



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, November 10, 2020

6:00 PM

City Council Chambers

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

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	☐	☐	☐	
Mayor ProTem Diane 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 / PUBLIC COMMENT

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

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4959)

City Manager Report - T. Warner, City Manager - Topics include Coffee with the Mayor, Bond Rating Conference Call, CDBG-MIT Application, Technology Update, Flood Protection Plan and Ames & Hardin Lawsuit.

- City Manager's Report November 10 2020 (DOCX)

B. Information Item (ID # 4965)

Finance Report - Assistant City Manager / CFO - Naomi Herrington

C. Information Item (ID # 4961)

Department Reports

- Building - October 2020 - Monthly Report (PDF)
- Certificate of Occupancy Detail Report (XLSX)
- Occupancy Inspection (PDF)
- Occupancy Inspection (PDF)
- Code Enforcement Monthly Report (October 2020) (DOCX)
- Fire Department October Report (XLS)
- Golf Course Monthly Report (October 2020) (PDF)
- Library October report (PDF)
- Police Department 10-2020 (XLS)
- Monthly Report-Public WorksOct20 (DOCX)

D. Information Item (ID # 4962)

Sam Rayburn Municipal Power Agency - Mayor Pickett

E. Information Item (ID # 4963)

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, October 13, 2020
2. Wednesday, October 21, 2020
3. Tuesday, October 27, 2020

VII. REGULAR AGENDA**A. Regular Session****1. Ordinance (ID # 4951)**

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS TO THE LIBERTY CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

- 2020 General Election Canvass Results (PDF)
- Liberty County Cumulative Result Report - General Election (PDF)

2. Information Item (ID # 4966)

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

3. Ordinance (ID # 4950)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

- 2020 Special Election Canvass results (PDF)
- Liberty County Cumulative Result Report - Special Election (PDF)

4. Information Item (ID # 4952)

Laurie Lomas, Trinity River Wildlife Refuge - National Recreation Trail Designation

5. Information Item (ID # 4953)

Discussion regarding concerns with the Certificate of Occupancy Ordinance - Dan VanDeventer, Mary Helen Jobes, Molly Richards Discussion regarding Golf Course - Molly Richards

- Citizen Request (PDF)

6. Ordinance (ID # 4954)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO INCREASE THE NUMBER OF FULL TIME POSITIONS.

7. Ordinance (ID # 4955)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING THE MASTER FEE SCHEDULE REGARDING THE RENTAL FEES FOR THE BALL FIELDS AND CONCESSION STANDS AT LIBERTY MUNICIPAL PARK.

- Master Fee Schedule Amended Ball Fields November 10 2020 (XLSX)

8. Resolution (ID # 4956)

Consider a Resolution approving an Interlocal Agreement between the City of Ames and the Liberty Fire Department for Fire Protection Services.

- Ames Interlocal Agreement for Fire Protection Services (DOCX)

9. Resolution (ID # 4957)

Consider a resolution approving the engagement of the firm Jeffrey D. Blume, Limited, in an amount not to exceed \$200,000, for design and construction observation services at the Liberty Municipal Golf Course.

- EXHIBIT A - Jeff Blume Contract (PDF)

B. Work Session

1. Work Session (ID # 4958)

Work Session to discuss Recreational Vehicle Ordinance.

- Recreational Vehicle (RV) Ordinance - Revised November 10 2010 (PPTX)

C. Executive Session**EXECUTIVE SESSION:****Tx. Gov. Code §551.074 - Personnel Matters.**

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

D. Reconvene into Regular Session**1. Council Action (ID # 4964)**

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

VIII. ADJOURNMENT**A. Motion To: Adjourn**

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 6th day of November, 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.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4959)

DOC ID: 4959

Subject: City Manager Report

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

Memo

To: Mayor & City Council

From: Tom Warner, City Manager

Date: November 10, 2020

Re: City Manager Report

-
1. The first Coffee with the Mayor meeting since the pandemic began was held on October 29, 2020. The meeting was well attended, and staff is responding to the questions and concerns discussed with the Mayor.
 2. On Friday, November 6, 2020, a bond rating conference call was held with S&P Global, RBC Capital Markets (the City's Financial Advisor), Naomi and me. The call went exceptionally well, and it is anticipated that our bond rating will remain as an AA-.
 3. The City's CDBG-MIT application was submitted to the Texas General Land Office (GLO) on October 27, 2020. The deadline for submittal was October 28th. GLO has indicated a decision on the grant application will not be made until late this year or early next year.
 4. City Council approved, during the August 11, 2020 meeting, the purchase of I-Pads for use by City Council and staff during City Council Meetings. The purchase of the I-Pads will provide each Councilmember with a device under their control rather than having to share a screen and wait for the City Manager to scroll through the agenda. The I-Pads are scheduled for installation later this month and be available for use during the December City Council Meeting.
 5. Chambers County has made application to the Texas Water Development Board (TWDB) for Flood Infrastructure Funds (FIF) to develop a flood protection planning study for Chambers and Liberty Counties. The City of Liberty is included in the proposed study area. The proposed regional study will analyze impacts and to the response to flooding of approximately 900 square miles of watershed, including the Trinity River, Old River, Cedar Bayou, White Bayou, Turtle Creek, East Double Fork Bayou and Spindletop Bayou Basins. Collected data will be used to establish the existing flood risks along the studied streams and develop and distribute information vital to communities in the study area. In discussions with the engineers preparing the application for Chambers County, they have indicated the study would include the proposed WCID #5 Phase III Study of the Main A & B watershed.
 6. The lawsuit with the Cities of Ames & Hardin is starting to move forward again. The City's Attorney has prepared the First Set of Interrogatories and Requests for Admissions to the City of Ames and the Third Set of Interrogatories and Requests for Admissions to the City of Hardin.

Attachment: City Manager's Report November 10 2020 (4959 : City Manager Report)

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

<u>Project</u>	<u>Complete</u>	<u>Estimated Cost</u>	<u>Spent to Date</u>
a. Pine Place Subdivision	47%	\$ 63,137	\$ 29,706
b. Featherstone Subdivision	50%	\$126,186	\$ 62,866
c. Whittington Subdivision	68%	\$242,236	\$166,134
d. Live Front Transformer	67%	\$214,004	\$144,156
e. Beaumont #3 Lateral	67%	\$383,748	\$258,770
f. UG Primary	76%	\$190,000	\$144,892
g. OH Transformer Platform	56%	\$ 64,819	\$ 36,596
h. Regency Place	71%	\$270,040	\$192,178
i. Travis Park	91%	\$332,000	\$303,059
j. Street Lighting	69%	\$331,318	\$227,628
k. Beaumont #2 Laterals	79%	\$724,548	\$571,441
l. Beaumont #4 Laterals	74%	\$416,365	\$308,803
m. Beaumont #5 Laterals	67%	\$358,916	\$240,997
n. Liberty #1 Laterals	49%	\$ 59,280	\$ 28,747
o. Liberty #2 Laterals	21%	\$175,000	\$ 35,973
p. Liberty #3 Laterals	0%	\$126,266	\$
q. Liberty #4 Laterals	14%	\$230,000	\$ 32,363
Totals		\$4,307,863	\$2,784,309



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4965)

DOC ID: 4965

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.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4961)

DOC ID: 4961

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.

CITY OF LIBERTY INSPECTIONS & PERMITS MONTHLY REPORT

	<u>Apr-20</u>	<u>May-20</u>	<u>Jun-20</u>	<u>Jul-20</u>	<u>Aug-20</u>	<u>Sep-20</u>	<u>Oct-20</u>
<u>PLAN REVIEW</u>							
# of Plans Reviewed	N/A	7	12	10	5	3	4
<u>BUILDING PERMITS</u>							
Commercial Building Permits - New	1	0	0	1	2	2	0
Commercial Building Permits - Renovation/Remodel	1	1	0	1	3	1	1
Commercial Building Permits - Addition/Expansion	0	0	0	0	0	0	0
Residential Building Permits - New (Single Family)	3	5	3	2	0	0	0
Residential Building Permits - New (Multi-Family)	0	0	0	0	0	0	0
All Other Permits Issued	32	24	64	50	40	89	92
<u>CERTIFICATE OF OCCUPANCY</u>							
Commercial C of O's Issued	N/A	0	0	1	1	2	4
Residential C of O's Issued					2	27	27
<u>FEE REVENUE</u>							
Permit Fee Revenue	\$ 6,615.00	\$ 8,083.70	\$ 3,516.14	\$ 8,789.01	\$ 10,520.77	\$ 10,157.76	\$ 6,119.73
Tap Fee Revenue		\$ 1,550.00	\$ 400.00	\$ 975.00	\$ 400.00	\$ 575.00	\$ 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"

August 2020 Commercial Permits

*100 Country Club-AT&T-antenna & tower equipment changes

- *11616 HWY 90 E-Shamrock buildout
- *2121 HWY 146 Bypass-replaced Walmart walk-in coolers
- *2914 N. Main-Dollar Tree
- *4611 Sandune-T-Mobile cell tower equipment upgrade
- * CO 1008 N Main "Smoke & Vape House"

September 2020 Commercial Permits

- *124 Ohio "B"-Maggie's Notary & Income Tax
- *1900 Sam Houston-First Liberty National Bank-interior remodel
- *4402 N Main-American Cementing LLC
- *2131 HWY 146 Bypass-Liberty Bypass LLC retail shell bldg

October 2020 Commercial Permits

- *1300 S Milam-Tmobile anchor, install 6 antenna
- *CO 422 Wallisville - Tall Pines Land & Cattle
- *CO 2660 Beaumont - B & L Resale

2020 OCCUPANCY PERMITS

APPLICATION DATE	ADDRESS	INSPECTION DATE	APPROVED FOR OCCUPANCY	COMMERCIAL BUSINESS NAME	INSPECTION NOTES
8/3/2020	1008 N. MAIN	8/5/2020	Bldg. 8/5/20 & FMO 8/18/20	SMOKE & VAPE HOUSE	
8/3/2020	2017 HWY 146 BYPASS	8/5/2020	Bld. 8/5/20 & FMO 9/10/20	METRO PCS-KCI WIRELESS	
8/12/2020	2722 BEAUMONT	9/18/2020	Bldg. 9/18/20 - FMO	J & L INVESTMENTS	NEED FMO RESULTS
8/19/2020	908 LAMAR	8/20/2020	8/24/2020	RESIDENTIAL	FAILED INITIAL INSPECTION. PULLED PERMIT FOR REPAIRS
8/21/2020	2301 CENTENNIAL	8/28/2020	9/16/2020	RESIDENTIAL	
8/25/2020	1205 1/2 TRINITY	8/25/2020	FAILED 8/25/20	RESIDENTIAL	MULTIPLE VIOLATIONS, PRE 1976 MOBILE HOME, MUST BE REMOVED
8/28/2020	528 OKLAHOMA "A"	9/3/2020	9/3/2020	RESIDENTIAL	
8/31/2020	1113 N. TRAVIS	8/31/2020	8/31/2020	RESIDENTIAL	
8/31/2020	1706 CYPRESS	8/31/2020	8/31/2020	RESIDENTIAL	
9/1/2020	1714 DANIEL	9/2/2020	9/2/2020	RESIDENTIAL	
9/1/2020	117 HILLSIDE	9/2/2020	9/15/2020	RESIDENTIAL	INITIAL INSPECTION FAILED 9/2/20. TEMP POWER TO MAKE REPAIRS
9/1/2020	1832 N. SAN JACINTO	9/1/2020	9/1/2020	RESIDENTIAL	
9/2/2020	1407 MAPLE	9/2/2020	9/2/2020	RESIDENTIAL	
9/2/2020	1509 YUPON	9/3/2020	9/3/2020	RESIDENTIAL	
9/3/2020	2714 CORNELL	9/3/2020	9/3/2020	RESIDENTIAL	
9/3/2020	1111 MILAM	9/3/2020	9/14/2020	RESIDENTIAL	PULLED PERMIT FOR REPAIRS
9/3/2020	124 OHIO	9/4/2020	Bldg. 9/8/2020 & FMO 9/4/20	MAGGIE'S NOTARY & INCOME TAX	
9/3/2020	409 OKLAHOMA	9/4/2020	9/4/2020	RESIDENTIAL	
9/3/2020	1106 N TRAVIS	9/8/2020	9/8/2020	RESIDENTIAL	
9/8/2020	1315 KIPLING "A"	9/9/2020	9/9/2020	RESIDENTIAL	
9/8/2020	102 LINDEN	9/8/2020	9/8/2020	RESIDENTIAL	
9/8/2020	710 MARYLAND	9/9/2020	10/1/2020	RESIDENTIAL	FAILED INITIAL INSPECTION. PULLED PERMIT FOR REPAIRS
9/8/2020	1000 MILAM	9/9/2020	9/9/2020	RESIDENTIAL	
9/9/2020	2624 COS	9/15/2020	9/15/2020	RESIDENTIAL	
9/10/2020	1604 BROWNING	9/14/2020	9/18/2020	RESIDENTIAL	
9/10/2020	1504 MAPLE	9/16/2020	9/16 & 21/20	RESIDENTIAL	
9/10/2020	6008 N. TRAVIS	10/1/2020	10/1/2020	RESIDENTIAL	

Attachment: Certificate of Occupancy Detail Report (4961 : Department Reports)

2020 OCCUPANCY PERMITS

9/14/2020	4402 N. MAIN	9/16/2020	Bldg. 9/16/2020 & FMO 9/23/20	AMERICAN CEMENTING, LLC.	
9/14/2020	1511 YUPON	9/15/2020	9/15/2020	RESIDENTIAL	
9/14/2020	1904 N. MAIN #31	9/15/2020	FAILED	RESIDENTIAL	NEED TO REPLACE W/H. EXT.CORD FOR LIGHTS
9/15/2020	602 CONFEDERATE	9/16/2020	10/5/2020	RESIDENTIAL	REINSPECTION FAILED 9/22/20 & 10/2/20
9/15/2020	206 AVE I	9/16/2020	9/16/2020	RESIDENTIAL	
9/15/2020	160 WESTWOOD	9/16/2020	9/16/2020	RESIDENTIAL	
9/16/2020	1848 KIPLING	9/18/2020	9/24/2020	RESIDENTIAL	NO ANSWER @ INITIAL INSPECTION
9/16/2020	2319 MAGNOLIA	9/18/2020	9/18/2020	RESIDENTIAL	
9/17/2020	103 HILLSIDE	9/18/2020	9/23/2020	RESIDENTIAL	INITIAL INSPECTION FAILED 9/18/20
9/21/2020	614 GARRETT	9/22/2020	10/5/2020	RESIDENTIAL	
9/21/2020	1620 LYNCH	9/21/2020	9/21/2020	RESIDENTIAL	
9/21/2020	155 VALLEY	9/21/2020	9/21/2020	RESIDENTIAL	
9/22/2020	1513 HAWTHORNE	9/23/2020	FAILED	RESIDENTIAL	NEED PERMIT FOR WINDOWS, NEED TO MOVE BREAKER BOX, NO ELEC COVERS
9/24/2020	2702 BEAUMONT	9/25/2020	Bldg. 9/25/2020 & FMO 9/21/20	LIBERTY CARS AND TRUCKS	
9/24/2020	1013 OAK DR	9/25/2020	9/25/2020	RESIDENTIAL	
9/24/2020	628 WALLISVILLE	9/25/2020	9/25/2020	RESIDENTIAL	
9/24/2020	2005 HWY 146 BYPASS	9/25/2020	Bldg. 9/25/20 & FMO 10/22/20	COATS JEWELERS	
9/28/2020	101 CARTER	9/28/2020	9/28/2020	RESIDENTIAL	
9/28/2020	3506 HWY 146 N	10/1/2020	FAILED	TIRE SHOP	NEEDS TO FINISH PLUMBING & ELECTRICAL BEHIND WALLS
9/29/2020	2216 MAGNOLIA	10/1/2020	10/1/2020	RESIDENTIAL	
9/30/2020	615 MARYLAND	10/2/2020	10/2/2020	RESIDENTIAL	
10/1/2020	2404 HOLLYWOOD	10/1/2020	10/1/2020	RESIDENTIAL	
10/1/2020	2418 HOLLYWOOD	10/2/2020	10/2/2020	RESIDENTIAL	
10/1/2020	1105 JARRETT	10/2/2020	FAILED	RESIDENTIAL	W/H, RUST, LEAKING T&P-NO ACCESSIBLE GAS SHUT OFF VALVE. WASHING MACHINE NOT TIED INTO SEWER. TUB OVERFLOW NOT TIED IN. BROKEN WINDOWS.

Attachment: Certificate of Occupancy Detail Report (4961 : Department Reports)

2020 OCCUPANCY PERMITS

10/1/2020	1933 TRINITY	10/5/2020	FAILED	RIPKOWSKI INSURANCE AGENCY	NEED PERMITS FOR NEW WORK THAT WAS DONE
10/2/2020	2769 CORNELL	10/20/2020	10/2/2020	RESIDENTIAL	
10/2/2020	1315 KIPLING "B"	10/2/2020	10/2/2020	RESIDENTIAL	
10/2/2020	2720 N. MAIN	10/9/2020	FAILED	RESIDENTIAL	MULTIPLE VIOLATIONS- SEE ATTACHMENT
10/2/2020	2720 N. MAIN "A"	10/9/2020	FAILED	RESIDENTIAL	MULTIPLE VIOLATIONS- SEE ATTACHMENT
10/2/2020	2720 N. MAIN "B"	10/9/2020	FAILED	RESIDENTIAL	MULTIPLE VIOLATIONS- SEE ATTACHMENT
10/2/2020	2722 N. MAIN	10/9/2020	FAILED	RESIDENTIAL	MULTIPLE VIOLATIONS- SEE ATTACHMENT
10/5/2020	1700 BROWNING	10/5/2020	10/5/2020	RESIDENTIAL	
10/5/2020	422 WALLISVILLE	10/6/2020	Bldg. 10/6/20 - FMO	TALL PINES LAND & CATTLE	NEED FMO RESULTS
10/8/2020	1401 N SAN JACINTO	10/8/2020	10/8/2020	RESIDENTIAL	
10/8/2020	400 FISHER BEND RD	10/8/2020	10/8/2020	RESIDENTIAL	
10/12/2020	1511 COS, UNIT B	10/12/2020	10/20/2020	RESIDENTIAL	INITIAL INSPECTION FAILED 10/12/20
10/12/2020	1501 HWY 90 B	10/14/2020	FAILED	GAME STOP	NEEDS ELECTRICAL WORK & DEMISING WALL FOR SEPARATION
10/12/2020	1811 N TRAVIS	10/14/2020	FAILED	RESIDENTIAL	BROKEN WINDOWS, NO ACCESS TO W/H, NO DISCONNECT ON A/C, ROTTEN FLOORING, DO NEW WINDOWS MEET ENERGY CODE?
10/12/2020	2501 MAPLE	10/12/2020	10/12/2020	RESIDENTIAL	
10/15/2020	4009 BEAUMONT	10/20/2020	10/20/2020	RESIDENTIAL	
10/20/2020	2711 CORNELL	10/21/2020	FAILED	RESIDENTIAL	PIERS LEANING, FOUNDATION NOT STABLE. NO WINDOW ATTIC SPACE, BROKEN WINDOWS, OPEN J-BOXES, OPEN BREAKERS, WIRING NOT IN CONDUIT. RUSTED W/H
10/20/2020	121 VALLEY	10/20/2020	10/20/2020	RESIDENTIAL	
10/20/2020	1511 COS, UNIT A	10/28/2020	FAILED	RESIDENTIAL	STAIR RAIL TOO WIDE & MUST BE ANCHORED PROPERLY

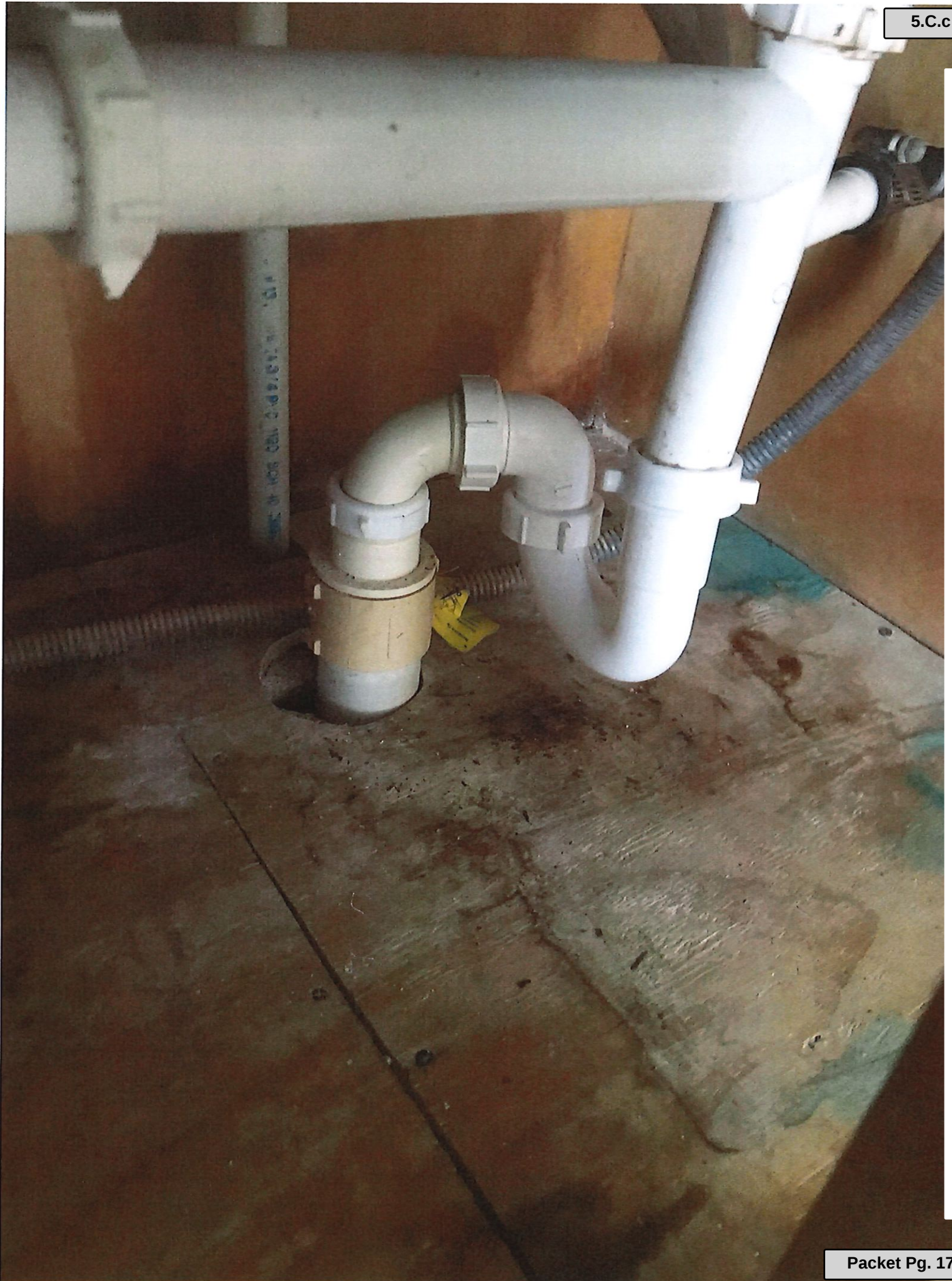
Attachment: Certificate of Occupancy Detail Report (4961 : Department Reports)

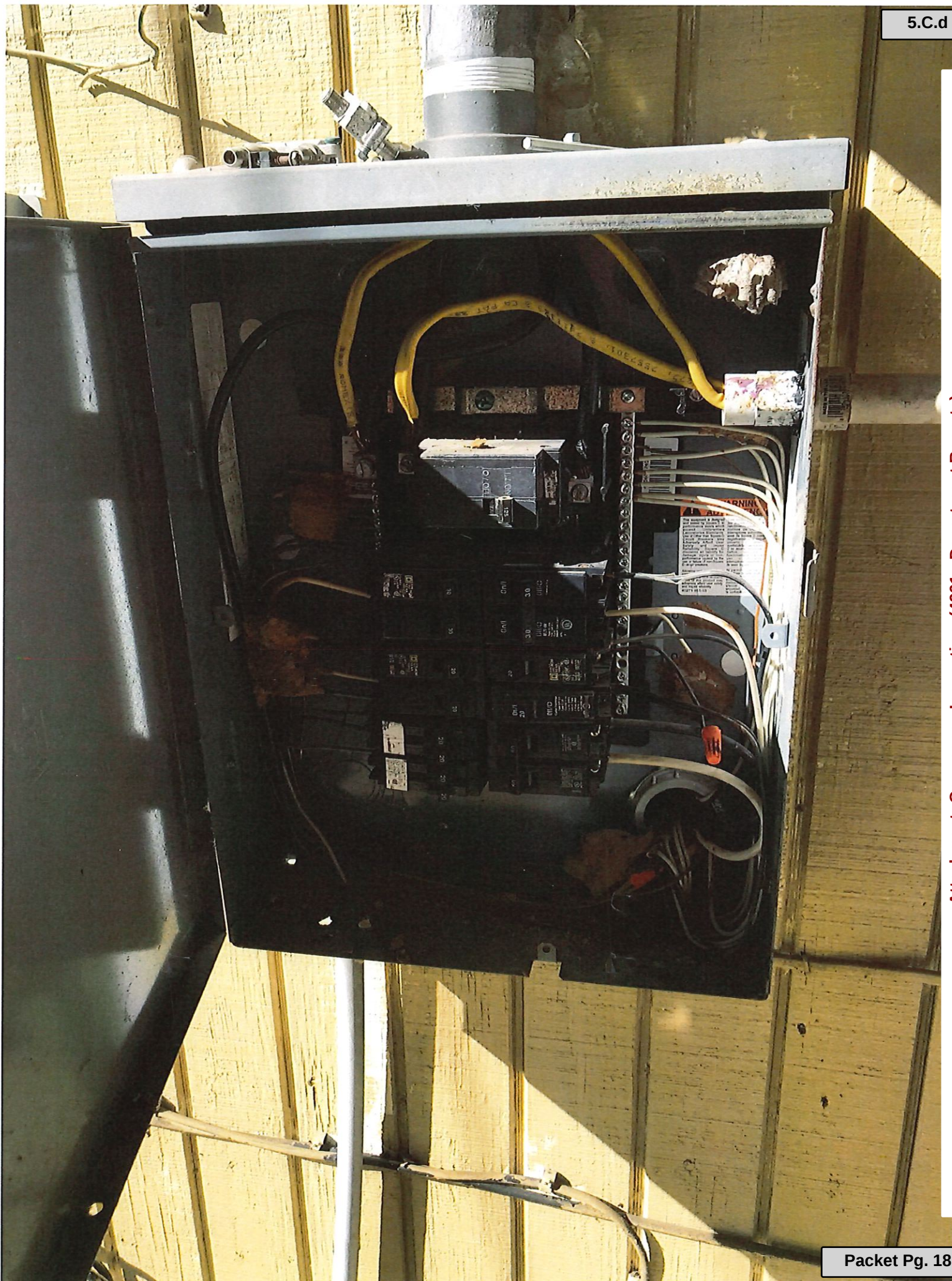
2020 OCCUPANCY PERMITS

10/22/2020	808 LAYL	10/22/2020	FAILED	RESIDENTIAL	ELECTRICAL MAST LOOSE. NEEDS RE-ATTACHING. SHOULD BE EXTENDED THRU ROOF.
10/23/2020	1707 TEXAS	10/23/2020	10/23/2020	RESIDENTIAL	
10/22/2020	3150 LINCOLN	10/23/2020	FAILED	RESIDENTIAL	ELECTRICAL SERVICE NEEDS TO BE UPGRADED TO 200 AMP SERVICE W/A MAIN DISCONNECT
10/26/2020	3437 BEAUMONT AVE	10/27/2020	FAILED	RESIDENTIAL	NEW W/H-NO PERMIT. REMODELED WITHOUT PERMIT
10/26/2020	2415 HOLLYWOOD	10/27/2020	10/27/2020	RESIDENTIAL	
10/27/2020	3304 LINCOLN	10/28/2020	FAILED	RESIDENTIAL	SPliced WIRING NEEDS TO BE IN A JUNCTION BOX W/A COVER. S-TRAP IN BATHROOM. SEWER BROKEN PIPE IN BACKYARD.
10/28/2020	1508 SAN JACINTO	10/28/2020	FAILED	RESIDENTIAL	WALL COVERING HAS BEEN REMOVED. WILL NEED A REMODEL PERMIT. OUTSIDE SERVICE NEEDS TO BE REPLACED.
10/29/2020	1092 WOODS	10/29/2020	10/29/2020	RESIDENTIAL	

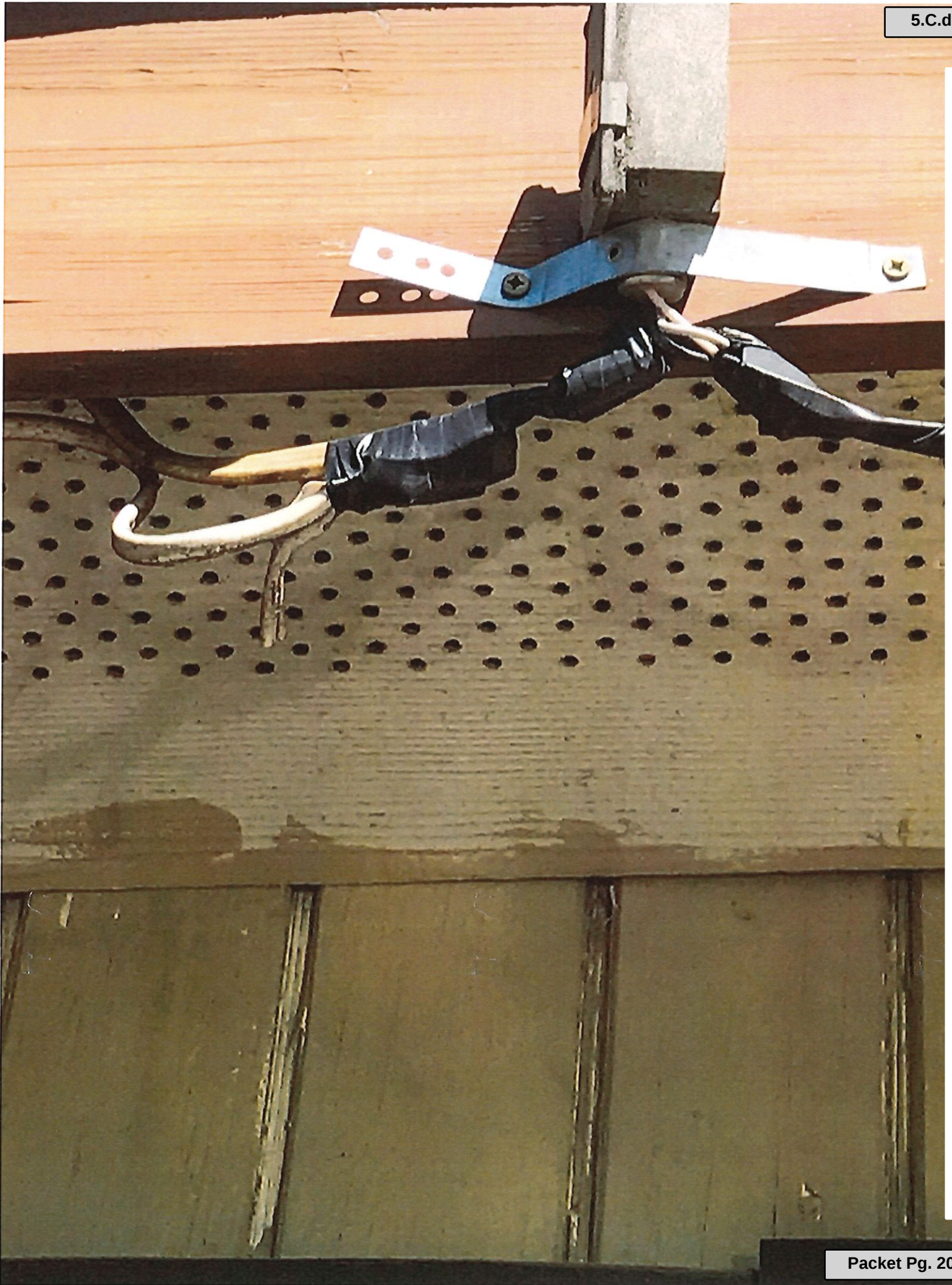
Attachment: Certificate of Occupancy Detail Report (4961 : Department Reports)











Attachment: Occupancy Inspection (4961 : Department Reports)

CODE ENFORCEMENT MONTHLY REPORT

OCTOBER 1 – OCTOBER 31

1.	1223 Lamar St	Junk and Trash	20-020	NOV Via Mail	
2.	Jefferson/Kipling	Tall Grass	20-001	Case Closed	Mowed
3.	1624 MLK	Tall Grass	20-021	NOV Via Mail	
4.	901 MLK	Tall Grass	20-022	NOV Via Mail	
5.	519 Bowie	Tall Grass	20-023	NOV Via Mail	
6.	1021 Washington	Four (4) violations	20-024	NOV Via Mail	
7.	1010 Confederate	Junk and Trash	20-013	Case Closed	Cleaned
8.	908 Woods	Tall Grass	20-004	Case Closed	Mowed
9.	2301 Centennial	Junk and Trash	20-025	NOV on Door	
10.	2311 Centennial	J/T and Grass	20-026	NOV Mail	
11.	2651 Beaumont	Tall Grass/JMV	20-016-018	Case Closed	Mowed/Moved
12.	2639 Beaumont	Tall Grass/JMV	20-027	NOV Via Mail	2 nd Notice
13.	2629 Beaumont	Tall Grass	20-014	NOV Via Mail	
14.	517 Bowie	Tall Grass	20-028	NOV Via Mail	
15.	1827 San Jacinto	JT/JMV/Grass	20-029	NOV on Door	
16.	511 Garrett	Junk and Trash	20-030	NOV Via Mail	
17.	603 Garrett	JMV	20-031	NOV Via Mail	
18.	608 Garrett	J/T and Grass	20-032	NOV Via Mail	
19.	927 Main St	Junk and Trash	none	Verbal NOV	Cleaned
20.	1516 Sam Houston	Dilap-Structure	20-017	NOV Mail	
21.	1610 Texas St	Junk/trash-Grass	20-003	Case Closed	Cleaned
22.	607 Washington	JMV	20-019	NOV Via Mail	
23.	603 Garrett	JMV	20-031	Case Closed	Removed
24.	2301 Centennial	Junk and Trash	20-025	Case Closed	Cleaned
25.	1624 MLK	Tall Grass	20-021	Case Closed	Mowed
26.	1207 Sam Houston	Junk and Trash	20-006	Case Closed	Cleaned
27.	1827 San Jacinto	JT/JMV/Grass	20-029	NOV Via Mail	
28.	201 HWY 90	No Permit	20-036	NOV in Person	
29.	2311 Centennial	J/T and Grass	20-006	NOV Via Mail	2 nd Notice
30.	1223 Lamar	Junk and Trash	20-020	Some Progress added no permit	
	violation to case-handed Stop Work Order to Owner				
31.	901 MLK	Tall Grass	20-022	NOV Via Mail	2 nd Notice

16 CASES WERE SENT VIA MAIL

Attachment: Code Enforcement Monthly Report (October 2020) (4961 : Department Reports)

All Departments Weekly Activity Report

Month Of: October 1 to October 31, 2020

Department: Fire Department Report Prepared By: Misty Dulaney

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

Explain: _____

Accomplishments For Last Week:

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

Goals For Upcoming Week:

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

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

Number Of Runs: (Fire Only) In Town 46 Mutual Aid 3

Number Of Runs: (EMS Only) 911 Calls 149 Mutual Aid 6
 Transfers-Out of Town 52 Transfers-In Town 21 Dialysis 30

Other Information:

Total of payments that have been received at the Fire Department for EMS is: \$40,480.72

EMS Payments received at Fire Department: Year to Date (fiscal): \$40,480.72

Year to Date (calendar): \$492,377.94

Attachment: Fire Department October Report (4961 : Department Reports)

GOLF COURSE MONTHLY REPORT - OCTOBER 2020

Maintenance Activities

Sprayed MSMA, MSM and Basagran to #1, #4 and #7 fairway for weed control.

Fertilized Greens 2 times with Granular fertilizer that was on hand and watered in.

Started trimming trees with low hanging limbs. This will be an ongoing process throughout the winter season.

Cut trees in ditch at #5 Tee and #6 Green

Sprayed greens with Revolver for winter weed control

Topdressed greens lightly and Overseeded greens with Poa Trivialis

Sprayed greens with insecticide for Sod Webworms

Replaced front rollers on fairway mower

Sprayed greens w/ root enhancer for overseed establishment

Edged yardage blocks in fairways

Trimmed hedges at #2 Tee

Public works came and picked up limb pile and stump from course

Marketing Activities

The golf course's new website went live on October 6. In addition to providing information about the golf course, the website allows individuals to reserve tee times. Here is the link to the new website: <http://www.libertygolfcourse.com/>

Sales Report (October 6 – October 31)

Items	Quantity
	October
Green Fees	582
Golf Cart Fees	548
Range Fees	123
Merchandise/Equipment	127

Liberty Municipal Library October 2020 Report

The library fully opened for business on October 5 and our patrons—and staff—were very happy. Our circulation shot up to 2,534 for the month, a 927 increase over September. Our computer users were especially pleased. We opened up four computers for use and since they had not been available since March, patrons were eager to get back to computing. 151 people logged in for 104 hours of use.

The staff have been churning out media announcements of library news and have been coming up with some great ideas for activities that keep participants safe from COVID-19. Library Bilingual Technician Maggie and Children's Librarian Katie Edgell created a murder mystery game for our patrons to enjoy. Clues were posted throughout the library and participants had to use their library skills to solve the mystery. At the end of the game, patrons learned that it was Katie who "murdered" Custodian Mike Kaiser. Seven people participated. Katie and Maggie also produced four live Facebook craft events for area children and announced the winners of the library's photo Halloween costume contest.

Admin Assistant Amber Ursprung has applied for a new year of E-Rate discounts. E-Rate is a program offered through the federal government that awards libraries with greatly reduced prices to obtain internet connectivity. The proper form has been filed and several companies have already started the bidding process.

Library Director Dana Abshier worked from home for two weeks after shattering her kneecap while exploring the Canyonlands in Utah with family. The injury required emergency surgery. She returned to work on crutches and is making great progress.

We're finally making headway with our many computer problems. Beth from Liberty Systems installed filtering software on Amber's computer, and it is now controlling patron computer filtering. The server that had housed the software had died a long, protracted death and could not be revived. A patron computer that would not keep time was also repaired. Beth installed a new hard drive on Dana's laptop and for the first time in several years it is working correctly, to Dana's great relief.

The lift had a problem that custodian Mike Kaiser was able to repair. The lift's battery needed to be replaced so that Halloween decorations could be hung. As Mike was installing the new battery, sparks literally flew. He discovered that a contact wire had broken, but he was able to replace it. The staff cheered that Halloween could be properly celebrated with spooky decorations.

For a week or so during the month Dana repeatedly received nighttime calls from our alarm company notifying her that a motion sensor was set off inside the library. We pondered what could be causing the frequent malfunctions and someone laughingly suggested it was our library ghost. We called out A1 Telcom to check for alarm system problems, and it was discovered that it really was a ghost. One of the Halloween hanging ghost decorations was located too close to a sensor, and when the air conditioner moved the ghost just right the sensor was triggered.

Interviewing began for Peggy Carr's recently vacated position. The staff met with several highly qualified applicants. A second position opened when Paige Garcia left to pursue another job.

A feuding couple was cited by the Liberty Police Department for causing a disturbance in the library's parking lot. Mike observed them having a heated conversation and things went downhill from there. The library staff called the PD, who quickly arrived and settled the matter.

The library staff enjoyed Halloween again this year and several wore costumes to work on Friday and Saturday. Amber dressed up as an elf with pointy ears, Maggie became Kakashi Hatake from the Naruto Japanese anime and manga book and show, Katie came dressed as Miss Frizzle from Magic School Bus fame, and Gail Williamson, as Dr. Booker, was decked out in her white doctor's coat, complete with stethoscope. Gail is our book repair doctor and works miracles with damaged books.

Amber filled in for Dana on the KSHN.com broadcast on October 8 and did a great job.

Liberty Municipal Library Monthly Report April 2020 through September 2020

Circulation	April	May	June	July	August	September
Spanish Materials Circulation	1	8	42	8	9	14
Total Adult & YA Circulation All Formats	532	786	1,453	1,025	977	1,046
Total Juvenile Circulation All Formats	89	146	818	344	260	562
Total Circulation All Formats	621	932	2,271	1,369	1,237	1,608
Reference Services						
In-house Reference	0	38	75	37	56	86
Telephone Reference	117	207	273	278	345	270
Public Computer Assistance/Facebook Ref.	0	0	17	0	6	20
Collection Statistics						
Total Volumes in Collection	52,170	52,187	52,392	52,364	52,536	52,229
Total Titles in Collection	63,528	63,652	64,071	64,192	63,195	63,571
Cataloging						
Books Cataloged	95	78	283	97	190	156
DVD/ Blu-Rays Cataloged	29	15	6	0	11	20
Audiobooks & Music CDs Cataloged	0	0	0	0	5	16
Periodical Cataloged	71	49	58	53	51	66
Building Use/ Programs/Public Relations						
Meeting Room/Pavilion Use	0	0	0	0	0	0
Story Time Attendance	0	0	0	0	0	0
Misc. Children's Programs/Tours Attendance	0	0	0	0	0	0
Adult Programs Attendance	0	0	0	0	0	0
Total Programs	0	0	0	0	0	0
Total Attendance All Programs	0	0	0	0	0	0
Patron Count/ Volunteers						
Total Active Accounts In-City Patrons	3,349	3,318	3,224	3,196	3,137	3,137
Total Active Accounts Out-of-City Patrons	5,099	5,067	4,988	4,930	4,841	4,841
Total Volunteers	0	0	0	0	0	0
Total Volunteer Hours	0	0	0	0	0	1.5
Patron Visits Count	0	0	492	0	0	0
Public Use Technology						
Wireless Users Estimate	17	8	12	10	15	15
Public Computers Users This Month	0	0	0	0	0	0
Hours of Patron Computer Use	0	0	0	0	0	0
Website Visits: Ploud, Online Catalog	1,419	1,397	2,285	3,200	1,576	1,743
Social Media: Facebook, Instagram	155	159	141	192	551	1,195

OCTOBER// 2020 //

PUBLIC WORKS MONTHLY REPORT

STREETS DEPARTMENT -THE ROAD TO SUCCESS IS ALWAYS UNDER CONSTRUCTION

This Month's Notes

**JAMES
REDDING –
STREETS
DIRECTOR**

- Notes:
- Sprayed for mosquitoes
- Repaired street cuts
- Replaced stop sign at Main and Maple
- Patched around town
- Swept streets
- Mowed on the route
- Picked up 2 pigs on Hwy 146
- Repaired several sink hole on Linden (Storm drain pipe)
- Cleaned inlets
- Repaired several curbs around town Sprayed Woodsprings Dr., all bridges, and pole yard
- Cleaned out material bin for GS 100
- Repaired concrete drive on Industrial Dr
- Picked up trees at golf course



*STREETS REPAIRING CAVITY UNDER TRINITY IN FRONT OF CITY HALL,
VICTOR RACKING ASPHALT.*

Attachment: Monthly Report-Public WorksOct20 (4961 : Department Reports)

FIXING THESE STREETS

Streets:						
	Graded:					Miles
	Swept:				34	Hours
	Street cut repairs:				9	Each
	Curb & Gutter Repair:				66	Feet
Drainage:						
	Ditch Cleaning:					Feet
	Culvert Installation:					Feet
	Catch Basin/inlets cleaned:				786	Each
	Levee Inspection:				Yes	
	Flap gate Debris Removal:					
Spraying:						
	Herbicide:				180	Gallons
	Mosquito:				691	Miles
Signs:						
	Installed					Each
	Repaired/ Replaced				2	Each

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. Texas Elite has power off to splash pad.

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:

Work Performed: Checked and made sure all playground equipment was in good working order. Pressure washed the white fence around playground. Picked up trash and other debris around them.

-

Pocket Parks:

Work Performed: Picked up trash and other debris every day. Changed trash barrels as needed in 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. Had 30'x60' flag repaired and rehung.

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. Replaced flag ropes at highway 90 monument sign
5. Picked up limbs throughout park.
6. Trimmed around light pole at the monument sign so lights would work
7. Had 11/12 youth field leveled and re-sodded.
8. Had all dirt/grass removed from park that was taken off of the 11/12 boys field.
9. Had Davey come and cut/remove 6 dead trees from municipal park.
10. Raked and filled hog ruts almost every day in the municipal park.



PARKS MAINTAINING THE MUNICIPAL PARK, RYAN MOWING THE PARK.

AMERICA RUNS ON GOOD CLEAN WATER!

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



SANITARY SEWER CAVITY UNDER TRINITY ST. IN FRONT OF CITY HALL, WATER DEPARTMENT CUTTING PAVEMENT.

Attachment: Monthly Report-Public WorksOct20 (4961 : Department Reports)

MONTHLY WATER REPORT

MONTH – OCTOBER - 2020

REPAIRS COMPLETED

23	WATER REPAIRS
15	SEWER REPAIRS

LINE MAINTENANCE (VACCON)

37.2/503.7	HOURS OF OPERATION / TOTAL
1500	FEET OF SEWER LINE CLEARED / CLEANED
4	MANHOLES CLEANED

WORK COMPLETED

2	MANHOLE REPAIRS
15	SEWER STOPAGES
15	METER REPAIRS
12	RADIO REPLACEMENTS
1	WATER TAPS
1	SEWER TAPS
6	CUSTOMER PROBLEMS
63	LOCATE LINES
63	TEXAS 811 LINE LOCATES
4	METER BOXES REPLACED
2	METER LIDS REPLACED
0	CLEANOUTS REPLACED / INSTALLED
1	PULLED METERS
6	CUSTOMER REQUESTED TURN ON
5	CUSTOMER REQUESTED TURN OFF
31	CUT OFF SERVICE
70	RECHECKS

MISC:

HARDIN & AMES READINGS CHECKED DAILY

CLOSED OUT 46 WORKORDERS

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

ELECTRICAL DEPARTMENT

WE POWER LINES THAT POWER LIVES!

CHARLES YPMA – ELECTRICAL SUPERVISOR



***ELECTRICAL DEPARTMENT
ORGANIZING TRANSFORMERS***

The Electrical Department received 57 request this month and closed out 51 of them with 6 carrying overs to November 2020. The requests range from power restoration, blown fuses, sagging 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	11
NO POWER	16
POWER LINE ISSUE	5
POLE ISSUE	7
SECURITY LIGHT	6
STREET LIGHT	3
TREES AND VINES	2
TOTAL INCIDENTS RESOLVED	51

Attachment: Monthly Report-Public WorksOct20 (4961 : Department Reports)

POWER OUTAGES

October 2020

Date	Location	Time Called Out	Time Power Restored	Response Time (min)	Outage Time (min)	Cause of Outage
2	305 Travis St	8:31 p.m.	10:50 p.m.	15	125	Tree down on lift pole for Rail Road
3	108 Hill Dr	3:07 p.m.	4:30 p.m.	8	75	Blown fuse and burnt topside arrester
4	3201 N. Main St	6:40 a.m.	7:20 a.m.	20	20	Two blown fuses at the riser pole
	119 Louisiana St	8:43 a.m.	9:06 a.m.	17	6	Blown fuse caused by animal
	854 Sue St.	9:54 a.m.	10:30 a.m.	18	18	Two Blown fuses at riser pole
5	601 FM 1011	6:40 p.m.	6:55 p.m.	10	5	Blown fuse caused by animal
9	1001 Ridgewood (Delta)	3:21 p.m.	4:10 p.m.	9	40	Blown line fuse caused by tree limb
	105 Sheron Ln	8:17 p.m.	8:50 p.m.	13	20	Blown transformer fuse
11	2310 Centennial	11:30 a.m.	1:22 p.m.	9	103	Broken hot leg on secondary
20	2130 Mizell Rd	5:15 a.m.	6:37 a.m.	15	67	Jumper to cutout on center phase broke
24	2607 Beaumont	7:22 a.m.	7:50 a.m.	18	10	Loose meter
	1911 Reese	8:49 a.m.	9:01 a.m.	11	1	Tree limb on service line
	405 Fisher Bend	5:38 p.m.	7:00 p.m.	12	70	Blown line fuse
25	1502 Fort Worth	6:54 p.m.	8:00 p.m.	9	55	Customer dead phase due to blown line fuse
31	Willow St.& N. Travis	12:26 p.m.	12:48 p.m.	5	17	Blown line fuse
	4616 McGuire	7:56 a.m.	8:24 a.m.	12	16	Blown line fuse
Average				13	41	

16 Minutes 56 Minutes

Attachment: Monthly Report-Public WorksOct20 (4961 : Department Reports)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4962)

DOC ID: 4962

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.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.E

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Announcements

INFORMATION ITEM (ID # 4963)

DOC ID: 4963

Subject: Mayor, Council & Staff Comments

Background: This agenda item affords the Mayor, Council and Members of Staff to comment on recognition of community members, city employees, upcoming events, etc.



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, October 13, 2020

6:00 PM

City Council Chambers

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

I. CALL TO ORDER

The meeting was called to order on October 13, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane 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	Assistant City Manager / CFO	Present	
Chris Jarmon	Assistant City Manager	Present	
Brandon Davis	City Attorney	Present	
April Gilliland	City Secretary	Present	

II. INVOCATION

No invocation was given.

III. PLEDGE OF ALLEGIANCE

Police Chief Gary Martin presented the United States Flag Pledge of Allegiance and Fire Chief Brian Hurst presented the Texas State Flag Pledge.

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 Oct 13, 2020 6:00 PM (Minutes Approval)

Mayor Pickett welcomed all visitors and guest in attendance, opening the floor for public comments to those individuals wishing to address the Council. No public comments were given.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4926)

City Manager's Report - City Manager Tom Warner - Topics include COVID-19, Sales Tax, Golf Course and Airport.

COMMENTS - Current Meeting:

City Manager Tom Warner offered the following updates:

- COVID-19 and the opening of City Facilities
- Sales and Use Tax
- Golf Cart Lease
- Golf Course activities
- Airport Runway Rehabilitation
- Current Electric Projects

ATTACHMENTS:

- City Manager's Report October 13 2020 (DOCX)

B. Information Item (ID # 4927)

Finance Report - Assistant City Manager / CFO - Naomi Herrington

COMMENTS - Current Meeting:

Assistant City Manager / CFO Naomi Herrington reviewed the budget reports through the end of August 2020.

C. Information Item (ID # 4928)

Department Reports

COMMENTS - Current Meeting:

Department Heads gave a brief overview of the reports listed in the agenda packet.

ATTACHMENTS:

- Sept 2020 Building Report (PDF)
- Code Enforcement - September 2020 (DOCX)
- Fire Department Monthly Report (XLS)
- Library Report (PDF)
- Police Department Monthly Report (XLS)
- Monthly Report-Public WorksSep20 (DOCX)

D. Information Item (ID # 4929)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the next meeting would be held on Tuesday, October 20 at 1:00 pm in Livingston. He also stated that the Industrial Customers in Lake Charles are buying Electricity even after being hit by Hurricane Laura and Hurricane Delta.

E. Information Item (ID # 4930)

Mayor, Council and Staff Comments - Country Christmas (December 1, 2020), Employee Appreciation Dinner, Jubilee (March 26 and 27, 2021)

COMMENTS - Current Meeting:

City Manager Tom Warner asked Council for consent on Country Christmas. Everyone agreed to do outside events and restrict indoor events. Jubilee dates were set for March 26 & 27, 2021. CDBG-MIT Public Comment for grant application expires October 19, 2020. Chief Hurst gave an update on the BBQ Sandwich Fundraiser - the department sold 400 Sandwiches which allows them to purchase one set of Fire Gear.

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:	Diane Driggers, Mayor ProTem
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

B. Tuesday, September 08, 2020

C. Tuesday, September 22, 2020

VII. REGULAR AGENDA**A. Regular Session****1. Information Item (ID # 4937)**

Mr. Tom James will address the Council regarding Frontier Waste Services schedule, pick up dates and major issues with the schedule

COMMENTS - Current Meeting:

Mr. Tom James addressed Council regarding Frontier Waste solid waste collection services. He was concerned that Frontier Waste had changed the pickup procedures without notification to the City.

He mentioned that he had been receiving bulk trash pickup on Wednesdays, but now is being told he has to call when he has trash out on Wednesdays for Pickup. City Manager Tom Warner also mentioned that when we started the new service of once a week household service that COVID-19 had hit and everyone was staying home and producing more trash than usual and Frontier was trying to pick up everything they could at the time. The City will get with Frontier to create a Public Relations Campaign to layout what services are and are not provided by Frontier Waste.

ATTACHMENTS:

- Tom James request form (PDF)

2. Resolution 2020-63

Consider authorizing the purchase of a replacement generator for the Fire Station in the amount of \$64,446.00 from Waukesha-Pearce Industries (WPI) through Buy Board.

COMMENTS - Current Meeting:

Recently, the generator at the Fire Station failed to start during a weekly test. An inspection conducted by the service company revealed the wiring harness had burned due to a hole in the manifold. Additionally, it was determined the engine had locked up and could not be turned over. Due to the age and potential cost to repair the motor, if it could be repaired, a quote was requested to replace the generator. The cost to replace the generator by WPI through Buy Board is \$64,446.00. WPI currently performs the preventative maintenance service on all the City's generators. Buy Board is a purchasing cooperative that was created to support and serve public schools, municipalities, county government, and all types of local government agencies and nonprofits. The funding for the new generator for the Fire Station will be provided from Cambridge Funds.

A motion was made to approve the Resolution authorizing the purchase of a generator from WPI through Buy Board and providing Cambridge Funds in the amount of \$64,446.00.

ATTACHMENTS:

- Fire Station Generator(PDF)

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

3. Ordinance 2020-31

CONSIDER AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF LIBERTY, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

COMMENTS - Current Meeting:

On October 8, 2002, the City of Liberty granted a franchise to Reliant Energy Entex, now Centerpoint Energy Texas Gas Operations. The franchise grants Centerpoint, the right and privilege to construct, maintain and operate natural gas lines along any of the present and future public rights-of-ways within the City. In consideration for this franchise, Centerpoint agreed to pay 3% of the gross receipts from the sale of natural gas delivered to residential and commercial customers within the corporate city limits. The initial term of the franchise was for seven (7) years with automatic renewal every five (5) years unless notice was provided to the contrary to either party within ninety (90) days prior to the expiration of a five year term. The proposed franchise would retain the payment to the City at 3% of the gross receipts. The proposed agreement would also include a Transport Volume Rate of \$0.07/MCF. The franchise and transport volume fees will generate approximately \$57,200 in revenue to the City. Additionally, the franchise agreement will include an initial term of five (5) years with four (4) five (5) year renewal terms for a total term of twenty-five (25) years. The City of Liberty Charter states that no franchise term may exceed twenty-five (25) years.

A motion was made to adopt the ordinance for the Centerpoint Energy Resources Corporation Franchise Agreement as presented during the first reading on September 8, 2020 and the second reading on October 13, 2020 meetings.

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

4. Ordinance 2020-32

Ordinance Authorizing the Issuance of Up to \$8,350,000 in Principal Amount of City of Liberty, Texas General Obligation Refunding Bonds, Series 2020, Authorizing the Execution of an Escrow Agreement, a Paying Agent/Registrar Agreement, a Purchase Contract and Other Instruments and Procedures Related Thereto, Delegating Authority to Certain City Officials to Select Outstanding Obligations to Be Refunded and Approve All Final Terms of the Bonds, Approving an Official Statement, and Calling Certain Obligations for Redemption

COMMENTS - Current Meeting:

During the January 28, 2020 City Council Meeting the City's Financial Advisor presented and City Council approved a Plan of Finance. Included in the Plan of Finance was a recommendation to refund Certificates of Obligation Series 2010A. Also, during this meeting, City Council authorized the issuance up to \$3,000,000 in principal amount of the City of Liberty Texas General Obligation Refunding Bonds, Series 2020. Prior to the issuance of these bonds the Covid-19 impacted the country and made the bond market somewhat unstable. The anticipated gross dollar and net present savings from the refunding was estimated to be approximately \$313,372 and \$286,107, respectively. Since January 2020, the Series 2007 Certificates are now callable, and the Series 2012 Certificates will become callable on March 1, 2021. The tax-exempt refunding bonds can be delivered up to ninety (90) days prior to the March 1, 2021 date. The City's Financial advisor is now recommending the refunding of the Series 2007, 2010A and 2012 Certificates. The anticipated gross dollar and net present savings from the

refunding of all three series is anticipated to be \$700,176 and \$658,408, respectively.

Motion was made to approve the Ordinance authorizing the issuance up to \$8,350,000 in Principal Amount of General Obligation Refunding Bonds, Series 2020.

ATTACHMENTS:

- Ordinance - 2020 Liberty GO Ref Bonds-3 (PDF)

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

B. Work Session

1. Work Session (ID # 4940)

Golf Course - Master Plan of Improvements and Renovations

COMMENTS - Current Meeting:

Mr. Jeff Blume from Jeffrey D. Blume, Limited gave a presentation on the breakdown of the Master Plan of Improvements and Renovations for the Liberty Municipal Golf Course. The goals are to create a rewarding 9 hole golf experience, introduce first class practice facilities and provide acreage for other recreational uses. Mr. Blume also presented Council with the cost breakdown and construction schedule for the proposed improvements and provided a list of possible future additions for the Golf Course. After a lengthy discussion, Mayor Pickett thanked Mr. Blume for his presentation and proposal for Council to review.

ATTACHMENTS:

- Liberty Renovation Concept II Presentation 10-08-20 (002)(PPTX)

2. Work Session (ID # 4939)

Drainage Guidelines

COMMENTS - Current Meeting:

Public Works Director Damon Jones addressed Council in regards to the City of Liberty's Drainage Guidelines. Mr. Jones presented the Public Works Drainage Mission Statement, Ditching Procedures, Inspections, Drainage Zones, Maintenance Schedules, Storm Sewer Maintenance, Outfalls Levees and Pump Stations, and Preventative Maintenance.

ATTACHMENTS:

- City of Liberty Drainage Program1 (DOCX)

3. Work Session (ID # 4931)

City Council to conduct a work session regarding the City's Flood Damage Prevention Ordinance

COMMENTS - Current Meeting:

The City is nearing completion of a community assistance visit (CAV) from the Federal Emergency Management Agency (FEMA). During the CAV, FEMA met with city staff and

reviewed the City's processes and procedures regarding the City's Flood Damage Prevention Ordinance. Assistant City Manager Chris Jarmon addressed the Council during the work session to review and discuss proposed changes to the City's Flood Damage Prevention Ordinance.

ATTACHMENTS:

- Flood Damage Prevention Ordinance (PPTM)

C. Executive Session

EXECUTIVE SESSION:

Tx. Gov. Code §551.074 - Personnel Matters.

- To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 1. Police Department
 2. Municipal Court Prosecutor

At 9:02 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

D. Reconvene into Regular Session

At 9:39 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2020-34

Consider and Take Action on the Police Department as discussed in Executive Session.

COMMENTS - Current Meeting:

Motion was made to adjust the police department salaries as discussed in executive session.

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

2. Council Action 2020-35

Consider and Take Action on the Appointment of a Municipal Court Prosecutor.

COMMENTS - Current Meeting:

Motion was made to retain Fielder and Davis Attorneys at Law for one year for Municipal Court Prosecutor as presented in executive session.

RESULT: **APPROVED [6 TO 1]**
MOVER: Neal Thornton, Council Member
SECONDER: Dennis Beasley, Council Member
AYES: Pickett, Driggers, Beasley, Arnold, Smith, Thornton
NAYS: Libby Simonson

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

With no further business to discuss Carl Pickett adjourned the meeting at 9:42 pm.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary

Minutes Acceptance: Minutes of Oct 13, 2020 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Wednesday, October 21, 2020

12:00 PM

City Council Chambers

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

I. CALL TO ORDER

The meeting was called to order on October 21, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:00 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	
Brandon Davis	City Attorney	Present	
Naomi Herrington	Assistant City Manager / CFO	Present	
April Gilliland	City Secretary	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

Mayor Pickett welcomed guest and visitors, opening the floor for public comment to those individuals wishing to address the Council. No public comments were given.

III. REGULAR AGENDA

A. Regular Session

1. Resolution 2020-64

Approve the submittal of a grant application to the Texas General Land Office (GLO) for Community Development Block Grant Mitigation (CDBG-MIT) Funding.

Minutes Acceptance: Minutes of Oct 21, 2020 12:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

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. City Council has previously authorized the City Manager to retain the appropriate firms to assist the City in preparing the application for water, wastewater and storm sewer improvements throughout the City. The final application budget is presented below:

Activity	Grant	Match	Total
Construction	\$31,578,482.00	\$406,266.00	\$31,984,748.00
Engineering	\$ 5,048,100.00	\$ 0.00	\$ 5,048,100.00
Acquisition	\$ 1,670,000.00	\$ 0.00	\$ 1,670,000.00
Administration	\$ 2,330,000.00	\$ 0.00	\$ 2,330,000.00
Total	\$40,626,582.00	\$406,266.00	\$41,032,848.00

The 1% local match commitment has been allocated to the construction activity and will be expended at the start of construction. In addition to approval of the resolution relating to the grant application submittal, City Council will also authorize the approval and submittal of the SF-424 Form and the local certification. These documents are enclosed for City Council's review. City Council has previously authorized \$406,266.00 in Cambridge Funds for the local match.

A motion was made to approve the resolution authorizing the submittal of the City's CDBG-MIT application and the approval and submittal of documents relating to the grant application.

ATTACHMENTS:

- Final Application Memo (PDF)
- Liberty 424-Form (PDF)
- mit-local-certifications (PDF)

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

Minutes Acceptance: Minutes of Oct 21, 2020 12:00 PM (Minutes Approval)

IV. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:10 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary

Minutes Acceptance: Minutes of Oct 21, 2020 12:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, October 27, 2020

6:00 PM

City Council Chambers

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

I. CALL TO ORDER

The meeting was called to order on October 27, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane 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	Absent	
Tom Warner	City Manager	Present	
Naomi Herrington	Assistant City Manager / CFO	Present	
Chris Jarmon	Assistant City Manager	Present	
Damon Jones	Public Works Director	Present	
Gary Martin	Police Chief	Present	
Brian Hurst	Fire Chief	Present	
Brandon Davis	City Attorney	Present	
April Gilliland	City Secretary	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

Mayor Pickett welcomed guest and visitors, opening the floor for public comment to those individuals wishing to address the Council. No public comments were given.

Minutes Acceptance: Minutes of Oct 27, 2020 6:00 PM (Minutes Approval)

III. REGULAR AGENDA

A. Regular Session

1. Ordinance 2020-33

Consider and take action on an Ordinance approving a budget amendment to the Liberty Community Development Corporation (LCDC) Fiscal Year Budget ending September 30, 2021, in the amount of \$204,500 for the Liberty Municipal Airport

COMMENTS - Current Meeting:

On July 21, 2020, the Board of Directors approved LCDC's FY21 budget, which was ratified by City Council on August 25, 2020. That budget included \$84,000 to be transferred to the Liberty Municipal Airport for the 10% local match for the runway and taxiway rehabilitation project. In late September, TxDOT Aviation informed the City that the rehabilitation of the runway and taxiway is more extensive than originally anticipated and that the deficiencies in the pavement will require a full reconstruction. Changing from a rehabilitation project to a reconstruction project increases the cost of the project from \$840,000 to \$2,885,000. TxDOT will still pay 90% of the total project cost. However, with the new project, the 10% local match increased from \$84,000 to \$288,500, a difference of \$204,500:

Original Estimate	\$ 840,000.00
Local Match (10%)	\$ 84,000.00
Revised Estimate	\$2,885,000.00
Local Match (10%)	\$ 288,500.00

The additional matching funds required for the reconstruction of the runaway and taxiway is \$204,500.00. This additional funding would be transferred from LCDC's fund balance. This will leave an unaudited fund balance of \$ 2,126,567.06. Upon completion of the project, LCDC will be reimbursed \$30,000 from CARES Act funds that were previously dedicated to the airport.

Motion was made to adopt the Ordinance approving an amendment to the Liberty Community Development Corporation's Fiscal Year 2020-2021 budget by \$204,500 to increase the transfer to the Liberty Municipal Airport.

ATTACHMENTS:

- EXHIBIT A - Runway Costs (PDF)

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

2. Work Session (ID # 4948)

Work Session to discuss the baseball and softball fields at the Municipal Park and establishing rules and procedures for the use of the fields.

COMMENTS - Current Meeting:

During the September 8, 2020, City Council Meeting, City Council was addressed by a citizen regarding conflicts with other organizations that also use the fields at the City Park. The following information is a brief synopsis of what has occurred at the fields over the last several years. Recommendations on how the City should operate the fields in the future is also provided in the sections titled as such.

The City Park has three T-ball fields, four baseball fields and four softball fields. Prior to 2010, the Liberty Youth

Baseball Association (LYBA) and the Adult Softball League were the primary users of the fields. The LYBA includes both baseball and softball teams within the association. Other organizations used the fields but not on a regular basis. In December 2013, Staff recommended, and City Council approved, keeping the utility accounts in the City's name and leasing the fields for the cost of electricity and water. Before this time, as each entity reserved a field, utility accounts were established in the renter's name. At the end of the lease, the account was placed back into the City's name and deposits refunded. Some accounts had been changed over 30 times. Charging the rental fee helped eliminate a tremendous amount of time and paperwork. The costs to rent the fields are \$40 per four-hour period or \$140 per month. The T-ball fields fee is a flat \$25 per month. The concession stands fee is \$100 per month and are currently rented by LYBA on a yearly basis. These fees have not increased since 2013.

LYBA has exclusive use of the T-ball, baseball and two softball fields from February 1st to July 31st of each year. The remaining softball fields are available for use by others through a reservation system. All fields, except the T-ball and baseball fields are leased through reservations, typically on a monthly basis, from August 1st to January 31st.

Beginning in 2011, the City began seeing the first use of the fields for select teams/leagues. Since that time, there has been a steady increase in the number of select softball team organizations requesting the use of the fields. Some of the organizations have multiple teams based on various age brackets. The number of teams within each organization ranges from one to eleven. There were three select organizations leasing the fields on a regular basis before all reservations were cancelled or suspended due to COVID-19.

On numerous occasions throughout the years, City staff has had to meet individually or as a group with each of the organizations. The meetings involved LYBA, Dirt Divas, Outlaws and Allegiance organizations. Each of organizations, other than LYBA, consist of select softball teams. The topics of discussion in these meetings ranged from the maintenance of the fields, scheduling and unavailability of the fields for their specific group. The latest meeting with this group occurred in March of this year. At that time, it was staff's understanding that the organizations would work out among themselves any scheduling or field availability issues that may arise.

With the COVID-19 pandemic occurring later in March, LYBA decided to cancel their 2020 season. In addition to refunding LYBA's lease payment, the City ceased renting any fields and refunded the select organizations their lease payments. Although the fields are available for use, games and/or tournaments are not allowed at this time.

Over the years, various organizations have made improvements to the facilities. The use of several of the improvements has been limited to the organization that installed the improvements. The ability to make these improvements have led some to believe that the fields belong to them and not the City. As a result, some of the improvements have been made with the City's knowledge while others have not.

Recommendation

In preparing a recommendation, City Staff contacted other cities and solicited their rules and procedures for operating ball fields at their respective parks. Of the eleven (11) cities contacted, four did not have city owned fields. The procedures in place for the remaining seven (7) cities ranged from first come first serve to exclusive use by youth baseball associations. Three (3) cities, Cleveland, Dayton and Navasota require lease agreements with any organization that leases their fields. In addition to requiring a lease agreement, Cleveland had the most comprehensive and strictest rules and procedures. All three cities made it abundantly clear that the City owned the fields.

The components of the recommendation include the facilities, rules and regulations, field reservation application/agreements and fees. Each component of the recommendation is provided in the following sections:

Facilities

Currently, the LYBA leases all the concession stands for the entire year. Additionally, they have constructed two batting cages at their expense. The most recent cage was constructed approximately two years ago. LYBA also has a container located between the fields to store their equipment and supplies. Both LYBA and the select team organizations have been maintaining the fields to their playing requirements. The organization leasing the field(s) is given a key to the gate lock in order to turn on/off the field lights.

The following changes are recommended regarding the facilities:

- ☐ LYBA has expended approximately \$50,000 to construct the new batting cage by the softball fields. Rather than requesting reimbursement for the cost of the batting cage, LYBA has tentatively agreed to use the funds as match toward new restrooms and concession stand at the baseball fields. It should be noted that the baseball, T-ball fields and park offices are on a septic sewer system. The addition of a new restroom will require the installation of new sewer lines and a pump station.
- ☐ The City will maintain the fields during non-leased periods. During leased periods, the lessee may maintain the field(s) to their specifications. However, fields will be maintained as either baseball or softball fields with no changes to the infields.
- ☐ In order to reduce access to the lighting system, the City will install a system that will allow the lights to

be turned on and off, based on reservations, from a remote location. Lessee would not have the ability to turn the lights on or off.

- The City will only lease out the concession stands during league or tournament play. The concession stands will not be leased for practices.

The estimated cost of a new restrooms and concession stands, lighting system upgrades and sewer system is \$250,000. Due to the increase in maintenance responsibilities for the Park Department an additional light equipment operator will be required. The cost for an additional employee, including benefits is \$46,000/year. This will increase the number of Park employees to four. By implementing the above changes, the City will assume full responsibility of the maintenance of the fields.

Rules and Regulations

Proposed rules and regulations were attached to the meeting agenda.

Field Reservation Applications/Agreements

Field Reservation Applications/Agreements varied from City to City with varying degree of field maintenance responsibility and cost. The reservation applications/agreements have been prepared for tournament/league play, practice and vendors.

Fees

The Proposed Fee Schedule will not change the amount charged per field or concession stand. However, the time period in which a field may be leased will be based on the use of the field whether for league play, tournaments or practice. The proposed fee schedule is provided below:

LYBA - \$8,010 -Three (3) T-Ball at \$25/mo., two (2) softball & four (4) baseball fields at \$140/mo. and three (3) concession stands for six months at \$140/mo.

Tournaments - \$100 per field per day and \$50 per concession stand per day. City will retain 10% of concession proceeds except if sponsored by a 501c3 organization.

Practices - \$40 per field without lights, four (4) hour maximum.

\$60 per field with lights, four (4) hour maximum

The funding for improvements and additional employee will be from various sources (General Fund, Cambridge Funds and Electrical Capital Improvement Program).

ATTACHMENTS:

- Liberty Municipal Park (PDF)
- Athletic Fields Survey September 2020 (XLSX)
- Park Ball Fields Reservation Rules Procedures September 2020 (DOCX)
- Liberty Municipal Park Tournament and League Reservation Request September 29 2020 (DOCX)
- Liberty Municipal Park Field Reservation Rules September 2020 (DOCX)
- Liberty Municipal Park Facility Practice Reservation Form September 29 2020 (DOCX)
- Liberty Municipal Park Vendor Request September 29 2020 (DOCX)

3. Resolution 2020-65

Consider a resolution establishing rules and procedures for the use of the fields at the Liberty Municipal Park.

COMMENTS - Current Meeting:

After a lengthy work session discussion about the Liberty Municipal Parks baseball and softball fields and establishing rules and procedures for the use of the fields.

A motion was made to approve the resolution implementing the reservation procedures and policy, the practice rules and procedures and the vendor request application for league play or tournaments at the Liberty Municipal Park.

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

IV. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:52 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary

Minutes Acceptance: Minutes of Oct 27, 2020 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Election

ORDINANCE (ID # 4951)

DOC ID: 4951

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS TO THE LIBERTY CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

Whereas, there was held in the City of Liberty, Texas on the 3rd day of November, 2020, a General Election duly ordered by the City Council for the purpose of electing a Mayor and three Councilpersons, as shown in the official returns heretofore; and

Whereas, public notice of the City's Municipal Election was duly given; that said election was held in the manner required by the Texas Election Code and the Charter of the City of Liberty, and that due returns of said election have been made by the proper office; and

Whereas, it is found that the persons named herein received the following votes for said election:

GENERAL ELECTION

<u>NAME OF CANDIDATE</u>	<u>NUMBER OF VOTES RECEIVED</u>
--------------------------	---------------------------------

MAYOR

Unopposed Candidate

Carl Pickett

COUNCILPERSON

David E. Arnold	1418
Neal Thornton	752
Ed Seymour	660
J.L. "Chipper" Smith	1140

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

Section 1. It is found and determined that the results of the General Election as

canvassed and tabulated reflect the expressed desires of those persons voting at said election.

Section 2. That the following named candidates were duly elected at said general election to the Liberty City Council:

Carl Pickett

Mayor

David W. Arnold

Council Member

Neal Thornton

Council Member

J.L. "Chipper" Smith

Council Member

Section 3. It is hereby declared the City of Liberty approves and accepts the results of the General Election for the Mayor and Councilpersons, as set forth in the Election Returns Sheet attached herein as "Exhibit A".

Section 4. 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 5. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of public business to be considered at such meeting was given.

Section 6. That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with.

Section 7. This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas this the 10th day of November, 2020.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY GENERAL ELECTION

November 3, 2020

MAYORAL CANDIDATES	EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
Carl Pickett	Unopposed Candidate - Declared Elected				
COUNCILMEMBER CANDIDATES	EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
David W. Arnold	1281	1281	137	137	1418
Neal Thornton	672	672	80	80	752
Ed Seymour	607	607	53	53	660
J.L. "Chipper" Smith	1008	1008	132	132	1140

Attachment: 2020 General Election Canvass Results (4951 : General Election Canvass)

Cumulative Results Report

LIBERTY COUNTY, TEXAS

Official Results

GENERAL AND SPECIAL ELECTIONS

11/3/2020

Page 5

Run Time 9:29 AM

Run Date 11/06/2020

Registered Voters

30713 of 0 - 0.00%

Precincts Reporting

81 of 81 - 100.00%

City Council Position No. 4 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Eddie White		24	54.55%	76	33.93%	30	26.55%	130	34.12%
Barbara Lee Domain		20	45.45%	148	66.07%	83	73.45%	251	65.88%
Cast Votes:		44	100.00%	224	100.00%	113	100.00%	381	100.00%
Undervotes:		2		19		5		26	
Overvotes:		0		0		0		0	

Council Members - Vote for none, one, two or three

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
David W. Arnold		85	31.72%	1,196	36.24%	137	34.08%	1,418	35.72%
Neal Thornton		50	18.66%	622	18.85%	80	19.90%	752	18.94%
Ed Seymour		64	23.88%	543	16.45%	53	13.18%	660	16.62%
J.L. "Chipper" Smith		69	25.75%	939	28.45%	132	32.84%	1,140	28.72%
Cast Votes:		268	100.00%	3,300	100.00%	402	100.00%	3,970	100.00%
Undervotes:		278		4,002		687		4,967	
Overvotes:		0		4		0		4	

Liberty Independent School District Trustee Position1 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Lloyd Griffith		96	59.63%	1,612	69.84%	319	63.29%	2,027	68.18%
Bruce George		65	40.37%	696	30.16%	185	36.71%	946	31.82%
Cast Votes:		161	100.00%	2,308	100.00%	504	100.00%	2,973	100.00%
Undervotes:		99		921		187		1,207	
Overvotes:		0		5		1		6	

Liberty Independent School District Trustee Position 5 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
D-Ann Berry		152	100.00%	2,071	100.00%	437	100.00%	2,660	100.00%
Cast Votes:		152	100.00%	2,071	100.00%	437	100.00%	2,660	100.00%
Undervotes:		108		1,163		255		1,526	
Overvotes:		0		0		0		0	

Attachment: Liberty County Cumulative Result Report - General Election (4951 : General Election Canvass)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Oaths

INFORMATION ITEM (ID # 4966)

DOC ID: 4966



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Election

ORDINANCE (ID # 4950)

DOC ID: 4950

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

Whereas, there was held in the City of Liberty, Texas on the 3rd day of November, 2020, a Special Election duly ordered by the City Council for the purpose of voter consideration of amendments to the City of Liberty Home Rule Charter, as shown in the official returns heretofore; and

Whereas, public notice of the City's Municipal Election was duly given; that said election was held in the manner required by the Texas Election Code and the Charter of the City of Liberty, and that due returns of said election have been made by the proper office; and

Whereas, it is found that the amendments named herein received the following votes for said election:

SPECIAL ELECTION

PROPOSITIONS	NUMBER OF VOTES RECEIVED	
	FOR	AGAINST
PROP. A - 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?	1020	161
PROP. B - 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?	1080	147
PROP. C - 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?	999	195
PROP. D - 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	961	241

positions directly by the city council?		
PROP. E - 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?	746	428
PROP. F - 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?	900	276
PROP. G - 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?	899	287
PROP. H - 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?	784	419
PROP. I - 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?	923	239
PROP. J - 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?	941	215
PROP. K - 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?	854	323
PROP. L - 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?	749	449
PROP. M - 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?	746	458
PROP. N - 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?	626	554
PROP. O - 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.	387	815
PROP. P - 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?	631	567

PROP. Q - 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 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?	854	323
PROP. R - 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.	866	298
PROP. S - 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."	1100	88
PROP. T - 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?	1031	145
PROP. U - 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?	1049	122
PROP. V - 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.	1087	88
PROP. W - 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__?	1012	148
PROP. X - 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?	959	217
PROP. Y - 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?	1101	79
PROP. Z - 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?	984	185
PROP. AA - 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?	960	207
PROP. BB - 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	1006	187

and zoning commission?		
PROP. CC - 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.	831	353
PROP. DD - 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?	1077	95
PROP. EE - 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?	1096	83
PROP. FF - 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?	1026	142
PROP. GG - 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?	1029	148
PROP. HH - 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?	1043	133
PROP. II - 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?	882	262
PROP. JJ - 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 “revenue” because the City is not a private business and does not have profits?	1006	178
PROP. KK - 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?	1026	157
PROP. LL - 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?	1111	81
PROP. MM - 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?	876	297
PROP. NN - 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?	768	388
PROP. OO - Shall the Charter be amended to change the term “city clerk” to “city secretary throughout the Charter?	936	241
PROP. PP - Shall the Charter be amended to correct all grammatical errors including spelling, punctuation, and capitalization throughout the Charter without making any substantive changes?	1092	103

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

Section 1. It is found and determined that the results of the Special Election as canvassed and tabulated reflect the expressed desires of those persons voting at said election.

Section 2. That the following propositions were approved by the voters at said Special Election:

Prop. A - 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?

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.

Prop. B - 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?

Sec. 3.02. Qualifications.

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.

Prop. C - 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?

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.

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."

Prop. D - 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?

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.

Prop. E - 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?

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."

Prop. F - 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?

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.

Prop. G - 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?

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."

Prop. H - 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?

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 council shall have power to:

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

Prop. I - 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?

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.

Prop. J - 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?

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.”

Prop. K - 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

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.”

Prop. L - 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?

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

Prop. M - 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?

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

Prop. N - 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?

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.

Prop. P - 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?

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.

Prop. Q - 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 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?

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.

Prop. R - 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.

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.

Prop. S - 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."

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.

Prop. T - 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?

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.

Prop. U - 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?

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.

Prop. V - 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.

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.

Prop. W - 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__?

Sec. 6.03 - Form of recall petition

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

“THE STATE OF TEXAS

COUNTY OF LIBERTY

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

Sworn and subscribed to before me this _____ day of _____, 20__.

Notary Public in and for the

State of Texas.”

Prop. X - 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?

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.

Prop. Y - 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?

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.

Prop. Z - 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?

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 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.

Prop. AA - 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?

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 such election shall vote in favor thereof.

Prop. BB - 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?

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 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 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.

Prop. CC - 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.

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.

Prop. DD - 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?

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.

Prop. EE - 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?

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.

Prop. FF - 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?

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

Prop. GG - 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?

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."

Prop. HH - 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?

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.

Proposition II - 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?

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.

Prop. JJ - 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 “revenue” because the City is not a private business and does not have profits?

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.

Prop. KK - 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?

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.”

Prop. LL - 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?

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.

Prop. MM - 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?

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.

Prop. NN - 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?

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.

Prop. OO - Shall the Charter be amended to change the term "city clerk" to "city secretary throughout the Charter?

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.

Prop. PP - Shall the Charter be amended to correct all grammatical errors including spelling, punctuation, and capitalization throughout the Charter without making any substantive changes?

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

Section 3. It is hereby declared the City of Liberty approves and accepts the results of the Special Election for the propositions amending the City of Liberty Home Rule Charter, as set forth in the Election Returns attached herein as "Exhibit A", the approved amendments are hereby adopted.

Section 4. 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 5. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of public business to be considered at such meeting was given.

Section 6. That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with.

Section 7. This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas this the 10th day of November, 2020.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. A - 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?	FOR	917	917	103	103	1020
	AGAINST	138	138	23	23	161
PROP. B - 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?	FOR	978	978	102	102	1080
	AGAINST	118	118	29	29	147
PROP. C - 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?	FOR	899	899	100	100	999
	AGAINST	167	167	28	28	195

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS

CITY OF LIBERTY

SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. D - 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?	FOR	858	858	103	103	961
	AGAINST	215	215	26	26	241
PROP. E - 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?	FOR	674	674	72	72	746
	AGAINST	370	370	58	58	428
PROP. F - 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?	FOR	805	805	95	95	900
	AGAINST	243	243	33	33	276
PROP. G - 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?	FOR	810	810	89	89	899
	AGAINST	251	251	36	36	287

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET
OFFICIAL CANVASS OF ELECTION RESULTS
CITY OF LIBERTY
SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. H - 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?	FOR	711	711	73	73	784
	AGAINST	365	365	54	54	419
PROP. I - 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?	FOR	826	826	97	97	923
	AGAINST	207	207	32	32	239
PROP. J - 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?	FOR	846	846	95	95	941
	AGAINST	184	184	31	31	215

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. K - 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?	FOR	771	771	83	83	854
	AGAINST	281	281	42	42	323
PROP. L - 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?	FOR	671	671	78	78	749
	AGAINST	399	399	50	50	449
PROP. M - 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?	FOR	673	673	73	73	746
	AGAINST	403	403	55	55	458

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. N - 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?	FOR	560	560	66	66	626
	AGAINST	495	495	59	59	554
PROP. O - 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.	FOR	336	336	51	51	387
	AGAINST	739	739	76	76	815
PROP. P - 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?	FOR	569	569	62	62	631
	AGAINST	503	503	64	64	567

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET
OFFICIAL CANVASS OF ELECTION RESULTS
CITY OF LIBERTY
SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. Q - 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 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?	FOR	770	770	84	84	854
	AGAINST	282	282	41	41	323
PROP. R - 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.	FOR	784	784	82	82	866
	AGAINST	257	257	41	41	298
PROP. S - 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."	FOR	993	993	107	107	1100
	AGAINST	70	70	18	18	88

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. T - 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?	FOR	932	932	99	99	1031
	AGAINST	117	117	28	28	145
PROP. U - 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?	FOR	944	944	105	105	1049
	AGAINST	104	104	18	18	122
PROP. V - 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.	FOR	979	979	108	108	1087
	AGAINST	71	71	17	17	88
PROP. W - 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__?	FOR	917	917	95	95	1012
	AGAINST	118	118	30	30	148

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. X - 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?	FOR	861	861	98	98	959
	AGAINST	190	190	27	27	217
PROP. Y - 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?	FOR	992	992	109	109	1101
	AGAINST	61	61	18	18	79
PROP. Z - 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?	FOR	885	885	99	99	984
	AGAINST	159	159	26	26	185

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS

CITY OF LIBERTY

SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. AA - 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?	FOR	862	862	98	98	960
	AGAINST	181	181	26	26	207
PROP. BB - 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?	FOR	912	912	94	94	1006
	AGAINST	154	154	33	33	187
PROP. CC - 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.	FOR	748	748	83	83	831
	AGAINST	310	310	43	43	353
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Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET
OFFICIAL CANVASS OF ELECTION RESULTS
CITY OF LIBERTY
SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. DD - 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?	FOR	970	970	107	107	1077
	AGAINST	76	76	19	19	95
PROP. EE - 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?	FOR	984	984	112	112	1096
	AGAINST	68	68	15	15	83
PROP. FF - 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?	FOR	930	930	96	96	1026
	AGAINST	114	114	28	28	142
PROP. GG - 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?	FOR	937	937	92	92	1029
	AGAINST	116	116	32	32	148



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. HH - 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?	FOR	938	938	105	105	1043
	AGAINST	112	112	21	21	133
PROP. II - 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?	FOR	793	793	89	89	882
	AGAINST	227	227	35	35	262
PROP. JJ - 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 "revenue" because the City is not a private business and does not have profits?	FOR	908	908	98	98	1006
	AGAINST	151	151	27	27	178
PROP. KK - 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?	FOR	926	926	100	100	1026
	AGAINST	132	132	25	25	157

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET
OFFICIAL CANVASS OF ELECTION RESULTS
CITY OF LIBERTY
SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. LL - 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?	FOR	998	998	113	113	1111
	AGAINST	68	68	13	13	81
PROP. MM - 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?	FOR	791	791	85	85	876
	AGAINST	257	257	40	40	297
PROP. NN - 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?	FOR	701	701	67	67	768
	AGAINST	330	330	58	58	388
PROP. OO - Shall the Charter be amended to change the term "city clerk" to "city secretary" throughout the Charter?	FOR	844	844	92	92	936
	AGAINST	205	205	36	36	241

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)



TABULATION SHEET

OFFICIAL CANVASS OF ELECTION RESULTS CITY OF LIBERTY SPECIAL CHARTER AMENDMENT ELECTION

November 3, 2020

PROPOSITIONS		EARLY VOTING	EARLY VOTING TOTAL	ELECTION DAY	ELECTION DAY TOTAL	GRAND TOTAL
PROP. PP - Shall the Charter be amended to correct all grammatical errors including spelling, punctuation, and capitalization throughout the Charter without making any substantive changes?	FOR	984	984	108	108	1092
	AGAINST	84	84	19	19	103

Attachment: 2020 Special Election Canvass results (4950 : Special Election Canvass)

Cumulative Results Report

LIBERTY COUNTY, TEXAS

Official Results

GENERAL AND SPECIAL ELECTIONS

Registered Voters

30713 of 0 = 0.00%

Precincts Reporting

81 of 81 = 100.00%

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City of Liberty Proposition A

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		80	89.89%	837	86.65%	103	81.75%	1,020	86.37%
NO		9	10.11%	129	13.35%	23	18.25%	161	13.63%
Cast Votes:		89	100.00%	966	100.00%	126	100.00%	1,181	100.00%
Undervotes:		18		51		6		75	
Overvotes:		1		1		0		2	

City of Liberty Proposition B

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		88	94.62%	890	88.73%	102	77.86%	1,080	88.02%
NO		5	5.38%	113	11.27%	29	22.14%	147	11.98%
Cast Votes:		93	100.00%	1,003	100.00%	131	100.00%	1,227	100.00%
Undervotes:		15		14		1		30	
Overvotes:		0		1		0		1	

City of Liberty Proposition C

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		80	89.89%	819	83.83%	100	78.13%	999	83.67%
NO		9	10.11%	158	16.17%	28	21.88%	195	16.33%
Cast Votes:		89	100.00%	977	100.00%	128	100.00%	1,194	100.00%
Undervotes:		19		41		4		64	
Overvotes:		0		0		0		0	

City of Liberty Proposition D

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		67	80.72%	791	79.90%	103	79.84%	961	79.95%
NO		16	19.28%	199	20.10%	26	20.16%	241	20.05%
Cast Votes:		83	100.00%	990	100.00%	129	100.00%	1,202	100.00%
Undervotes:		25		26		2		53	
Overvotes:		0		2		1		3	

Attachment: Liberty County Cumulative Result Report - Special Election (4950 - Special Election Canvass)

Cumulative Results Report

LIBERTY COUNTY, TEXAS

Official Results

GENERAL AND SPECIAL ELECTIONS

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City of Liberty Proposition E

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		58	75.32%	616	63.70%	72	55.38%	746	63.54%
NO		19	24.68%	351	36.30%	58	44.62%	428	36.46%
Cast Votes:		77	100.00%	967	100.00%	130	100.00%	1,174	100.00%
Undervotes:		31		50		2		83	
Overvotes:		0		1		0		1	

City of Liberty Proposition F

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		66	80.49%	739	76.50%	95	74.22%	900	76.53%
NO		16	19.51%	227	23.50%	33	25.78%	276	23.47%
Cast Votes:		82	100.00%	966	100.00%	128	100.00%	1,176	100.00%
Undervotes:		26		52		3		81	
Overvotes:		0		0		1		1	

City of Liberty Proposition G

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		68	80.95%	742	75.95%	89	71.20%	899	75.80%
NO		16	19.05%	235	24.05%	36	28.80%	287	24.20%
Cast Votes:		84	100.00%	977	100.00%	125	100.00%	1,186	100.00%
Undervotes:		24		39		6		69	
Overvotes:		0		2		1		3	

City of Liberty Proposition H

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		57	64.77%	654	66.19%	73	57.48%	784	65.17%
NO		31	35.23%	334	33.81%	54	42.52%	419	34.83%
Cast Votes:		88	100.00%	988	100.00%	127	100.00%	1,203	100.00%
Undervotes:		20		28		5		53	
Overvotes:		0		2		0		2	

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City of Liberty Proposition I

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		72	83.72%	754	79.62%	97	75.19%	923	79.43%
NO		14	16.28%	193	20.38%	32	24.81%	239	20.57%
Cast Votes:		86	100.00%	947	100.00%	129	100.00%	1,162	100.00%
Undervotes:		22		69		2		93	
Overvotes:		0		2		1		3	

City of Liberty Proposition J

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		67	84.81%	779	81.91%	95	75.40%	941	81.40%
NO		12	15.19%	172	18.09%	31	24.60%	215	18.60%
Cast Votes:		79	100.00%	951	100.00%	126	100.00%	1,156	100.00%
Undervotes:		29		66		6		101	
Overvotes:		0		1		0		1	

City of Liberty Proposition K

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		57	68.67%	714	73.68%	83	66.40%	854	72.56%
NO		26	31.33%	255	26.32%	42	33.60%	323	27.44%
Cast Votes:		83	100.00%	969	100.00%	125	100.00%	1,177	100.00%
Undervotes:		25		47		6		78	
Overvotes:		0		2		1		3	

City of Liberty Proposition L

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		68	77.27%	603	61.41%	78	60.94%	749	62.52%
NO		20	22.73%	379	38.59%	50	39.06%	449	37.48%
Cast Votes:		88	100.00%	982	100.00%	128	100.00%	1,198	100.00%
Undervotes:		19		35		4		58	
Overvotes:		1		1		0		2	

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City of Liberty Proposition M

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		60	67.42%	613	62.11%	73	57.03%	746	61.96%
NO		29	32.58%	374	37.89%	55	42.97%	458	38.04%
Cast Votes:		89	100.00%	987	100.00%	128	100.00%	1,204	100.00%
Undervotes:		19		29		4		52	
Overvotes:		0		2		0		2	

City of Liberty Proposition N

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		44	51.16%	516	53.25%	66	52.80%	626	53.05%
NO		42	48.84%	453	46.75%	59	47.20%	554	46.95%
Cast Votes:		86	100.00%	969	100.00%	125	100.00%	1,180	100.00%
Undervotes:		22		47		7		76	
Overvotes:		0		2		0		2	

City of Liberty Proposition O

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		34	38.20%	302	30.63%	51	40.16%	387	32.20%
NO		55	61.80%	684	69.37%	76	59.84%	815	67.80%
Cast Votes:		89	100.00%	986	100.00%	127	100.00%	1,202	100.00%
Undervotes:		19		32		5		56	
Overvotes:		0		0		0		0	

City of Liberty Proposition P

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		48	53.93%	521	53.00%	62	49.21%	631	52.67%
NO		41	46.07%	462	47.00%	64	50.79%	567	47.33%
Cast Votes:		89	100.00%	983	100.00%	126	100.00%	1,198	100.00%
Undervotes:		19		34		6		59	
Overvotes:		0		1		0		1	

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City of Liberty Proposition Q

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		60	72.29%	710	73.27%	84	67.20%	854	72.56%
NO		23	27.71%	259	26.73%	41	32.80%	323	27.44%
Cast Votes:		83	100.00%	969	100.00%	125	100.00%	1,177	100.00%
Undervotes:		25		48		7		80	
Overvotes:		0		1		0		1	

City of Liberty Proposition R

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		69	85.19%	715	74.48%	82	66.67%	866	74.40%
NO		12	14.81%	245	25.52%	41	33.33%	298	25.60%
Cast Votes:		81	100.00%	960	100.00%	123	100.00%	1,164	100.00%
Undervotes:		27		56		9		92	
Overvotes:		0		2		0		2	

City of Liberty Proposition S

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		84	96.55%	909	93.14%	107	85.60%	1,100	92.59%
NO		3	3.45%	67	6.86%	18	14.40%	88	7.41%
Cast Votes:		87	100.00%	976	100.00%	125	100.00%	1,188	100.00%
Undervotes:		20		42		7		69	
Overvotes:		1		0		0		1	

City of Liberty Proposition T

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		78	90.70%	854	88.68%	99	77.95%	1,031	87.67%
NO		8	9.30%	109	11.32%	28	22.05%	145	12.33%
Cast Votes:		86	100.00%	963	100.00%	127	100.00%	1,176	100.00%
Undervotes:		22		55		5		82	
Overvotes:		0		0		0		0	

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Registered Voters
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Precincts Reporting
81 of 81 = 100.00%

City of Liberty Proposition U

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		78	90.70%	866	90.02%	105	85.37%	1,049	89.58%
NO		8	9.30%	96	9.98%	18	14.63%	122	10.42%
Cast Votes:		86	100.00%	962	100.00%	123	100.00%	1,171	100.00%
Undervotes:		22		55		9		86	
Overvotes:		0		1		0		1	

City of Liberty Proposition V

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		84	96.55%	895	92.94%	108	86.40%	1,087	92.51%
NO		3	3.45%	68	7.06%	17	13.60%	88	7.49%
Cast Votes:		87	100.00%	963	100.00%	125	100.00%	1,175	100.00%
Undervotes:		21		53		6		80	
Overvotes:		0		2		1		3	

City of Liberty Proposition W

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		74	88.10%	843	88.64%	95	76.00%	1,012	87.24%
NO		10	11.90%	108	11.36%	30	24.00%	148	12.76%
Cast Votes:		84	100.00%	951	100.00%	125	100.00%	1,160	100.00%
Undervotes:		23		67		7		97	
Overvotes:		1		0		0		1	

City of Liberty Proposition X

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		70	82.35%	791	81.88%	98	78.40%	959	81.55%
NO		15	17.65%	175	18.12%	27	21.60%	217	18.45%
Cast Votes:		85	100.00%	966	100.00%	125	100.00%	1,176	100.00%
Undervotes:		23		52		6		81	
Overvotes:		0		0		1		1	

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Cumulative Results Report

LIBERTY COUNTY, TEXAS

Official Results

GENERAL AND SPECIAL ELECTIONS

Registered Voters

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City of Liberty Proposition Y

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		83	96.51%	909	94.00%	109	85.83%	1,101	93.31%
NO		3	3.49%	58	6.00%	18	14.17%	79	6.69%
Cast Votes:		86	100.00%	967	100.00%	127	100.00%	1,180	100.00%
Undervotes:		22		51		5		78	
Overvotes:		0		0		0		0	

City of Liberty Proposition Z

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		72	83.72%	813	84.86%	99	79.20%	984	84.17%
NO		14	16.28%	145	15.14%	26	20.80%	185	15.83%
Cast Votes:		86	100.00%	958	100.00%	125	100.00%	1,169	100.00%
Undervotes:		21		59		7		87	
Overvotes:		1		1		0		2	

City of Liberty Proposition AA

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		69	80.23%	793	82.86%	98	79.03%	960	82.26%
NO		17	19.77%	164	17.14%	26	20.97%	207	17.74%
Cast Votes:		86	100.00%	957	100.00%	124	100.00%	1,167	100.00%
Undervotes:		22		60		8		90	
Overvotes:		0		1		0		1	

City of Liberty Proposition BB

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		75	87.21%	837	85.41%	94	74.02%	1,006	84.33%
NO		11	12.79%	143	14.59%	33	25.98%	187	15.67%
Cast Votes:		86	100.00%	980	100.00%	127	100.00%	1,193	100.00%
Undervotes:		22		38		5		65	
Overvotes:		0		0		0		0	

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Cumulative Results Report

LIBERTY COUNTY, TEXAS

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City of Liberty Proposition CC

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		58	67.44%	690	70.99%	83	65.87%	831	70.19%
NO		28	32.56%	282	29.01%	43	34.13%	353	29.81%
Cast Votes:		86	100.00%	972	100.00%	126	100.00%	1,184	100.00%
Undervotes:		22		45		6		73	
Overvotes:		0		1		0		1	

City of Liberty Proposition DD

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		83	94.32%	887	92.59%	107	84.92%	1,077	91.89%
NO		5	5.68%	71	7.41%	19	15.08%	95	8.11%
Cast Votes:		88	100.00%	958	100.00%	126	100.00%	1,172	100.00%
Undervotes:		19		60		6		85	
Overvotes:		1		0		0		1	

City of Liberty Proposition EE

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		84	96.55%	900	93.26%	112	88.19%	1,096	92.96%
NO		3	3.45%	65	6.74%	15	11.81%	83	7.04%
Cast Votes:		87	100.00%	965	100.00%	127	100.00%	1,179	100.00%
Undervotes:		20		53		5		78	
Overvotes:		1		0		0		1	

City of Liberty Proposition FF

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		81	93.10%	849	88.71%	96	77.42%	1,026	87.84%
NO		6	6.90%	108	11.29%	28	22.58%	142	12.16%
Cast Votes:		87	100.00%	957	100.00%	124	100.00%	1,168	100.00%
Undervotes:		21		59		8		88	
Overvotes:		0		2		0		2	

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City of Liberty Proposition GG

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		81	93.10%	856	88.61%	92	74.19%	1,029	87.43%
NO		6	6.90%	110	11.39%	32	25.81%	148	12.57%
Cast Votes:		87	100.00%	966	100.00%	124	100.00%	1,177	100.00%
Undervotes:		21		52		8		81	
Overvotes:		0		0		0		0	

City of Liberty Proposition HH

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		81	94.19%	857	88.90%	105	83.33%	1,043	88.69%
NO		5	5.81%	107	11.10%	21	16.67%	133	11.31%
Cast Votes:		86	100.00%	964	100.00%	126	100.00%	1,176	100.00%
Undervotes:		22		54		6		82	
Overvotes:		0		0		0		0	

City of Liberty Proposition II

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		61	75.31%	732	77.96%	89	71.77%	882	77.10%
NO		20	24.69%	207	22.04%	35	28.23%	262	22.90%
Cast Votes:		81	100.00%	939	100.00%	124	100.00%	1,144	100.00%
Undervotes:		27		79		8		114	
Overvotes:		0		0		0		0	

City of Liberty Proposition JJ

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		77	87.50%	831	85.58%	98	78.40%	1,006	84.97%
NO		11	12.50%	140	14.42%	27	21.60%	178	15.03%
Cast Votes:		88	100.00%	971	100.00%	125	100.00%	1,184	100.00%
Undervotes:		20		47		7		74	
Overvotes:		0		0		0		0	

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Run Time 9:29 AM
Run Date 11/06/2020

Registered Voters
30713 of 0 = 0.00%
Precincts Reporting
81 of 81 = 100.00%

City of Liberty Proposition KK

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		77	90.59%	849	87.26%	100	80.00%	1,026	86.73%
NO		8	9.41%	124	12.74%	25	20.00%	157	13.27%
Cast Votes:		85	100.00%	973	100.00%	125	100.00%	1,183	100.00%
Undervotes:		23		45		7		75	
Overvotes:		0		0		0		0	

City of Liberty Proposition LL

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		87	96.67%	911	93.34%	113	89.68%	1,111	93.20%
NO		3	3.33%	65	6.66%	13	10.32%	81	6.80%
Cast Votes:		90	100.00%	976	100.00%	126	100.00%	1,192	100.00%
Undervotes:		18		42		6		66	
Overvotes:		0		0		0		0	

City of Liberty Proposition MM

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		61	71.76%	730	75.80%	85	68.00%	876	74.68%
NO		24	28.24%	233	24.20%	40	32.00%	297	25.32%
Cast Votes:		85	100.00%	963	100.00%	125	100.00%	1,173	100.00%
Undervotes:		23		53		7		83	
Overvotes:		0		2		0		2	

City of Liberty Proposition NN

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		53	64.63%	648	68.28%	67	53.60%	768	66.44%
NO		29	35.37%	301	31.72%	58	46.40%	388	33.56%
Cast Votes:		82	100.00%	949	100.00%	125	100.00%	1,156	100.00%
Undervotes:		26		69		7		102	
Overvotes:		0		0		0		0	

Attachment: Liberty County Cumulative Result Report - Special Election (4950 - Special Election Canvass)

Cumulative Results Report

LIBERTY COUNTY, TEXAS

Official Results

GENERAL AND SPECIAL ELECTIONS

Registered Voters

30713 of 0 = 0.00%

Precincts Reporting

81 of 81 = 100.00%

Run Time 9:29 AM

11/3/2020

Run Date 11/06/2020

Page 16

City of Liberty Proposition OO

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		64	73.56%	780	81.08%	92	71.88%	936	79.52%
NO		23	26.44%	182	18.92%	36	28.13%	241	20.48%
Cast Votes:		87	100.00%	962	100.00%	128	100.00%	1,177	100.00%
Undervotes:		21		55		4		80	
Overvotes:		0		1		0		1	

City of Liberty Proposition PP

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		88	97.78%	896	91.62%	108	85.04%	1,092	91.38%
NO		2	2.22%	82	8.38%	19	14.96%	103	8.62%
Cast Votes:		90	100.00%	978	100.00%	127	100.00%	1,195	100.00%
Undervotes:		18		39		5		62	
Overvotes:		0		1		0		1	

Council Member Position No. 1 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Donald Wayne McDaniel		40	52.63%	1,102	57.07%	157	71.36%	1,299	58.33%
Wendell Null		36	47.37%	829	42.93%	63	28.64%	928	41.67%
Cast Votes:		76	100.00%	1,931	100.00%	220	100.00%	2,227	100.00%
Undervotes:		64		757		102		923	
Overvotes:		0		3		0		3	

Council Member Position No. 2 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Sherial Lawson		66	100.00%	1,675	100.00%	189	100.00%	1,930	100.00%
Cast Votes:		66	100.00%	1,675	100.00%	189	100.00%	1,930	100.00%
Undervotes:		74		1,016		133		1,223	
Overvotes:		0		0		0		0	

Attachment: Liberty County Cumulative Result Report - Special Election (4950 - Special Election Canvass)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 4952)

DOC ID: 4952



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Miscellaneous Issues

INFORMATION ITEM (ID # 4953)

DOC ID: 4953

Subject: Citizen Request

Background: Citizens wish to address the Council regarding Certificate of Occupancy requirements.



REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

Regular called meetings of the City Council are held on the second Tuesday of each month at 6:00 p.m.

Special called meetings are normally held on the fourth Tuesday of each month at 6:00 p.m., or on other dates as time allows.

The deadline for an issue to be placed on the next council agenda is the Wednesday prior to the council meeting. This form must be turned in by 5:00 p.m. on this day.

Date of Submission of Request October 26, 2020

Date of Council Meeting November 10, 2020

Name Dan VanDexter

Street Address 2529 Holly

City Liberty, State Tx. Zip Code 77575

Telephone No. (936) 334-6356 Fax No. _____

Please list below the issue that you wish to be brought before the Council.

The issue of inspecting residential properties
prior to electrical ^{utility} services being provided and
the inability to have uninterrupted electric
services.

This request will be reviewed by the City Manager and the requestor will be notified regarding the above-mentioned topic being placed on an agenda.

For City Use Only

Date this form given to the City Manager 10/27/2020

Date requestor was notified 11/6/2020 - 11:05 AM - #5 on Agenda

Comments _____



REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

Regular called meetings of the City Council are held on the second Tuesday of each month at 6:00 p.m.

Special called meetings are normally held on the fourth Tuesday of each month at 6:00 p.m., or on other dates as time allows.

The deadline for an issue to be placed on the next council agenda is the Wednesday prior to the council meeting. This form must be turned in by 5:00 p.m. on this day.

Date of Submission of Request 11/04/2020

Date of Council Meeting 11/10/2020

Name Mary Helen Jobs

Street Address 2317 Webster St.

City Liberty State TX Zip Code 77575

Telephone No. 979-541-3096 Fax No. _____

Please list below the issue that you wish to be brought before the Council.

Ordinance # 3.13

Certificates of Occupancy and Compliance.

This request will be reviewed by the City Manager and the requestor will be notified regarding the above-mentioned topic being placed on an agenda.

For City Use Only

Date this form given to the City Manager 11/4/2020

Date requestor was notified 11/6/2020 11:05 AM - #5 Agenda

Comments _____



REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

Regular called meetings of the City Council are held on the second Tuesday of each month at 6:00 p.m.

Special called meetings are normally held on the fourth Tuesday of each month at 6:00 p.m., or on other dates as time allows.

The deadline for an issue to be placed on the next council agenda is the Wednesday prior to the council meeting. This form must be turned in by 5:00 p.m. on this day.

Date of Submission of Request 11-4-20

Date of Council Meeting 11-10-20

Name Molly Richards

Street Address 1008 Oak Dr

City Liberty State TX Zip Code 77575

Telephone No. 936-334-4400 Fax No. _____

Please list below the issue that you wish to be brought before the Council.

1. New Certificate of Occupancy Regs
2. Golf Course

This request will be reviewed by the City Manager and the requestor will be notified regarding the above-mentioned topic being placed on an agenda.

For City Use Only

Date this form given to the City Manager 11/4/2020

Date requestor was notified 11/6/2020 - 11:00 - #5 Agenda.

Comments _____



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Budget Amendments

ORDINANCE (ID # 4954)

DOC ID: 4954

Subject: Fiscal Year 2020-2021 Budget Amendment

Background: During the October 23, 2020 City Council Work Session, staff presented a proposed plan to resume the maintenance of the ball fields on a year-round basis. Currently, during league play on the leased fields, the Liberty Youth Baseball Association (LYBA) tills and drags the fields, paints the first and third base lines, maintains the pitching mounds and chalks the batter boxes. The City mows and weed eats the fields. Under the new maintenance procedures, the City will perform all the above tasks, except chalk the batter boxes, on all fields whether leased for league or tournament play. The additional maintenance responsibilities will require an additional light equipment operator in the Parks Department.

Funding Source: The Parks Department Budget in the General Fund will be increased this Fiscal Year by \$38,350 which represents one employee for ten (10) months.

Staff Recommendation: Staff recommends approval of the ordinance amending the Fiscal Year 2020-2021 Budget by increasing the number of full-time positions from 110 to 111.

AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF LIBERTY'S FISCAL YEAR 2020-2021 BUDGET AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the October 23, 2020 City Council Work Session, City staff presented a proposed plan to resume the maintenance of the Liberty Municipal Park ball fields on a year-round basis; and

WHEREAS, currently, during league play on the leased ball fields, the Liberty Youth Baseball Association tills and drags the fields, paints the first and third base lines, maintains the pitching mounds and chalks the batter boxes, and the City mows and weed eats the fields; and

WHEREAS, under the new maintenance procedures, the City will perform all of the above tasks, except chalking the batter boxes, on all fields whether leased for league or tournament play; and

WHEREAS, the additional maintenance responsibilities will require an additional light equipment operator in the Parks Department; and

WHEREAS, the Parks Department budget in the General Fund will be increased for Fiscal Year 2020-21 by \$38,350.00, which represents one (1) employee for ten (10) months.

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

Section 1: The City Council approves an amendment to the City's FY21 budget increasing the Parks Department budget in the General Fund by \$38,350.00 in order to add an additional full-time employee.

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

Section 3: This Ordinance shall be in full force and effect immediately after its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Liberty, this ____ day of November, 2020.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: City Fees

ORDINANCE (ID # 4955)

DOC ID: 4955

Subject: Amending Master Fee Schedule for Ball Fields

Background: The changes in the operation and maintenance of the ball fields at the Municipal Park, as discussed with City Council during the October 23rd Work Session, will result in modification to the rental periods and fees. The new fee structure is dependent on whether the fields are used for practice, tournament or league play. The new fee structure is summarized below:

		Practice (4hr. Max)	Practice w/Electricity (4hr Max.)	Tournament w/Electricity (per Day)	League w/Electricity (per Month)
Complex 1	Fields A - D	\$40.00	\$40.00	\$100.00	\$140.00
	Concession	NA	NA	\$100.00	\$140.00
Complex 2	Baseball Fields	\$40.00	\$40.00	\$100.00	\$140.00
	Concession	NA	NA	\$100.00	\$140.00
Complex 3	T-Ball Lights	\$40.00	\$40.00	\$100.00	\$40.00
	T-Ball	\$25.00	NA	NA	\$25.00
	Concession	NA	NA	\$100.00	\$140.00

The fees highlighted in red are new fees with the exception of the T-Ball Concession for League play. This fee was previously \$25.00 per month which did not cover the cost of utilities.

Funding Source: NA

Staff Recommendation: Staff recommends approval of the ordinance amending the Master Fee Schedule.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AMENDING THE MASTER FEE SCHEDULE BY INCREASING MUNICIPAL PARK BALL FIELD AND CONCESSION STAND FEES; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

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

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

WHEREAS, during the October 23, 2020 City Council Work Session, City staff presented a proposed plan to resume maintenance of the Liberty Municipal Park ball fields on a year-round basis; and

WHEREAS, the changes in the operation and maintenance of the Municipal Park ball fields will result in modification to the rental periods and fees; and

WHEREAS, the new fee structure is dependent on whether the fields are used for practice, tournament, or league play, as set forth in Exhibit "A" to this Ordinance; and

WHEREAS, the City Council hereby adopts the ordinance amending the City's Master Fee Schedule.

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

Section 1: That all rates or schedules of rates which are in conflict herewith are, to the extent of such conflict only, expressly amended, changed and repealed.

Section 2: That the fee schedule attached hereto as "Exhibit A" amends the previous Master Fee Schedule to include the rates shown in "Exhibit A" amending Municipal Park ball field and concession stands fees, and is hereby adopted as if fully set forth herein.

Section 3: That this Ordinance shall take effect immediately from and after its passage as indicated below.

Section 4: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with.

PASSED AND ADOPTED this the _____ day of _____ 2020.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary



**MASTER FEE SCHEDULE
Amended October 1, 2020**

Parks Department

Facility Fees

Park Gazebo

8:00 a.m.- Noon	\$25.00
Noon – 4:00 p.m.	\$25.00
4:00 p.m. – 8:00 p.m.	\$25.00

Basketball Pavilion

8:00 a.m. – Noon	\$40.00
Noon – 4:00 p.m.	\$40.00
4:00 p.m. – 8:00 p.m.	\$40.00

Daniel Pavilion/City Hall

8:00 a.m. – Noon	\$40.00
Noon – 4:00 p.m.	\$40.00
4:00 p.m. – 8:00 p.m.	\$40.00

City Park Fields - Accounts and Rental Fees

Complex	Location	Practice Rental Fee 4 Hours/Max.	Rental Fee Month	Practice Rental Fee w/ Electricity	Tournament Rental Fee w/ Electricity per Day	League Rental Fee w/ Electricity per Month
1	Field A	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field B	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field C	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field D	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Concession	N/A	\$140.00	NA	\$100.00	\$140.00
2	Field 7-8	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field 9-10	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field 11-12	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Field 13-18	\$40.00	\$140.00	\$60.00	\$100.00	\$140.00
	Concession	N/A	\$140.00	NA	\$100.00	\$140.00
3	T-Ball Lights	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00
	Concession	N/A	\$25.00	NA	\$100.00	\$140.00

Note: Complex 1-Fields C & D; Complex 2 and Complex 3 are reserved from February 1 to July 31 of each year.

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Fire Department

RESOLUTION (ID # 4956)

DOC ID: 4956

Subject: Interlocal Agreement with the City of Ames for Fire Protection Services.

Background: The City of Liberty currently provides Fire Protection Services with the City of Ames and is reimbursed, in part for providing this service, through the Mutual Aid Agreement with Liberty County. The City of Ames is requesting the two City's enter into a formal agreement in order to reduce their ISO rating and thus the cost of fire insurance to their residents. During the last year the Fire Department responded to twenty-six (26) calls in the City of Ames. In addition to the mutual aid reimbursement from the County, the City of Ames has agreed to supplement the payment to the City of Liberty by another \$5,000 per year. Chief Hurst is of the opinion the funds received from both agreements would cover the Liberty's cost of providing fire protection services to Ames.

Funding Source: NA

Staff Recommendation: Staff recommends City Council approve the Interlocal Agreement with the City of Ames for Fire Protection Services.

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 INTERLOCAL AGREEMENT WITH THE CITY OF AMES FOR FIRE PROTECTION SERVICES.

WHEREAS, the City of Liberty currently provides fire protection services to the City of Ames and is reimbursed through the Mutual Aid Agreement with Liberty County; and

WHEREAS, the City of Ames has requested a formal interlocal agreement with Liberty in order to help reduce their ISO rating and thus the cost of fire insurance for their residents; and

WHEREAS, the Liberty Fire Department responded to twenty-six (26) calls in Ames this past year; and

WHEREAS, in addition to the mutual aid reimbursement provided by Liberty County, the City of Ames has agreed to supplement this payment by paying the City of Liberty an additional \$5,000.00 per year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the attached interlocal agreement with the City of Ames for fire protection services, and authorizes the Mayor to sign said interlocal agreement.

PASSED AND APPROVED this ____ day of _____, 2020.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

ATTEST:

City Secretary

STATE OF TEXAS

COUNTY OF LIBERTY

INTERLOCAL AGREEMENT FOR FIRE PROTECTION SERVICES

This Interlocal Agreement for Fire Protection Services (“Agreement”) is between the City of Liberty (“Liberty”), a Texas home rule municipality, acting by and through its duly authorized Mayor, and the City of Ames, a Texas general law municipality (“Ames”), acting by and through its duly authorized Mayor.

RECITALS

This Agreement is made under the authority granted to Liberty and Ames pursuant to the Texas Government Code, Chapter 791, known as the Interlocal Cooperation Act.

WHEREAS, Ames wishes to enter into an agreement with Liberty to obtain fire protection services to areas or locations within the corporate limits of Ames; and

WHEREAS, Liberty wishes to provide fire protection services within the corporate limits of Ames in exchange for the compensation described herein.

NOW, THEREFORE, the City of Liberty and the City of Ames, in consideration of the mutual covenants and benefits received by each party, agree as follows:

AGREEMENT

1. Term

The term of this Agreement is for one (1) year, beginning on December 1, 2020, and ending on November 30, 2021. This Agreement will automatically renew on December 1st of each year for up to three (3) additional one (1)-year periods, unless either party terminates the Agreement in accordance with its terms.

2. Payment

In consideration of the services provided under this Agreement, Ames shall pay Liberty FIVE THOUSAND DOLLARS (\$5,000.00) on December 1st of each year.

3. Equipment and Personnel

All equipment used by Liberty in carrying out this Agreement will be owned by or under contract with Liberty. All personnel acting for Liberty under this Agreement will be employees and/or volunteers of Liberty.

4. Scope of Services

Liberty will make fire protection services ("Services") available within the corporate limits of Ames (the "Service Area") twenty-four (24) hours a day, seven (7) days a week. Services will be provided to the Service Area by Liberty's paid fire protection staff as available. Liberty will dispatch appropriate equipment and personnel for firefighting operations, rescue operations, and other emergency responses upon notification either by Ames or from the public of a need for services within the Service Area

5. Availability of Resources and Funding

The parties understand that this Agreement may be limited by Liberty's budgetary restrictions, availability, and manpower. Notwithstanding any provisions herein, this interlocal Agreement is expressly contingent upon Liberty's availability of funding, equipment, and manpower for the obligations contained herein. The parties agree that Ames's payments under this Agreement must be made from current revenues available to Ames. Failure to appropriate sufficient funds to pay for services shall not be deemed a default, but Ames agrees to notify Liberty within two (2) business days if its governing body does not appropriate sufficient funds to pay for a renewal term when it approves its annual budget, and this Agreement shall terminate on the last day for which funds were appropriated for this Agreement. The parties further agree that this Agreement imposes no financial obligations on Liberty.

6. Termination

This Agreement may be terminated by either party hereto with or without cause upon 30 days written notice.

Liberty and Ames covenant and agree that in the event either party fails to comply with, or breaches, any of the terms and provisions of this Agreement, each party shall provide written notice to the other as soon as reasonably possible after the non-breaching party becomes aware of the failure to comply or breach of contract. In the event that the breaching party fails to cure or correct such breaches within a reasonable time following the receipt of notice, such reasonable time not to exceed fifteen (15) days, the non-breaching party shall have the right to declare this Agreement immediately terminated, and neither party shall have further responsibility or liability hereunder.

7. Non-Discrimination

Liberty and Ames covenant that neither it nor any of its officers, members, agents, employees, program participants, contractors, or subcontractors, while engaged in performing this Agreement shall, in connection with the employment, advancement, or discharge of employees, or in connection with the terms, conditions or privileges of their employment, discriminate against persons because of their age, except on the basis of a bona fide occupational qualification, retirement plan, or statutory requirement.

Liberty and Ames, in the execution, performance or attempted performance of this Agreement, will not discriminate against any person or persons because of sex, race, religion, age, disability, color, national origin, or familial status, nor will either party permit its agents, employees, contractors, subcontractors or program participants to engage in such discrimination.

8. Severability

The provisions of this Agreement are severable and if for any reason a clause, sentence, paragraph or other part of this Agreement shall be determined to be invalid by a court or federal or state agency, board or commission having jurisdiction over the subject matter thereof, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

9. Non-Waiver

The failure of Liberty or Ames to insist upon the performance of any term or provision of this Agreement or to exercise any right herein conferred shall not be construed as a waiver or relinquishment to any extent of Liberty's or Ames's right to assert or rely upon any such term or right on any future occasion.

10. Venue

Should any action, whether real or asserted, at law or in equity, arise out of the execution, performance, attempted performance or non-performance of this Agreement, venue for said action shall lie in Liberty County, Texas.

11. Authorization

The governing bodies of Liberty and Ames have approved the execution of this Agreement, and the persons signing the Agreement have been duly authorized by the governing bodies of Liberty and Ames to sign this Agreement on behalf of the governing bodies.

12. Entire Agreement

This written instrument constitutes the entire Agreement by the parties hereto concerning the services to be performed hereunder, and any prior or contemporaneous, oral or written agreement which purports to vary from the terms hereof shall be void.

13. Duplicate Originals

The parties agree that this Agreement may be executed in duplicate originals.

14. Notices

All written notices and/or payments required to be submitted to either party shall be sent to the addresses set forth below:

CITY OF LIBERTY
ATTN: CITY MANAGER
1829 SAM HOUSTON ST
LIBERTY, TX 77575

CITY OF AMES
304 MARTIN DR
LIBERTY, TX 77575-2694

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to multiples in Liberty County, Texas, this ____ day of _____, A.D. 2020.

ATTEST:

CITY OF LIBERTY

City Secretary

Carl Pickett
Mayor, City of Liberty

ATTEST:

CITY OF AMES

Secretary

Mayor, City of Ames



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Golf Course

7.A.9

RESOLUTION (ID # 4957)

DOC ID: 4957

Subject: Golf Course Renovation

Background: On October 13th, City Council held a work session to review and discuss the proposed improvements listed under Concept II of the Golf Course Master Plan. The proposed improvements generally include a new irrigation system, drainage, clearing, earthmoving, tees greens and fairway improvements and bunkers. At the conclusion of the work session, there was consensus to move forward with designing the course improvements.

The proposed contract with Jeff Blume is divided into three phases, each of which require written authorization from the city to move forward. The three phases include:

- Phase 1 - Final Conceptual Planning and Approval (\$30,000)
- Phase 2 - Construction Documents and Bidding (\$90,000)
- Phase 3 - Construction Observation and Course Opening (\$80,000)
- Total - \$200,000

Payment is not made in a phase until the City gives Jeff Blume written authorization to move forward. In the event the City Council chooses not to move forward with Phase 3, the City will not incur the \$80,000 cost. If approved, Mr. Blume estimates that the project will be ready for bidding in January 2021.

Funding Source: The funding for the design and construction of the project would be from Cambridge Funds.

Staff Recommendation: Staff recommends approval of the resolution engaging the firm of Jeffery D Blume, Limited, to design the Golf Course improvements as outlined in Concept II and provide construction inspection services.

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 THE ENGAGEMENT OF JEFFREY D. BLUME, LIMITED, IN AMOUNT NOT TO EXCEED \$200,000, FOR DESIGN AND CONSTRUCTION OBSERVATION SERVICES AT THE LIBERTY MUNICIPAL GOLF COURSE

WHEREAS, the City of Liberty owns and operates the Liberty Municipal Golf Course; and

WHEREAS, the City Council previously commissioned Jeffrey D. Blume, Limited to develop a Golf Course Master Plan; and

WHEREAS, the proposed improvements in the Golf Course Master Plan include a new

irrigation system, drainage, clearing, earthmoving, tees greens and fairway improvements, and bunkers; and

WHEREAS, Jeffrey D. Blume, Limited has submitted a proposed contract that divides the golf course remodeling work into three (3) separate phases, each of which require written authorization from the City to move forward; and

WHEREAS, the total cost of the contract if all three (3) phases are completed will not exceed \$200,000; and

WHEREAS, under the contract the City Council could stop the project after each phase of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Liberty, Texas hereby approves the engagement of Jeffrey D. Blume, Limited, to design the golf course improvements as outlined in Concept II and provide construction inspection services.

Furthermore, the Mayor is authorized to sign the attached Contract with Jeffrey D. Blume, Limited for said services.

PASSED AND APPROVED this ____ day of _____, 2020.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

ATTEST:

City Secretary

November 3, 2020

Mr. Tom Warner, City Manager
City of Liberty
1829 Sam Houston
Liberty, Texas 77575

Dear Mr. Warner:

We are pleased that the City of Liberty, Texas ("Client") has chosen Jeffrey D. Blume, Limited ("Architect") as the architect for the Client's proposed nine (9) hole golf course renovation ("Golf Course") in Liberty, Texas. This letter ("Agreement") will set forth the terms and conditions under which the Architect will perform architectural services with respect to the Golf Course.

PROPERTY:

Client confirms that Client owns or has control of and the right to construct the Golf Course on an approximately 120 acre tract of land located in Liberty County, Texas ("Property").

ARCHITECTURAL SERVICES:

Architect agrees to provide the following services:

1. **Final Conceptual Planning:** Architect shall prepare and deliver to Client a nine (9) hole golf course plan for the Property inclusive of a practice range and putting green based upon the following:
 - A. **On-Site Analysis.** The Architect shall inspect the site in terms of the character of vegetation, topography, soils, natural features, man-made development, and any other features that may influence development.
 - B. **Off-Site Analysis.** The Architect shall analyze off-site characteristics. Off-site characteristics shall include, but not be limited to land use, transportation patterns, zoning ordinances, subdivision regulations, utility services, and government and private services. Information concerning off-site characteristics shall be provided by the Client or his Engineer.
 - C. **Base Map Preparation.** The Architect will prepare all of the necessary land planning and presentation maps in a manner which will permit eventual photo reduction for report purposes. All graphics will be of a presentation quality. Planning will be based on information made available by the Client.

Information necessary to prepare the final conceptual plan has already been provided by the Client.
 - D. The Architect shall advise the Client concerning the activities of the additional consultants deemed necessary by the Architect and the Client (soil engineer, civil engineer, marketing firm, etc.). Additional consultants will be paid by the Client.
 - E. The Architect shall provide the Client with preliminary cost estimates for the Golf Course consistent with information available at the time, but Client acknowledges that preliminary cost estimates are based on estimates being made at the time in question.

Architect shall have no liability for errors or variations in actual expenditures or timing of construction except in the event of gross negligence in making such estimate.

2. Golf Course Design Services: Architect shall perform the following services in connection with the design and construction of the Golf Course:

A. Upon Client's approval of the final conceptual plan, Architect shall commence the creative design work and prepare the following documents ("Plans and Specifications") setting forth the requirements for the construction of the Golf Course:

1. staking plans;
2. clearing plans;
3. grading plans;
4. drainage concepts;
5. specifications for the prescribed mixture of topsoil of greens and tees;
6. the location of: the cart path system, bridges within the Golf Course area, and rest areas within the Golf Course.
7. specifications for vegetating a certified hybrid grass and,
8. plant massing plan,
9. irrigation plans (to be provided by Les Hill Irrigation Consultant).

C. Architect shall prepare, with the advice and assistance of the Client, all the necessary bidding information and bidding forms for the construction of the Golf Course. Architect shall assist Client in obtaining construction bids and in awarding and preparing contracts for construction of the Golf Course ("Construction Contracts").

D. Architect will review the construction of the Golf Course in accordance with the Plans and Specifications and Construction Contracts (collectively "Design Documents"). Architect shall not have control of nor be responsible for (1) construction methods, materials, and techniques, (2) acts or omissions of any contractor or subcontractor in performing any of the acts related to the construction of the Golf Course, or (3) any failure on the part of any contractor or subcontractor to carry out the construction of the Golf Course in accordance with the Design Documents. Day to day inspections of construction is the responsibility of the Client. Architect shall visit the construction site at reasonable intervals appropriate to the stage of construction, shall become familiar with the progress and quality of construction, and shall determine if the construction is proceeding in accordance with the Design Documents. Architect shall not be expected to make exhaustive or continuous on-site observations to check the quality of construction. On the basis of his on-site observations, Architect shall inform Client as to the progress and quality of construction and shall endeavor to protect Client against deficiencies in construction which Architect obtains actual knowledge. Architect shall have no liability for defects in construction unless Architect obtains actual knowledge of such defects on the basis of Architect's on-site observations and fails to inform Client of such defects.

E. Architect shall be the interpreter of the requirements of any contract with a contractor or sub-contractor relating to the construction of the Golf Course and the judge of the performance thereunder. Architect shall render interpretations and decisions on any matters in question relating to performance under such contracts and determine when performance has been completed under the contract between Client and the principal

construction contractor. Architect shall not be liable for the result of any such interpretation or decision rendered in good faith.

CLIENT'S OBLIGATIONS:

1. **Compensation:** Client agrees to pay Architect a total fee not to exceed Two Hundred Thousand dollars (\$200,000.00). Architect's fee shall be paid in U.S. Dollars and shall be net of any foreign tax. **This fee covers the entire scope of services for which the Architect will perform, but it is understood herein that the contract is to be carried out in distinct phases. Each phase shall be considered a separate point beyond which the Client has no further obligation to the Architect unless notice is given by Client (which may be oral, confirmed in writing) to proceed with the next phase. The Client shall have the right to cancel the contract after each phase, and Client shall only be responsible for payment for work performed by Architect.** Such fee shall be paid by Client to Architect in accordance with the following schedule:
 - A. PHASE I – FINAL CONCEPTUAL PLANNING AND APPROVAL. \$30,000.00 to be paid in the following manner:
 1. \$10,000.00 upon signing of this Agreement.
 2. \$20,000.00 upon the Client's receipt and approval of the final conceptual plan.
 - B. PHASE II - CONSTRUCTION DOCUMENTS. \$90,000.00 to be paid in the following manner:
 1. \$15,000.00 upon notification from Client to proceed with preliminary construction plans (for the purposes of this Agreement preliminary construction plans will include staking, clearing and grading plans).
 2. \$45,000.00 upon Client's receipt of the preliminary construction documents.
 3. \$30,000.00 upon Client's receipt of the final construction documents.
 - C. PHASE III - CONSTRUCTION OBSERVATION. \$80,000.00 to be paid in the following manner:
 1. \$80,000.00 shall be paid in 10 monthly installments of \$8,000.00 per month for ten 10 consecutive months after construction commences. For the purposes of this Agreement the staking of the golf course following the selection of a golf course contractor shall be deemed to be the commencement of construction.
2. Any amounts past due more than thirty (30) days shall bear interest at a rate of 1% per month not to exceed the maximum non-usurious interest rate permitted by applicable law.
3. The rates set forth in this agreement shall be valid for a period of three (3) years. If the City postpones the start of any phase of this agreement beyond three (3) years from the date of execution of this agreement the parties renegotiate the price of said postponed phase.

4. Expenses: All of Architect's reasonable out-of-pocket expenses, including without limitation travel, lodging, food, and ground transportation, **are to be the responsibility of the Architect.**
5. Base Information: The Client shall be responsible for providing or obtaining at the Client's expense, and Client's discretion, all services or information set forth in this section and the Architect shall be entitled to rely on the accuracy and completeness thereof.
 - A. a legal description and certified survey of the Property;
 - B. staking of the Property boundaries and golf hole locations;
 - C. a topographical survey of the Property;
 - D. aerial photographs of the Property;
 - E. engineering and other consulting services, including test borings and analysis, and other technical services as reasonably deemed necessary by the Architect; and
 - F. any other services not otherwise included in this Agreement as an obligation of the Architect.

This information has already been provided to the Architect by the Client.

OTHER AGREEMENTS:

1. The Design Documents are the property of both the Architect and Client, whether the Golf Course is completely constructed or not. Client shall be entitled to copies of the Design Documents for information and use in connection with Client's use and occupancy of the Golf Course. The Design Documents shall not be used by Client on any other project, for additions to this Golf Course, or for completion of this Golf Course by others, except pursuant to a written agreement with Architect providing for appropriate compensation to Architect.
2. In the event a party to this Agreement fails to comply with any of its obligations hereunder, through no fault of the other party, the non-defaulting party may terminate this Agreement upon thirty (30) days' written notice to the party in default, provided that such right of termination may not be exercised if the default is cured by the defaulting party within thirty (30) days of receipt of the written notice by such party. In the event of termination by Architect, Architect shall be entitled to immediate payment of all compensation due for phase currently in progress as to the amount of work actually performed. In the event of termination by Client, Architect shall be entitled to receive compensation for all services rendered to the time of termination. In the event Architect determines, in its reasonable discretion, that the Golf Course to be constructed on the Property is, because of regulatory, budgetary, adjustments in the final property configuration, or similar reasons, a golf course which will not be consistent with the minimum industry standards, Architect may terminate this Agreement upon sixty (60) days written notice to the Client. In the event of any termination of this Agreement, Client shall not be permitted to utilize the name of the Architect in connection with the Golf Course except upon the express written consent of Architect.
3. Client has the right to utilize the name of the Architect in all publicity, promotional material and selling documents relating to the Golf Course. Any references to Architect shall be subject to Architect's prior review and approval, which approval shall be deemed given if Architect does not provide objections to material within thirty (30) days after submission of material to Architect for approval. Client further agrees that Architect will have the right to utilize photography in public relations and promotional materials prepared on the Architect's behalf and agrees to make negatives available to Architect for these purposes upon request and at no charge.

Architect shall provide personal appearances in connection with the promotion of the Golf Course scheduled during his regular design phase or construction visits. However, for additional promotional visits other than golf course construction commencement and opening events, Architect shall be paid for such appearances at a rate of \$1,500.00 per diem plus all reasonable expenses.

4. Architect agrees, as an additional service at no charge, to serve as a member of the Greens Committee for a period of three years from the date grassing of the Golf Course terminates. Said committee membership is to provide opinions in areas of Golf Course maintenance and maturation, landscaping, membership marketing, sales, publicity and promotion, etc. This input shall be provided in order that the Golf Course can be maintained and promoted in such a manner that the Architect and Client may achieve the quality product intended. There shall be no additional fee charged for this continued involvement other than reimbursement of the out of pocket expenses. Architect shall be notified a minimum of sixty (60) days in advance of the necessity of reviewing the Golf Course. Architect anticipates the services connected with the Greens Committee can be performed with a maximum of three visits per year to the Property.
5. Client agrees it shall employ a greens superintendent, on or before the commencement of grassing of the Golf Course.
6. This Agreement shall be construed in accordance with the laws of the jurisdiction in which the Property is located.
7. This Agreement shall inure to the benefit of and be binding on the parties hereto and their respective successors and assigns. It is specifically agreed that, in the event Client sells the property prior to completion of the Agreement, Client shall either obtain the agreement of the purchaser to assume this Agreement or shall pay the Architect the remaining amounts due hereunder.
8. This Agreement sets forth all agreements between the Client and Architect relative to the Golf Course, and all prior negotiations or agreements are set forth in this Agreement. No modification hereof or subsequent agreement relative to the subject matter hereof shall be binding unless it is produced in writing and signed by the parties to this Agreement.
9. Client shall hold Architect harmless from any and all claims and causes of action asserted against Architect arising out of or related to the Property and/or the Golf Course. Architect shall indemnify Client and hold Client harmless from any and all claims and causes of action asserted against Client directly resulting from Architect's performance hereunder. The foregoing indemnities shall not apply if the party to be indemnified is guilty of gross negligence and/or willful misconduct. The Client agrees to limit the Architect's liability to the Client and to all construction contractors and subcontractors on the project resulting from negligent acts, errors and omissions of the Architect such that the total aggregate liability of the Architect shall not exceed the Architect's fee earned and/or accrued through any termination, however, never to exceed \$200,000.00. In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover all reasonable costs incurred, including but not limited to, reasonable attorney's fees.

We look forward to a successful project and are pleased you have selected our organization.

City of Liberty
October 19, 2020
Page 6

Very truly yours,

Jeffrey D. Blume, Limited, a Texas Limited Partnership

JDB DESIGN MANAGEMENT, INC.

By: _____
Name: Jeffrey D. Blume, President

ACCEPTED AND AGREED TO THE
_____ DAY OF _____, 2020

CITY OF LIBERTY, TEXAS

By: _____
Name: Carl Pickett, Mayor

Attachment: EXHIBIT A - Jeff Blume Contract (4957 : Golf course Renovations Contract with Jeff Blume)

Review of Recreational Vehicle (RV) Ordinance

NOVEMBER 10, 2020

BACKGROUND

- Ø ORIGINAL REGULATIONS ESTABLISHED IN 2009 (RV DEFINED IN 1998 WITH MANUFACTURED HOME ORDINANCE REVISION)
- Ø PRIMARY GOAL OF RV ORDINANCE
 - Ø Promote the safety and health of residents of such communities and nearby communities
 - Ø Encourage economical and orderly development of such communities
 - Ø Establish locations for parks
 - Ø Establish minimum requirements for parks
 - Ø Size, Layout, Utilities, Amenities
- Ø MINOR REVISIONS MADE SINCE THAT TIME
- Ø EXISTING ORDINANCE PRIMARILY FOCUSES ON NEW RV PARKS
- Ø EXISTING ORDINANCE DOES NOT CLEARLY ADDRESS SPECIFIC ISSUES

RV Ordinance Issues

1. LOCATION AT RESIDENCE (REAR OR SIDE YARD)
2. ALLOWED AT COMMERCIAL BUSINESSES
3. VARIANCE REQUEST
4. RV ALLOWED IN NO RV ZONE WHILE RESIDENCE BEING CONSTRUCTED
5. CONNECTION TO PERMANENT UTILITIES
6. LIVING IN RV'S OUTSIDE OF RV PARK
7. ORDINANCE DOES NOT CLEARLY ADDRESS EXISTING (GRANDFATHERED) RV "PARKS"
8. SHOULD CERTIFICATES OF OCCUPANCY BE ISSUED FOR RV (RV'S ARE NOT CONSTRUCTED TO ANY MINIMUM CODES)
9. RV MAY NOT STAY IN RV PARK GREATER THAN SIX (6) CONSECUTIVE MONTHS

ISSUE #1

Ordinance: “a recreational vehicle may be placed at an owner’s residence as long as the RV is placed in the side or rear yard” (3.08.116)

Issue: Some RV owners are not able or do not have space to place their RV on the side or rear of the home.

Question: Should RV’s be allowed to be placed in the driveway or front yard?



Attachment: Recreational Vehicle (RV) Ordinance - Revised November 10 2010 (4958 : RV Ordinance)



Attachment: Recreational Vehicle (RV) Ordinance - Revised November 10 2010 (4958 : RV Ordinance)

ISSUE #2

Ordinance: “a recreational vehicle may be placed at an owner’s residence as long as the RV is placed in the side or rear yard” (3.08.116)

Issue: Ordinance does not specifically address RVs at commercial businesses (storage or occupancy)

Question: Should RV’s be allowed at commercial businesses?



Attachment: Recreational Vehicle (RV) Ordinance - Revised November 10 2010 (4958 : RV Ordinance)





Attachment: Recreational Vehicle (RV) Ordinance - Revised November 10 2010 (4958 : RV Ordinance)

ISSUE #3

Ordinance: “Any person affected by any notice that has been issued in connection with the enforcement of any provision of this division applicable to such park may request a hearing before the planning and zoning commission” (3.08.107(b))

Issue: P&Z has already heard four (4) RV related appeals which will eventually be heard by City Council?

Question: Should every notice of violation be appealable?

ISSUE #4

Ordinance: No reference in ordinance regarding living in RV during construction of home.

Issue: The ordinance is silent on whether living in an RV is allowed during construction of a residential structure.

Question: Should residents be allowed to live in an RV if they are constructing a residential structure pursuant to the issuance of a building permit?



ISSUE #5

Ordinance: No reference in ordinance regarding connection to permanent utilities.

Issue: The ordinance does not specifically prohibit connecting RVs to permanent utilities.

Question: Outside of RV parks, should RVs be allowed to connect to permanent utilities?



ISSUE #6

Ordinance: “the placement of a recreational vehicle for occupancy longer than fourteen (14) days during a twelve (12) month period shall not be permitted except in an approved recreational vehicle park” (3.08.116)

Issue: How to enforce?

Question: Should occupancy of RVs (outside of RV Parks) be prohibited?

ISSUE #7

Ordinance: “upon change of controlling interest of a grandfathered RV park, the new owner shall immediately bring the existing RV park to meet the requirements of this division”

Issue: Uncertainty about which “RV Parks” are considered “Grandfathered” or a “non-conforming” use and which regulations, if any, apply

Question:

1. Is “change of controlling interest” the only criteria that would trigger compliance for grandfathered RV Parks?
2. What is grandfathered?
 - A. Location in non-RV Zone
 - B. Are licenses, size requirements (park and pad sites) utilities, fire safety standards, guest registration and the addition of amenities required to continue operation of a grandfathered or non-conforming use RV Park?

ISSUE #8

Ordinance: “Each owner of a residential structure, other than an apartment complex, within the city shall make application for occupancy for said residential structure and each residential rental unit therein”

Issue: Is an RV within an RV Park need to be inspected by the Building Official pursuant to the Occupancy Inspection Ordinance (RV’s are not constructed to any uniform code)?

Question: Is an RV considered a “residential structure”?

ISSUE #9

Ordinance: “A recreational vehicle may not return for a period of sixty (60) days following six (6) months consecutively”

Issue: How to enforce?

Question: Should the City continue to enforce the 6-month provision or repeal it?

QUESTIONS ?



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.D.1

Meeting: 11/10/20 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 4964)

DOC ID: 4964

Subject: Action Taken Following an Executive Session

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