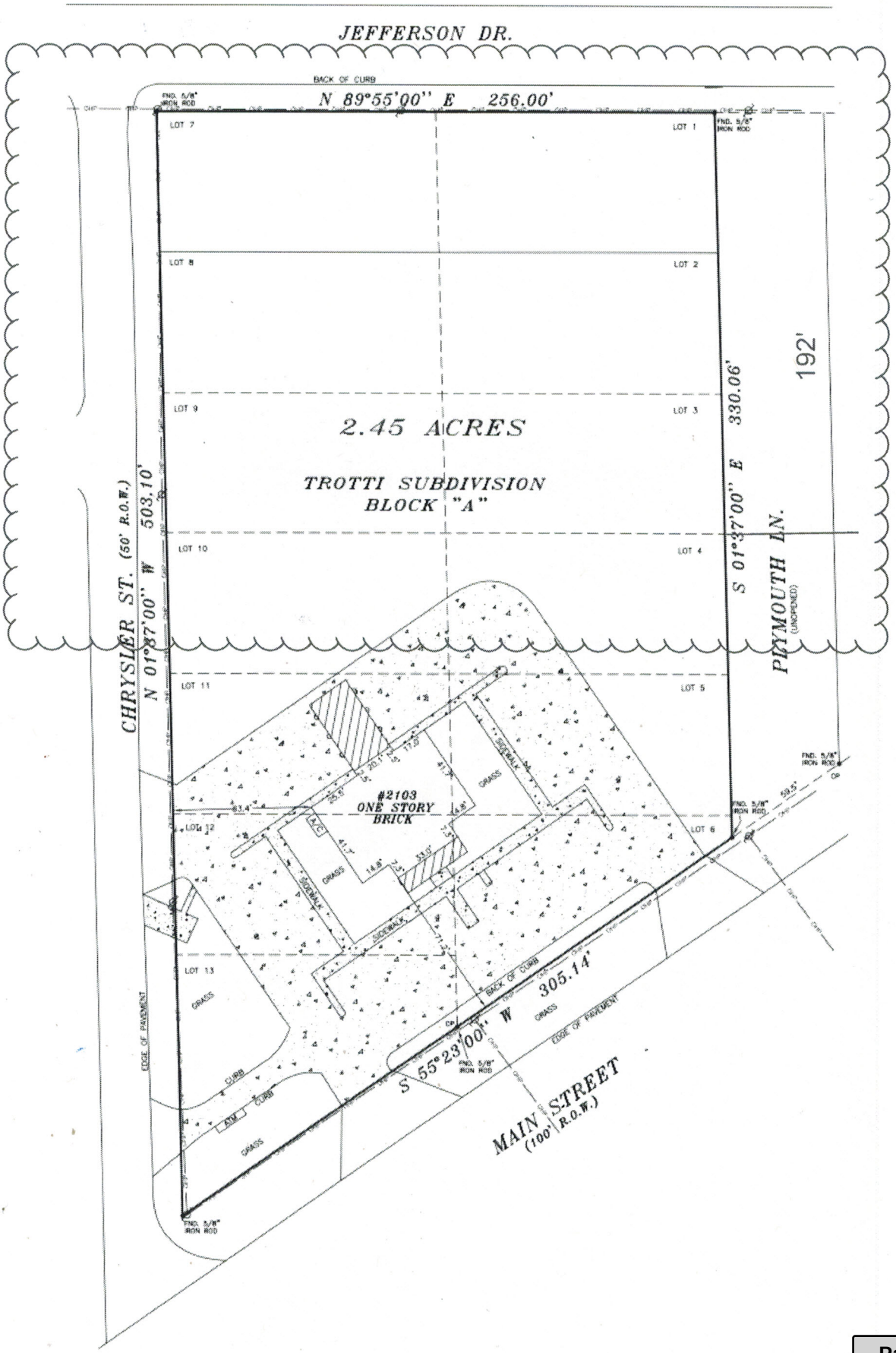
Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)



Modified from Liberty CAD Interactive Map

06/29/2020

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)



Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

EXHIBIT E

The undersigned owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby CONSENT to such abandonment.

Property Owner Name (Printed): BRANDON K. SMITH, STEPHANIE J. SMITH

Address: Property ID # 239722

Lot: 1-3, 7-9 Block: A Addition: Trotti

Signature: [signature] Date: 06/29/2020

Property Owner Name (Printed): SWAIM BRENTS & ASSOCIATES

Address: Property ID # 73243, 2804 Jefferson Dr Liberty, TX 77575

Lot: 7-10 Block: 13 Addition: Trotti

Signature: [signature] Date: 7/2/2020

Property Owner Name (Printed): BANK OF THE TRINITY / TEXAS FIRST BANK

Address: Property ID # 73238, 2103 North Main Street Liberty, TX 77575

Lot: 4-6, 10, 11 Block: A Addition: Trotti

Signature: [signature] TIMOTHY ROBIEN Date: 7/2/2020

Property Owner Name (Printed): _____

Address: _____

Lot: _____ Block: _____ Addition: _____

Signature: _____ Date: _____

Note: Attach as many copies of this sheet as necessary

Attachment: EXHIBIT A - Plymouth Abandonment (RES-2020-35 : Resolution - Plymouth Street ROW)

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Miscellaneous Issues

RESOLUTION 2020-36

DOC ID: 4871

Department: Finance

Subject: Signers on accounts at FLNB

Background: Due to the retirement of the City Secretary, Dianne Tidwell, we need to change signers on our depository accounts with First Liberty National Bank. This resolution with allow Tom Warner, Naomi Herrington and April Gilliland to be authorized signers on all accounts.

Funding Source: N/A

Staff Recommendation: Staff recommends approval of the resolution adding April Gilliland to the authorized signatories at FLNB.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, REMOVING DIANNE TIDWELL AS A SIGNATORY ON THE CITY OF LIBERTY'S BANK ACCOUNTS AND ADDING APRIL GILLILAND AS A SIGNATORY ON ALL CITY OF LIBERTY BANK ACCOUNTS

WHEREAS, The City of Liberty currently banks with the First Liberty National Bank; and

WHEREAS, Dianne Tidwell was a signatory on all City of Liberty's bank accounts due to her role as the City Secretary; and

WHEREAS, Dianne Tidwell recently retired, and April Gilliland has been named the new City Secretary for the City of Liberty; and

WHEREAS, April Gilliland needs to be added as a signatory on all City of Liberty's bank accounts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby removes Dianne Tidwell as a signatory on all City of Liberty's bank accounts and adds April Gilliland as a signatory on all City of Liberty's bank accounts.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____

April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Miscellaneous Issues

ORDINANCE 2020-22

DOC ID: 4858

Subject: Flood Damage Prevention Ordinance

Background: The City's Code of Ordinances currently specifies the City Manager is to serve as the floodplain administrator. However, in practice, the Building Official has the responsibility for implementing the provisions of the flood damage prevention ordinance. For this reason, the Code of Ordinances needs to be amended to specify that the Building Official will serve as the city's floodplain administrator.

Funding Source: N/A

Staff Recommendation: Staff recommends approval of the ordinance amendment appointing the Building Official as the Floodplain Administrator.

AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING SECTION 3.07.041 DESIGNATING A FLOODPLAIN ADMINISTRATOR; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS

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

WHEREAS, the purpose of Article 3.07 of the City of Liberty Code of Ordinances, Flood Damage Prevention, is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas; and

WHEREAS, Section 3.07.041 of the City of Liberty Code of Ordinances currently designates the city manager to be the floodplain administrator to administer and implement the provisions of Article 3.07 and other appropriate sections of 44 CFR (Emergency Management and Assistance, National Flood Insurance Program Regulations) pertaining to floodplain management; and

WHEREAS, the City of Liberty finds it necessary and desirable to amend its Code of Ordinances to appoint the Building Official of the City of Liberty, under the supervision of the City Manager or his designee, to be the floodplain administrator under Article 3.07.

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

SECTION 1. That Chapter 3 of the Code of Ordinances of the City of Liberty, Texas shall be amended by modifying Section 3.07.041 to read as follows:

CHAPTER 3

BUILDING REGULATIONS

ARTICLE 3.07 FLOOD DAMAGE PREVENTION

Sec. 3.07.041 Designation of floodplain administrator

The Building Official of the City of Liberty, under the supervision of the City Manager or his designee, is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections 44 CFR (Emergency Management and Assistance, National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

SECTION 5. That this ordinance shall take effect from and after the date of its publication in the newspaper in accordance with Texas law.

SECTION 6. That the requirement that this ordinance be read on two separate occasions is waived in accordance with Section 3.10 of the home-rule charter.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas this 11th day of August, 2020.

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

Sec. 3.07.041 Designation of floodplain administrator

The ~~city manager~~ Building Official of the City of Liberty, under the supervision of the City Manager or his designee, is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance, National Flood Insurance Program Regulations) pertaining to floodplain management. (1988 Code, sec. 8-141)

Attachment: EXHIBIT A - Flood Damage Prevention Ordinance (ORD-2020-22 : Ordinance - appointing building official as floodplain administrator)

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Budget Items

INFORMATION ITEM (ID # 4860)

DOC ID: 4860

Department: Administration

Subject: Presentation of Proposed Budget

Background: The City Manager between 30-60 days prior to the beginning of each fiscal year shall submit to Council a proposed budget (City Charter Section 9.02).

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Budget Items

RESOLUTION 2020-37

DOC ID: 4861

Subject: Set Public Hearing / Budget

Background:
The governing body of a municipality is required to hold a public hearing on the proposed budget. The hearing must be at least fifteen days after the date the proposed budget is filed with the City Secretary and prior to the date that the Council passes the tax levy ordinance. The budget must be passed before the tax levy ordinance can be passed. (LGC §102.006). Any person may attend and/or participate in the hearing.

Management recommends holding the public hearing on September 10. At the conclusion of the public hearing, the governing body shall take action on the proposed budget (LGC §102.007).

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, SETTING A PUBLIC HEARING ON THE PROPOSED CITY BUDGET

WHEREAS, the governing body of a municipality is required to hold a public hearing on the proposed budget; and

WHEREAS, the hearing must be at least fifteen days after the date the proposed budget is filed with the City Secretary and prior to the date that the Council passes the tax levy ordinance; and

WHEREAS, the budget must be passed before the tax ordinance can be passed; and

WHEREAS, any person may attend and/or participate in the hearing; and

WHEREAS, at the conclusion of the public hearing, the governing body shall take action on the proposed budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby sets a public hearing on the proposed City budget to be held at the City Hall of the City of Liberty, Texas, located at 1829 Sam Houston Street, Liberty, Texas, 77575, at 6:00 p.m. on August 25, 2020.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____

April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Budget Items

RESOLUTION 2020-38

DOC ID: 4862

Subject: Proposed Tax Rate

Staff Recommendation:
The City's current tax rate is $0.5851and staff is recommending that the rate be reduced to $0.581300 for 2020. Truth in Taxation requires that we have 1 Public Hearing on the proposed tax rate.

At the time of posting the August 11, 2020 City Council Meeting, the Liberty County Tax-Assessor Collector had not reviewed and approved the calculation of the City's Tax Rate. It is anticipated the Tax Rate will be provided to the City prior to the City Council Meeting.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, SETTING THE PROPOSED TAX RATE FOR FISCAL YEAR 2020-2021

WHEREAS, The City Council of the City of Liberty establishes a tax rate every year in order to continue providing services to the citizens of Liberty; and

WHEREAS, the tax rate options are calculated by the Liberty County Tax Assessor/Collector; and

WHEREAS, the City Council must adopt a proposed tax rate and have one (1) public hearing to discuss the proposed tax rate prior to setting the tax rate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby adopts a proposed tax rate for the fiscal year 2020-2021 of $0.581300.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Election

ORDINANCE 2020-23

DOC ID: 4864

Subject: General Election Order for Officers

Background: This Ordinance calls for an election to be held on November 3, 2020, after the May 2, 2020 Election was postponed due to COVID-19, for the purpose of electing a Mayor and three (3) City Council Members. The Ordinance states the City will contract with the Liberty County Election Administrator's Office for conduct of the election, spelling out various responsibilities of both parties.

Those Council Members whose terms expire are: Mayor Carl Pickett and Council Members David Arnold, Chipper Smith and Neal Thornton.

AMENDED ORDER OF ELECTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE ORDER OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 3rd DAY OF NOVEMBER, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1.

It is hereby ordered that a General Election be held in the City of Liberty, Texas on November 3, 2020, at which election the qualified voters of the City will elect a Mayor and three (3) City Council Members which shall hold office for a period of two (2) years, and which are all at-large positions.

Section 2.

That the election be held jointly between the City of Liberty, Liberty Independent School District, and any other contracting entities shall be conducted by the Liberty County Elections Administrator as stated per the terms of the 2020 Joint Election Agreement and Elections Services Contract.

Section 3.

The present boundaries of the City of Liberty constitute one election precinct, and the polls shall be open for voting on Election Day, November 3, 2020, from 7:00 a.m. until 7:00 p.m. at the following polling places.

POLLING PLACES:

Location	**Address**
Moss Hill - The Lighthouse Church	17283 HWY 146 North
Hardin - Hardin City Hall	142 CR 2010 - Hardin
Devers - Devers ISD	201 S. Chism St. - Devers
Liberty - Jack Hartel Building	318 San Jacinto St. - Liberty
Moss Bluff - Calvary Baptist Church	15 CR 129 - Liberty
Cleveland - Cleveland Civic Center	210 Peach St. - Cleveland
Tarkington - Oak Shade Baptist Church	1807 CR 2212 - Cleveland
Tarkington - Hi-Way Tabernacle	108 CR 2250 - Cleveland
Dayton - Dayton ISD Admin Building	100 Cherry Creek Rd. - Dayton
Raywood - Sacred Heart Catholic Church	3730 FM 160 N. - Raywood
Daisetta - Hull-Daisetta High School	117 North Main HWY 770 - Daisetta
Eastgate - St. Annes Catholic Church	744 CR 622 - Dayton
Romayor - Romayor Baptist Church	307 FM 2610 - Romayor
Ames - Our Mother of Mercy Catholic Church	101 Donatto Road - Ames
Cleveland - Douglas School Gym	900 Samuel Wiley Dr.
Kenefick - Kenefick Southern Baptist Church	3536 FM 1008 - Kenefick
Dayton - Dayton Community Center	801 S. Cleveland St. - Dayton
Plum Grove - Sante Fe Administration Bldg	1680 CR 3549 - Cleveland
Westlake - South Liberty County VFD	8704 FM 1409 - Dayton
Cleveland - St. Luke’s Presbyterian Church	60 FM 1010 - Cleveland

Section 4.

Klint Bush, Liberty County Elections Administrator, shall act as Contracting Officer and Early Voting Clerk. The location for Early Voting for such election is hereby designated as:

EARLY VOTING POLLING PLACES:

Jack Hartel Building
318 San Jacinto Street
Liberty, Texas 77575

Cleveland Civic Center
210 Peach Avenue
Cleveland, Texas

Hardin City Hall
142 C.R. 2010

Hardin, Texas

Dayton Community Center
801 S. Cleveland St.
Dayton, Texas 77535

Early voting by personal appearance shall be conducted on the following dates:

Tuesday, October 13, 2020: 9:00 a.m. - 4:00 p.m.
Wednesday, October 14, 2020: 9:00 a.m. - 4:00 p.m.
Thursday, October 15, 2020: 9:00 a.m. - 4:00 p.m.
Friday, October 16, 2020: 9:00 a.m. - 4:00 p.m.
Monday, October 19, 2020: 9:00 a.m. - 4:00 p.m.
Tuesday, October 20, 2020: 9:00 a.m. - 7:00 p.m.
Wednesday, October 21, 2020: 9:00 a.m. - 7:00 p.m.
Thursday, October 22, 2020: 9:00 a.m. - 7:00 p.m.
Friday, October 23, 2020: 9:00 a.m. - 7:00 p.m.
Saturday, October 24, 2020: 9:00 a.m. - 4:00 p.m.
Monday, October 26, 2020: 9:00 a.m. - 4:00 p.m.
Tuesday, October 27, 2020: 9:00 a.m. - 7:00 p.m.
Wednesday, October 28, 2020: 9:00 a.m. - 7:00 p.m.
Thursday, October 29, 2020: 7:00 a.m. - 7:00 p.m.
Friday, October 30, 2020: 7:00 a.m. - 7:00 p.m.

The Election Administrator's address to which ballot applications and ballots voted by mail may be sent is:

Klint Bush, Liberty Co. Elections Administrator
Liberty County Courthouse
1923 Sam Houston Street
Liberty, Texas 77575

All requests for early voting ballots by mail that are received by the City of Liberty will be transported to Klint Bush, Elections Administrator, Liberty County Courthouse, 1923 Sam Houston, Liberty, Texas 77575.

Election officials for the City's Early Voting and Election Day Polling Locations shall be designated by the Contracting Officer, in accordance with the provisions of the Texas Election Code.

Section 5.

All election equipment, election supplies, and election services used to coordinate, supervise, and administer the Joint Election shall be in accordance with the provisions of the Texas Election Code. Each polling location for both early voting and election day voting shall be accessible to disabled voters. Election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling place and for Early Voting and Election Day for said election.

Section 6.

Notice of this election shall be published in the official newspaper of the City not earlier than the 30th day or later than the 10th day before election day, and shall be posted in the place used to post notice of City Council Meetings not later than the 21st day before election day, in accordance with the provisions of the Texas Election Code.

Section 7.

Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended. The Mayor and/or City Secretary and the City Attorney are hereby authorized and directed to make any filings required by the Federal Voting Rights Act. The Mayor and/or City Secretary and the City Attorney are further authorized and directed to take any action necessary to comply with provisions of the Texas Election Code, the Federal Voting Rights Act and the terms and provisions of the 2020 Joint Election Agreement and Election Services Contract.

Section 8.

That if any section, subsection, sentence, clause, or phrase of this ordinance should for any reason be held to be unconstitutional or invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable; and the City Council of the City of Liberty, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9.

This Ordinance shall be in full force and effect from and after the date of 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 at a regular meeting of the City Council of the City of Liberty, this the 11th day of August 2020.

_____
Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Election

ORDINANCE 2020-24

DOC ID: 4865

Subject: Special Election

Background:
Texas Local Government Code Chapter 9 applies to the adoption or amendment of a Municipal Charter as authorized by Article XI, Section 5, of the Texas Constitution. The ordinance ordering the Charter Amendment Election shall provide for the election to be held on the first authorized uniform election date or the date of the next municipal general election or presidential general election. This election will be held on the next uniform election date, which is also the date of the City's General Election, November 3, 2020, after the May 2, 2020 Election was postponed due to COVID-19.

The City Council, at its meeting of January 14, 2020, reviewed the Final Report of amendments proposed by the 2019 Charter Review Commission. Council approved the proposed language and voted to submit the forty-two amendments to the voters.

AMENDED ORDER OF SPECIAL ELECTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE ORDER OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON THE 3rd DAY OF NOVEMBER, 2020 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1.

It is hereby ordered that a Special Election be held in the City of Liberty, Texas on November 3, 2020, at which election the qualified voters of the City will consider amendments to the City’s Home Rule Charter. Those measures are described in Exhibit “A”.

Section 2.

That the election be held jointly between the City of Liberty, Liberty Independent School District, and any other contracting entities shall be conducted by the Liberty County Elections Administrator as stated per the terms of the 2020 Joint Election Agreement and Elections Services Contract.

Section 3.

The present boundaries of the City of Liberty constitute one election precinct, and the polls shall be open for voting on Election Day, November 3, 2020, from 7:00 a.m. until 7:00 p.m. at the following polling places.

POLLING PLACES:

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Cleveland - Douglas School Gym	900 Samuel Wiley Dr.
Kenefick - Kenefick Southern Baptist Church	3536 FM 1008 - Kenefick
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Westlake - South Liberty County VFD	8704 FM 1409 - Dayton
Cleveland - St. Luke’s Presbyterian Church	60 FM 1010 - Cleveland

Section 4.

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Cleveland Civic Center
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Cleveland, Texas

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Hardin, Texas

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Friday, October 30, 2020: 7:00 a.m. - 7:00 p.m.

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1923 Sam Houston Street
Liberty, Texas 77575

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Election officials for the City's Early Voting and Election Day Polling Locations shall be designated by the Contracting Officer, in accordance with the provisions of the Texas Election Code.

Section 5.

All election equipment, election supplies, and election services used to coordinate, supervise, and administer the Joint Election shall be in accordance with the provisions

of the Texas Election Code. Each polling location for both early voting and election day voting shall be accessible to disabled voters. Election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling place and for Early Voting and Election Day for said election.

Section 6.

Notice of this election shall be published in the official newspaper of the City not earlier than the 30th day or later than the 10th day before election day, and shall be posted in the place used to post notice of City Council Meetings not later than the 21st day before election day, in accordance with the provisions of the Texas Election Code.

Section 7.

Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended. The Mayor and/or City Secretary and the City Attorney are hereby authorized and directed to make any filings required by the Federal Voting Rights Act. The Mayor and/or City Secretary and the City Attorney are further authorized and directed to take any action necessary to comply with provisions of the Texas Election Code, the Federal Voting Rights Act and the terms and provisions of the 2020 Joint Election Agreement and Election Services Contract.

Section 8.

That if any section, subsection, sentence, clause, or phrase of this ordinance should for any reason be held to be unconstitutional or invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable; and the City Council of the City of Liberty, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9.

This Ordinance shall be in full force and effect from and after the date of 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 at a regular meeting of the City Council of the City of Liberty, this the 11th day of August 2020.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary

EXHIBIT "A"

2020 CITY OF LIBERTY CHARTER ELECTION BALLOT LANGUAGE and Charter Language if Approved

Proposition A:

FOR/AGAINST Shall Section 1.03 of the City Charter related to changes of boundaries and residents' rights be amended to be consistent with Texas state law?

Charter Language if Approved:

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.

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 Texas state law.

b. Disannexation of territory. Territory in the city may be detached from the corporate limits pursuant only to Texas 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 Texas state law and city ordinances.

Impact: This Charter amendment will clarify that the City is only allowed to annex property as set out in Texas state law.

Proposition B:

FOR/AGAINST Shall Section 3.02 of the City Charter related to qualifications of city council members be amended adding the requirement that members of the city council shall not have due and owing any delinquent property taxes to the City of Liberty?

Charter Language if Approved

Sec. 3.02. Qualifications.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Each member of the city council shall be a permanent resident citizen of the City of Liberty; shall not have due and owing any delinquent 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.

Impact: This amendment prohibits individuals from serving on the city council if they owe delinquent property taxes.

Proposition C:

FOR/AGAINST

Shall Section 3.05 of the City Charter related to resignations and vacancies be amended so as to remove the existing procedures for dealing with resignations and vacancies and replacing same with new procedures for handling resignations and vacancies stating that the city council may fill a vacancy of the mayor or council members by either calling for a special election to fill the vacancy or by appointing a new member to serve until the next regularly scheduled city council election?

Charter Language if Approved

Section 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.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

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 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.

A vacancy on the city council may be created by the mayor's or a city council member's resignation, removal, incapacity, or death. 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 Texas 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."

Impact: This amendment will completely change the process for filling vacancies on the city council. Currently, the city council can appoint new members to fill vacancies for the remainder of the unexpired term. Under this amendment the city council could either call a special election to fill the vacancy or appoint a new member to serve only until the next municipal election.

Proposition D:

FOR/AGAINST

Shall Section 3.06, subsection (a) of the City Charter related to powers of the city council be amended to clarify that the city council only has the authority to remove officers or employees who were appointed to the positions directly by the city council?

Charter Language if Approved

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Sec. 3.06 (a) – 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 member of any board or commission, provided that said officer, employee, or board member was appointed to the position directly by the City Council.

Impact: If approved this amendment would prohibit the city council from removing officers or employees that were not directly hired by the city council.

Proposition E:

FOR/AGAINST Shall Section 3.06, subsection (b) of the City Charter related to powers of the city council be amended to clarify that the city council has the authority to establish, consolidate or abolish any department and removing the city council's authority to distribute the work of divisions?

Charter Language if Approved

Sec. 3.06 (b) – 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:

(b) Establish, consolidate or abolish departments."

Impact: If approved this amendment will clarify that the City Council has the authority to establish, consolidate, or abolish city departments. However, it also removes the city council's authority to distribute the work of divisions within the city. Instead the city manager would have the authority to distribute work of the employees and divisions.

Proposition F:

FOR/AGAINST Shall Section 3.06, subsection (g) of the City Charter related to powers of the city council be amended to reflect that the city has multiple building codes?

Charter Language if Approved

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Sec. 3.06 (g) – 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:

(g) Adopt and modify the zoning plan and building codes of the city.

Impact: This amendment clarifies that the City has adopted multiple building codes and not just a single building code.

Proposition G:

FOR/AGAINST Shall Section 3.06, subsection (i) of the City Charter related to powers of the city council be amended to add city staff to those who can propose plans to the city council for approval?

Charter Language if Approved

Sec. 3.06 (i) – 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:

(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."

Impact: This amendment adds "city staff" to those capable of recommending plans to the city council. Realistically city staff is who makes the majority of recommendations to city council and not the planning and zoning commission.

Proposition H:

FOR/AGAINST Shall Section 3.06, subsection (m) of the City Charter related to powers of the city council be amended to allow the city council to approve salary ranges for city officers and employees instead of specific salaries?

Charter Language if Approved

Sec. 3.06 (m) – 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

council shall have power to:

(m) Approve salary ranges for city officers and employees.

Impact: This amendment makes it clear that the city council only approves salary ranges for employees but instead allows the city manager to set the specific salary for employees within the ranges set out by the city council.

Proposition I:

FOR/AGAINST Shall Section 3.06, subsection (n) of the City Charter related to powers of the city council be amended clarifying that property owners are only required to connect a sanitary sewer or water system with their premises when said water system or sanitary sewer system are readily available?

Charter Language if Approved

Sec. 3.06 (n) – 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:

(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.

Impact: This amendment clarifies that property owners can only be required to connect to the City's water or sewer systems when said systems are readily available to the premises.

Proposition J:

FOR/AGAINST Shall Section 3.06, subsection (r) of the City Charter related to powers of the city council be amended making specific notice requirements for nuisance abatement consistent with Texas state law and changing the person responsible for filing a statement of expense for said notice with the County Clerk from the city's health officer to the city's code enforcement officer?

Charter Language if Approved

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Sec. 3.06 (r) – 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:

(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, then the city may, in accordance with Texas 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 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."

Impact: If approved this amendment will make the city's nuisance abatement notice requirements consistent with Texas state law. Also, the city does not have a health officer and the city's code enforcement officer is the employee that handles nuisance abatement currently.

Proposition K:

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

FOR/AGAINST Shall Section 3.06, subsection (s) of the City Charter related to powers of the city council be amended to remove the city council's authority to prohibit nuisances outside the city's limits?

Charter Language if Approved

Sec. 3.06 (s) – 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:

(s) Define all nuisances and prohibit the same within the city; 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."

Impact: This amendment clarifies that the city council does not have the legal authority to regulate nuisances outside the city's limits. The current charter grants the city council authority to regulate nuisances 5,000 feet outside the city's limits.

Proposition L:

FOR/AGAINST Shall Section 3.08 of the City Charter related to meetings and agenda items of the city council be amended so as to remove the requirement that meetings of the city council be located in the council chambers at the city hall and to give the city manager the ability to call special meetings of the city council at any time?

Charter Language if Approved

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. 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

to time at discretion of the city council establish policies approved by majority vote for calling meetings and setting agendas of the city council."

Impact: If approved this amendment will allow the city council to hold meetings in locations other than the council chambers. For example, if a large crowd were to attend a meeting the city council could not have the meeting in the larger Liberty Center at city hall and remain in compliance with the city's charter. The city council must still follow all posting and notice requirements set forth in the Texas Open Meetings Act.

Proposition M:

FOR/AGAINST

Shall Section 3.09 of the City Charter related to rules of procedure be amended so as to change the quorum requirement for city council meetings from two-thirds to a simple majority of council members and removing the requirement that ordinances be kept in a physical book since they are now kept electronically?

Charter Language if Approved

Sec. 3.09 – Rules of procedure

The city council shall determine its own rules of procedure and shall compel the attendance of its members. 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 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 passed shall be copied in the minutes."

Impact: If approved the city council will allowed to meet as long as a simple majority of the city council members are present. Under the current Charter 2/3rds of the council members must be present. Furthermore, this amendment will allow the city to record the ordinances and resolutions approved electronically instead of in a physical book as required in the current Charter.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Proposition N:

FOR/AGAINST Shall Section 3.10 of the City Charter relating to the procedure for passage of ordinances be amended to remove the requirement that ordinances be read on two separate days prior to passage?

Charter Language if Approved

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. 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.

Impact: If approved this amendment will allow the city council to adopt ordinances at a single meeting without the necessity of requiring the city council to vote to dispense with said requirement to read the ordinance at two separate meetings. This will allow the City to conduct business in a more efficient and effective manner.

Proposition O:

FOR/AGAINST Shall Section 4.02 of the City Charter related to the department of police be amended to clarify that the city manager has the authority to remove the Chief of Police without the city council's prior approval and removing a reference to a section of the Texas Local Government Code that does not discuss the issues involved in this section of the Charter.

Charter Language if Approved

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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

the city council, for an indefinite term. 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.

(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."

Impact: This amendment makes it clear that the City Manager has the unilateral authority to terminate the Police Chief's employment. However, under the city's personnel policies the Chief of Police can still appeal his termination to the City Council. This amendment also removes reference to a statute that does not apply the issues being discussed.

Proposition P:

FOR/AGAINST Shall Section 4.03 of the City Charter related to the city secretary be amended so as to clarify that the city manager has the authority to hire and assign duties to the city secretary and assistant city secretaries without the city council's prior approval?

Charter Language if Approved

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. 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, 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.

Impact: This amendment clarifies that the city manager has the authority to hire and assign duties to the city secretary and assistant city secretaries without the city council's prior approval. The city council still maintains budgetary control over the number of employees hired by the city.

Proposition Q:

FOR/AGAINST Shall Section 4.04 of the City Charter related to the municipal court be amended so as to remove the subsection providing that the city secretary or assistant secretary shall be an ex officio clerk of the municipal court and authorizing the city council to appoint an interim judge or the

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

municipal court to serve in the absence or disability of the municipal court judge instead of having the Mayor or Mayor Pro Tem act as said interim judge?

Charter Language if Approved

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 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.

(d) In case of the disability or absence of the judge of the municipal court, the city council shall appoint an interim judge of the municipal court.

Impact: This amendment will not cause much of an impact because the city already has clerks that manage the municipal court instead of the city secretary. Additionally, the City would rather appoint an interim judge than have the mayor serve in that capacity.

Proposition R:

FOR/AGAINST Shall Section 4.07 of the City Charter relating to other offices and departments be removed from the City's Charter in its entirety because the information included in this section of the Charter is already discussed in other sections of the Charter.

Impact: Removing section 4.07 of the City's Charter will remove the possibility of confusion between conflicting sections in the Charter. Section 3.06 of the Charter already grants the City Council authority to abolish or consolidate departments or offices.

Proposition S:

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

FOR/AGAINST Shall Section 5.01 of the City Charter relating to elections be amended to clarify that the City's elections must be held and ordered consistent with Texas state law and changing the term from "regular election" to "general election."

Charter Language if Approved

Sec. 5.01 – Elections generally

The general city election shall be held annually on a date set by ordinance which shall be a date authorized by Texas 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 order a special election, fix the time and place for holding same and provide all means for holding such special election.

Impact: The City currently holds and orders its elections in accordance with Texas state law. This amendment just makes the Charter language consistent with Texas law. Furthermore, the term regular election is not the correct name for elections anymore.

Proposition T:

FOR/AGAINST Shall Section 5.04 of the City Charter relating to the official ballot be amended to change the procedures for drawing for a place on the election ballot to require said procedures to follow Texas state law?

Charter Language if Approved

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 accordance with Texas 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.

Impact: The Charter as it currently exists does not follow Texas law regarding the drawing for positions on the ballot. However, the City does still follow Texas law with its procedures despite the fact that the Charter is currently incorrect. This amendment will make the Charter better reflect Texas law.

Proposition U:

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

FOR/AGAINST Shall Section 5.05 of the City Charter relating to elections by plurality be amended so as to change the term "regular" election to "general" election and to change the procedures related to tie votes in an election to be consistent with Texas state law?

Charter Language if Approved

Sec. 5.05 – Election by plurality

At any general 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 proceed in accordance with Texas state law.

Impact: If approved this amendment will just clarify that the City must follow Texas state law related to tie votes in elections.

Proposition V:

FOR/AGAINST Shall Section 5.08 of the City Charter relating to the oath of office be amended so as to make the oath of office taken by city officers consistent with Texas state law.

Charter Language if Approved

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 oath or affirmation of office as prescribed by Texas state law.

Impact: If approved this amendment will just ensure that the oath of office taken by city officers is consistent with Texas state law.

Proposition W:

FOR/AGAINST Shall Section 6.03 of the City Charter relating to the form of a recall petition be amended so as to change the year on the verified oath for petitions for recall from 19__ to 20___?

Charter Language if Approved

Sec. 6.03 – Form of recall petition

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

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 _____, 20__.

_____

Notary Public in and for the

State of Texas."

Impact: The impact of this amendment is negligible because it simply corrects the date on the forms.

Proposition X:

FOR/AGAINST

Shall Section 6.05 of the City Charter relating to the presentation of a recall petition to the city council be amended so as to change the number of days for the presentation of a recall petition to city council by the city secretary from 5 days to 10 days?

Charter Language if Approved

Sec. 6.05 – Presentation of petition to City Council

At the next regularly scheduled council meeting which is not less than 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.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Impact: This amendment simply gives the city secretary five (5) more days to check all the signatures on a petition to make sure they are valid.

Proposition Y:

FOR/AGAINST Shall Section 6.07 of the City Charter relating to the calling of a recall election be amended to change the date requirements for recall elections to ensure that they comply with Texas state law?

Charter Language if Approved

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 held as required by Texas state law.

Impact: This amendment will simply require the city to follow Texas law regarding any recall elections.

Proposition Z:

FOR/AGAINST Shall Section 7.02 of the City Charter relating to initiatives be amended to change the term "regular municipal election" to "general municipal election" and change the number of days for presentation of an initiative petition to city council by the city secretary from five (5) days to ten (10) days?

Charter Language if Approved

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 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

which is not less than 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.

Impact: If approved this amendment will simply give the city secretary five (5) more days to check the documents for accuracy before presenting them to the city council.

Proposition AA:

FOR/AGAINST Shall Section 7.03 of the City Charter relating to referendums be amended to change the number of days before presentation of the referendum petition to the city council by the city secretary from five (5) days to ten (10) days?

Charter Language if Approved

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 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

such election shall vote in favor thereof.

Impact: This amendment simply gives the city secretary five (5) more days to check the petitions for accuracy before presenting them to the city council.

Proposition BB:

FOR/AGAINST

Shall Section 8.02 of the City Charter relating to the department of city planning and zoning be amended so as to provide that the department of city planning and zoning shall be under the control and direction of the city manager or his designee instead of the director of city planning due to the fact that the city does not have a director of city planning, and clarify that Texas state law applies to the appointment of members to the city planning and zoning commission?

Charter Language if Approved

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 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

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 Texas 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

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

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.

Impact: The City of Liberty does not currently employ a city planner. The City Manager handles the duties of a city planner and guides and directs the planning and zoning commission. This amendment will make the Charter reflect the current operation of the city.

Proposition CC:

FOR/AGAINST Shall Section 9.02, subsection (i) of the City Charter relating to the preparation and submission of the budget be amended so as to change the itemization of positions requirement to show the "range" of pay for positions instead of the rate of pay.

Charter Language if Approved

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:

(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 range of pay for positions.

Impact: This amendment will reflect the fact that different employees may have different salaries with the same job position due to various reasons. The budget will simply reflect the range of pay for said position.

Proposition DD:

FOR/AGAINST Shall Section 9.07 of the City Charter relating to the vote required for adoption of the budget be amended so as to be consistent with Texas state law?

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Charter Language if Approved

Sec. 9.07 – Vote required for adoption of budget

The budget shall be adopted by a majority vote of the city council as prescribed by Texas state law.

Impact: This amendment simply ensures that the city follow Texas law regarding the adoption of its budget.

Proposition EE:

FOR/AGAINST Shall Section 9.08 of the City Charter relating to the timeline for adoption of the city's budget be amended to ensure that it is consistent with Texas state law?

Charter Language if Approved

Sec. 9.08 – Date of final adoption of budget

The budget shall be finally adopted in accordance with the timelines as prescribed by Texas state law.

Impact: This amendment simply ensures that the City follow Texas law regarding the procedures for adoption of the City's budget.

Proposition FF:

FOR/AGAINST Shall Section 9.15 of the City Charter relating to the department of taxation be removed from the City's Charter in its entirety because the city does not have a department of taxation and instead uses the Liberty County Tax Assessor/Collector for tax collection purposes?

Impact: This amendment will make the Charter reflect the current tax collection processes utilized by the City.

Proposition GG:

FOR/AGAINST Shall Section 9.18 of the City Charter relating to taxes and when such taxes are due and payable be amended to strike the word "city" before "assessor-collector" because the City uses the Liberty County Tax Assessor/Collector and clarify that Texas state law applies to delinquent taxes?

Charter Language if Approved

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Sec. 9.18 – Taxes; when due and payable
All taxes due the City of Liberty shall be payable at the office of the 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 Texas state law."

Impact: If approved, this amendment simply clarifies that the City must follow Texas law regarding the collection of taxes and it also reflects the fact that the City does not have an internal tax collector.

Proposition HH:

FOR/AGAINST Shall Section 9.19 of the City Charter relating to the seizure and sale of personal property be amended so as to follow Texas state law?

Charter Language if Approved

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 Texas state law.

Impact: This amendment clarifies that the City must follow Texas law regarding the seizure and sale of personal property.

Proposition II:

FOR/AGAINST Shall Section 10.05 of the City Charter relating to exclusive franchises be removed from the Charter in its entirety thus removing the exclusion of exclusive franchises for the construction, maintenance and operation of public utilities?

Impact: If approved, this amendment will allow the city to negotiate exclusive franchise agreements for public utilities if the city council finds said franchise to be in the best interest of the citizens of Liberty.

Proposition JJ:

FOR/AGAINST Shall Section 11.04, subsection (a) of the City Charter relating to sales of water and sewer services be amended so as to change the term "profit" to

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

"revenue" because the City is not a private business and does not have profits?

Charter Language if Approved

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 revenue to the city.

Impact: If approved this amendment will simply change the wording from "profit" to "revenue." Cities are not businesses and as such do not make profits.

Proposition KK:

FOR/AGAINST Shall Section 12.02 of the City Charter relating to revenue bonds be amended to fix grammatical errors clarifying that the City shall have the powers listed in this section?

Charter Language if Approved

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."

Impact: This amendment clears up a grammatical error clarifying that the City does have the authority to issue revenue bonds as set out in Texas law.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Proposition LL:

FOR/AGAINST Shall Section 13.02 of the City Charter relating to a city officer's personal interests in city contracts be amended to make the conflict of interest laws for City officers consistent with Texas state law?

Charter Language if Approved

Sec. 13.02 – Personal interest in city contract

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

Impact: This amendment clarifies that City officers must abide by Texas conflict of interest laws. The current charters rules are not consistent with Texas law.

Proposition MM:

FOR/AGAINST Shall Section 13.03 of the City Charter relating to drilling operations be amended so as to remove the city council's explicit authority to prohibit or regulate oil, gas and sulphur wells?

Charter Language is Approved

Sec. 13.03 – Drilling operations

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.

Impact: Recent Texas laws limited municipalities authority to regulate oil and gas wells, and as such the Charter should be amended to mirror said legislative changes.

Proposition NN:

FOR/AGAINST Shall Section 13.13, subsection (a) of the City Charter relating to the charter review commission be amended to change the requirement that a charter review commission be appointed every two years to every tenth year without prohibiting City Council from choosing to convene a special charter review commission at any time?

Charter Language if Approved

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

Sec. 13.13 – Charter review commission
(a) The city council shall appoint, at its first regular meeting in January of each 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.

Impact: Currently the City must appoint a new charter review commission every two years to review the Charter. In reality the Charter should not need amending every year. The purpose of this extensive Charter election is to correct the Charter and then hopefully it will not have to be amended in the near future. It is important to note that this amendment does not prevent the city council from appointing a charter review commission at any time it deems necessary. This simply removes the requirement that it be done every two years.

Proposition OO:

FOR/AGAINST Shall the Charter be amended to change the term "city clerk" to "city secretary throughout the Charter?

Impact: The title of city clerk throughout the Charter is incorrect because the City actually has a city secretary instead of a city clerk. This amendment will allow the term "city clerk" to be replaced with "city secretary" throughout the Charter.

Proposition PP:

FOR/AGAINST Shall the Charter be amended to correct all grammatical errors including spelling, punctuation, and capitalization throughout the Charter without making any substantive changes?

Impact: The Charter has many grammatical errors that may only be changed via election. Approval of this amendment will allow these changes to happen.

Attachment: Exhibit A - Charter Ballot Language (ORD-2020-24 : Ordinance - Special Election)

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Grant Related Issues

RESOLUTION 2020-40

DOC ID: 4866

Subject: DR 4332-012 Hazard Mitigation Grant Program

Background: The Wastewater Treatment Plant (WWTP) was out of service for approximately two weeks as a result of flooding from Hurricane Harvey. The flood waters around the WWTP were approximately ten (10) feet above natural ground level. As a result of the flood damage from Hurricane Harvey and previous floods in 2015, 2016 and 2017, the City submitted and received a grant through the States HMGP to construct a Floodwall and Levee around the plant. The first phase of the project has been completed and the Texas Department of Emergency Management (TDEM) has authorized the City to begin Phase II, which is the construction of the improvements. The estimated construction cost of the project is $5,944,000 with the federal share of $4,458,300 (75%) and the local share of $1,563,000 (25%). In order to proceed with Phase II, the Mayor will be required to execute agreement related documents.

Funding Source: City Council has previously authorized the use of Cambridge Funds for the Local Match.

Staff Recommendation: Staff recommends approval of the resolution authorizing the Mayor to execute all DR 4332-012 HMGP agreement documents.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE MAYOR TO EXECUTE ALL AGREEMENT-RELATED DOCUMENTS FOR THE DR 4332-012 HURRICANE HARVEY HAZARD MITIGATION GRANT PROGRAM (HMGP)

WHEREAS, the City's Wastewater Treatment Plant (WWTP) was out of service for approximately two weeks as a result of flooding from Hurricane Harvey; and

WHEREAS, the flood waters around the WWTP were approximately ten (10) feet above natural ground level; and

WHEREAS, as a result of the flood damage from Hurricane Harvey and previous floods in 2015, 2016 and 2017, the City submitted and received a grant through the State's HMGP to construct a floodwall and levee around the WWTP; and

WHEREAS, the first phase of the project has been completed and the Texas Department of Emergency Management (TDEM) has authorized the City to begin Phase II, which is the construction of the improvements; and

WHEREAS, the estimated construction cost of the project is $5,944,000 with the federal share of $4,458,300 (75%) and the local share of $1,563,000 (25%); and

WHEREAS, in order to proceed with Phase II, the Mayor will be required to execute agreement-related documents.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby authorizes the Mayor to execute all DR 4332-012 HMGP agreement-related documents.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Miscellaneous Issues

RESOLUTION 2020-41

DOC ID: 4867

Subject: Cambridge Fund Expenditures

Background: During the July 2020 Budget Work Sessions, staff discussed the need to use Cambridge Funds for the purchase of computers, a phone system, installation of a fiber network, and the purchase of body cameras, bullet proof vests and a voice recorder for the Police Department.

The recent evaluation of the City's information technology (IT) systems revealed an immediate need to replace aging computer equipment. This equipment includes laptops for the Assistant City Manager/CFO, Fire Chief, Assistant Fire Chief and Fire Department Administrative Assistant. These laptops will also be used in the EOC during disasters. There are also fifteen (15) computers that need replacement in the Police Department Dispatch, CID and Patrol Divisions. In addition, another thirteen (13) computers in the Library, Municipal Court, Streets, Inspections and Parks Departments need to be replaced. Included in the list of computer equipment are thirteen (13) I-Pads to be used by City Council and staff during City Council Meetings. The I-pads will replace the laptop used by the City Manager and the four monitors currently used by City Council. The total estimated cost to replace the above computers is $68,900.

The City's currently receives Ethernet service through Comcast at a cost of approximately $5,000/month. The service provided, at this cost, meet the needs of the City at this time. However, it is anticipated that additional bandwidth will be required. The additional bandwidth will increase the City's payment to Comcast. The preliminary estimate to install a fiber network between City facilities (City Hall, Library, Public Works and Police) is estimated to cost $500,000. A fiber connection has already been installed between the Police and Fire Departments. The payback for the installation of this fiber network is 8.3 years assuming a $60,000 a year payment to Comcast. As the price to Comcast goes up, the payback period will decrease.

The City's phone system has reached it useful life and needs to be replaced. When the current phone system was purchased the system was a model at its end of life cycle and was offered to the City at a reduced price. Although technical issues with the system have been minor, programming of the phone system is cumbersome and requires a third-party certified programmer. The estimated cost to replace the phone system is $90,000.

The Police Department Patrol Officers can currently only record the audio during interactions with citizens. The Department has requested funding to purchase fifteen (15) body cameras for us by the Patrol Division. The estimated cost of the body cameras is $38,700. Additionally, the Police Department is instituting a program in which their bullet proof vests are replaced on a rotating schedule. The initial purchase of fourteen (14) vests will allow for the implementation of the schedule. The estimated costs of the vests are $13,160. The replacement of body camera and vests will occur in

the Department's future budgets. The Voice recorder system is used to record incoming calls to the Department. The voice recorder is at the end of its useful life and will be replaced once a decision is made on the manufacturer of the phone system. This will ensure compatibility between the systems. The cost of the voice recorder is estimated to be $12,200.

Funding Source: Total expenditures of Cambridge Funds is $722,960.

Staff Recommendation: Staff recommends approval of the resolution authorizing the use of Cambridge Funds to purchase the aforementioned equipment.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE EXPENDITURE OF $722,960 IN CAMBRIDGE FUNDS FOR THE PURCHASE OF COMPUTERS, IPADS, A TELEPHONE SYSTEM, INSTALLATION OF A FIBER NETWORK, BODY CAMERAS, BULLET PROOF VESTS, AND A VOICE RECORDER.

WHEREAS, during the July 2020 Budget Work Sessions, staff discussed the need to use Cambridge Funds for the purchase of computers, ipads, telephone systems, installation of a fiber network, body cameras, bullet proof vests, and a voice recorder; and

WHEREAS, a recent evaluation of the City's information technology systems revealed an immediate need to replace aging computer equipment throughout the city; and

WHEREAS, the City currently receives ethernet service through Comcast at a cost of $5,000 per month; and

WHEREAS, it is anticipated that additional bandwidth and speed will be required to meet the city's needs in the future and the installation of fiber will help with these issues; and

WHEREAS, the City's telephone system has reached its useful life and needs to be replaced; and

WHEREAS, the City Council recognizes the importance of protecting its police officers by purchasing bullet proof vests and body cameras for the officers; and

WHEREAS, the voice recorder used to record incoming calls to the police department has reached the end of its useful life and needs to be replaced.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby authorizes the expenditure of $722,960 in Cambridge Funds to be used for the purchase of computers, ipads, telephone systems, installation of a fiber network, purchase of body cameras, bullet proof vests, and a voice recorder for the Police Department.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

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Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary

PROPOSED CAMBRIDGE FUND EXPENDITURES

August 3, 2020

Computers

Department	Description	Quantity	Unit Cost	Total Cost	
City Council	I-Pads City Council Chambers	7	$900	$6,300	
City Manager	I-Pads City Council Chambers	3	$900	$2,700	
	Administrative Assistant	1	$1,700	$1,700	
City Clerk	I-Pads City Council Chambers	1	$900	$900	
Finance	I-Pads City Council Chambers	1	$900	$900	
Finance	Laptop for Asst. City Manager	1	$2,200	$2,200	
Fire	Laptops for EOC	3	$2,200	$6,600	
Library	Circulation Desks & Assistant Libr.	4	$1,700	$6,800	
Police	Dispatch, CID & Patrol	15	$1,700	$25,500	
Municipal Court	Court Clerks	2	$1,700	$3,400	
Public Works	Maintenance	1	$1,700	$1,700	
Streets	Dpartment Head, Superintendent	2	$1,700	$3,400	
Inspections	Building Official, Code Enforcement & Permit Technician	3	$1,700	$5,100	
Parks	Department Head	1	$1,700	$1,700	
Total Computers					$68,900

Fiber Network

Department	Description	Quantity	Unit Cost	Total Cost	
All	Fiber Network Between City Facilities	1	$500,000	$500,000	
					$500,000

Phone System

Department	Description	Quantity	Unit Cost	Total Cost	
All Departments	New City Wide Phone System	1	$90,000	$90,000	
Total Phone System					$90,000

Non Capital/Fixed Assets

Department	Description	Quantity	Unit Cost	Total Cost	
Police	Body Cameras	15	$2,580	$38,700	
	Bullet Proof Vests	14	$940	$13,160	
	Voice Recorder	1	$12,200	$12,200	
					$64,060

TOTAL **$722,960**

Attachment: Proposed Cambridge Expenditures Revised August 7 2020 (1) (RES-2020-41 : Resolution - Cambridge expenditures)

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

Meeting: 08/11/20 06:00 PM
Department: Administration
Category: Grant Related Issues

RESOLUTION 2020-42

DOC ID: 4868

Subject: CDBG-MIT Professional Services Provider

Background: The United States Department of Housing and Urban Development (HUD) allocated approximately $4.3 billion in CDBG-MIT fund to the State of Texas. The GLO has been designated by the Governor to administer these funds on behalf of the State. The CDBG-MIT funds may be used for activities that include, but are not limited to, natural and green infrastructure, public facilities, housing buyouts or acquisitions, activities designed to relocate families outside of floodplains, infrastructure projects and public service activities. The funding is in the form of a grant and requires no local match. However, since these are competitive grants, a 1% local match will add additional points to the application. During the June 9, 2020 City Council Meeting, City Council authorized the City Manager to file grant applications for the following projects:

Main A & Main B Channel and Pump Station Improvements
Sanitary Sewer System Improvements
Water System Improvements
Electric System Improvements

To assist the City in submitting these applications, request for proposals were solicited from professional services providers. One (1) service provider, Public Management, responded to the request for proposals.

Funding Source: Cambridge Funds. The estimated cost to complete all the applications is $10,000.

Staff Recommendation: Staff recommends approval of the resolution selecting the professional service provider firm of Public Management to assist in the City in submitting CDBG-MIT applications.

A RESOLUTION OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAMS THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, participation in CDBG-MIT programs requires implementation by professionals experienced in the administration/project delivery of federally-funded projects and creation of planning documents;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration and planning services has been completed in accordance with the GLO requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That Public Management is selected to provide application and project-related **administration/project delivery services** for CDBG-MIT program(s).

Section 2. That a cost-price analysis has been conducted and determined the proposed fee to be appropriate and reasonable based upon program requirements and rules.

Section 3. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED ON this 11th day of August, 2020.

APPROVED:

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Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Grant Related Issues

RESOLUTION 2020-43

DOC ID: 4869

Subject: CDBG-MIT Engineering Firm Selection

Background: The United States Department of Housing and Urban Development (HUD) allocated approximately $4.3 billion in CDBG-MIT fund to the State of Texas. The GLO has been designated by the Governor to administer these funds on behalf of the State. The CDBG-MIT funds may be used for activities that include, but are not limited to, natural and green infrastructure, public facilities, housing buyouts or acquisitions, activities designed to relocate families outside of floodplains, infrastructure projects and public service activities. The funding is in the form of a grant and requires no local match. However, since these are competitive grants, a 1% local match will add additional points to the application. During the June 9, 2020 City Council Meeting, City Council authorized the City Manager to file grant applications for the following projects:

Main A & Main B Channel and Pump Station Improvements
Sanitary Sewer System Improvements
Water System Improvements
Electric System Improvements

To assist the City in preparing the technical requirements associated with the filing of these applications, request for proposals were solicited from engineering firms. Six (6) engineering firms responded to the request for proposals. Due to the short timeframe in which applications must be submitted, three firms have been selected to prepare the applications for the following improvements:

Freese & Nichols	- Main A & Main B Channel and Pump Station Improvements
HR Green	- Sanitary Sewer System Improvements
Strand Associates	- Water System Improvements

None of the firms that submitted proposals indicate if they had experience with electric systems. A copy of the evaluation tabulation is enclosed.

Funding Source: Cambridge Funds. The estimated cost to complete all the applications is $50,000.

Staff Recommendation: Staff recommends approval of three resolutions selecting the engineering firms of Freese & Nichols, HR Green and Strand Associates to assist in the City in preparing the CDBG-MIT applications.

A RESOLUTION OF CITY OF LIBERTY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAMS THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, participation in CDBG-MIT programs requires implementation by professionals experienced in the engineering of federally-funded projects and creation of design and construction documents;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering and design services has been completed in accordance with the GLO requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That Freese & Nichols is selected to provide application and project-related engineering and design services for CDBG-MIT program(s).

Section 2. That a cost-price analysis will be conducted to determine the negotiated fee to be appropriate and reasonable based upon program requirements and rules.

Section 3. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED ON this 11th day of August , 2020.

APPROVED:

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

A RESOLUTION OF CITY OF LIBERTY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAMS THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, participation in CDBG-MIT programs requires implementation by professionals experienced in the engineering of federally-funded projects and creation of design and construction documents;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering and design services has been completed in accordance with the GLO requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That HR Green is selected to provide application and project-related engineering and design services for CDBG-MIT program(s).

Section 2. That a cost-price analysis will be conducted to determine the negotiated fee to be appropriate and reasonable based upon program requirements and rules.

Section 3. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED ON this 11th day of August, 2020.

APPROVED:

_____
Carl Pickett, Mayor

ATTEST:

_____
April Gilliland, City Secretary

A RESOLUTION OF CITY OF LIBERTY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAMS THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, participation in CDBG-MIT programs requires implementation by professionals

experienced in the engineering of federally-funded projects and creation of design and construction documents;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering and design services has been completed in accordance with the GLO requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That Strand Associates is selected to provide application and project-related engineering and design services for CDBG-MIT program(s).

Section 2. That a cost-price analysis will be conducted to determine the negotiated fee to be appropriate and reasonable based upon program requirements and rules.

Section 3. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED ON this 11th day of August, 2020.

APPROVED:

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Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary

CDBG-MIT ENGINEER EVALUATION

AUGUST 4, 2020

Evaluator	Company					
	FNI	Strand	HR Green	SPI	LJA	AWC
1	96	96	95	90	89	86
2	90	86	86	82	84	72
3	97	94	95	91	91	72
Totals	**283**	**276**	**276**	**263**	**264**	**230**

Attachment: CDBG-MIT Enegineer Evaluation Tabulation August 4 2020 (RES-2020-43 : Resolution - CDBG-MIT Engineer)

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Budget Items

RESOLUTION 2020-39

DOC ID: 4863

Subject: Public Hearings on Tax Rate

Background:
Tax payers must be provided the opportunity to express their views regarding the proposed tax rate. A public hearing on a tax rate may not be held before the 7th day after the date the notice of public hearing is given. Management recommends holding the public hearing on August 25th.

Adoption of the tax rate ordinance will take place on August 25, 2020.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, SETTING THE DATE, TIME AND LOCATION FOR PUBLIC HEARINGS ON THE TAX RATE FOR FISCAL YEAR 2020 - 2021

WHEREAS, The City Council of the City of Liberty establishes a tax rate every year in order to continue providing services to the citizens of Liberty; and

WHEREAS, taxpayers must be provided the opportunity to express their views regarding the proposed tax rate; and

WHEREAS, a public hearing on the tax rate may not be held before the 5th day after the date the notice of public hearing is given; and

WHEREAS, the City Council desires to hold the public hearings on August 25, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby sets a public hearing on the proposed tax rate to be held at 6:00 p.m. at the Liberty City Hall located at 1829 Sam Houston Street in Liberty, Texas on August 25, 2020.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

_____
Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary

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

Meeting: 08/11/20 06:00 PM

Department: Administration
Category: Insurance

RESOLUTION (ID # 4870)

DOC ID: 4870

Subject: Employee Health, Dental, Vision and Life Insurance

Background: On July 23, 2020, proposals were received for employee health, dental vision and life insurance for the Fiscal Year 2021. Two insurance agents submitted a total of four (4) quotes from health insurance companies and a total fourteen (14), quotes from dental and vision insurance companies. Several of the health, dental and vision plans submitted by the insurance agents were the same plans from the same insurance companies. One (1) quote was received for life insurance from Mutual of Omaha through Jim Hall Insurance. Mutual of Omaha is the City's current carrier for life insurance. The health insurance plans submitted by Jim Hall Insurance and FLNB Insurance Agency were from United Health Care (UNC), Blue Cross/Blue Shield (BCBS) and National General. The proposals were reviewed by Naomi Herrington, Assistant City Manager/CFO, Jody Biehunko, Personnel Specialist and Tom Warner, City Manager. Each of the health insurance plans submitted, that are comparable to the City's current plan, would result in an increase in cost ranging from 18% to 39%. The cost increase is a result of -141% loss ratio during the last twelve months. During the last twelve (12) month period, the City paid $1,142,811 in premiums and had claims totaling $1,428,800. Based on the review of the employee health proposals received by the City, a National General Plan submitted by Jim Hall Insurance is considered the most advantageous to the employees and City. The National General Plan will increase the health insurance costs by approximately 18%. The deductible for employees will decrease from $2,000 to $1,500. Additionally, the co-pay for Child PCP will increase from $0 to $20 and Office Visit PCP will increase from $15 to $20 and emergency room co-pay will change from deductible and 80% to $250 co-pay, deductible and 80%. All other benefits will remain the same as our existing insurance plan Due to the increase in health insurance costs, the employee's contribution for insurance will also increase. The proposed increase in the employee's contribution is provided below:

Employee Only:	Premium Paid by City
Employee/Spouse:	$281.19/month to $439.73/month
Employee/Children:	$200.85/month to $251.57/month
Employee/Family:	$350.20/month to $601.92/month

The dental and vision quotes included a slight decrease in premiums. The quote from Cigna, the current provider, was the quote most advantageous to the City.

Funding Source: Funds are budgeted in the General, Water/Wastewater and Electric Funds for employee health, life, vision and dental insurance.

Staff Recommendation: Staff recommends the proposal for health, dental, vision and life insurance be awarded to Jim Hall Insurance, as described above.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AWARDING THE CONTRACTS FOR EMPLOYEE DENTAL, VISION, AND LIFE INSURANCE.

WHEREAS, on July 23, 2020 proposals were received for employee health, dental, vision, and life insurance for the Fiscal Year 2021; and

WHEREAS, the City received a quote for life insurance from Mutual of Omaha through Jim Hall Insurance who is the City's current carrier for life insurance; and

WHEREAS, the City Council finds that the dental and vision plans from Cigna submitted by Jim Hall Insurance is the best plan for the City and its employees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the life insurance plan from Mutual of Omaha through Jim Hall Insurance and the dental and vision insurance plans from Cigna through Jim Hall Insurance as presented at the City Council Meeting. Furthermore, the City Council authorizes the Mayor and/or City Manager to execute any documents necessary to finalize the procurement of said insurance as set forth herein.

PASSED AND APPROVED this 11th day of August, 2020.

CITY OF LIBERTY, TEXAS

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Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary