



The City of Liberty
City Council
Regular Meeting
~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, January 11, 2011

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	Arrival
Mayor Carl Pickett	..	..	..	
Councilperson Dennis Beasley	..	..	..	
Councilperson Diane Huddleston	..	..	..	
Mayor Pro-Tem Mike McCarty	..	..	..	
Councilperson Al Simonson	..	..	..	
Councilperson Louie Potetz	..	..	..	
Councilperson Frank Jordan	..	..	..	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 1901)

Financial Report - as of January 1, 2011

B. Information Item (ID # 1902)

Financial Report - Humphreys Cultural Center Expansion Project

- HCC Finance Report Jan 2011 (PDF)

C. Information Item (ID # 1903)

Electric Substation Update

D. Information Item (ID # 1904)

Trinity Garden Apartments Update

E. Information Item (ID # 1905)

Recycling Kiosk/Shred-It Report

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, December 14, 2010

B. Council Action (ID # 1918)

Consider Acceptance of TXDOT Routine Airport Maintenance Program (RAMP) Grant and Authorize the City Manager to Execute All Related Documents.

- RAMP Grant 2011 (PDF)

VII. REGULAR AGENDA**A. Regular Session****1. Public Hearing (ID # 1906)**

Public Hearing on the Condemnation of the Structure Located at 205 Avenue E.

- PH Condemnation 205 Avenue E (PDF)

2. Council Action (ID # 1907)

Consider an Order of Abatement for the Structure Located at 205 Avenue E.

- Order of Abatement 205 Avenue E (DOC)

3. Public Hearing (ID # 1908)

Public Hearing on the Condemnation of the Structure Located at 517 Bowie Street.

- PH Condemnation 517 Bowie (PDF)

4. Council Action (ID # 1920)

Consider Approval of the Final Plat of the Glenn Street Addition.

- Final Glenn Street Plat (PDF)

5. Council Action (ID # 1909)

Consider an Order of Abatement for the Structure Located at 517 Bowie Street.

- Order of Abatement 517 Bowie (DOC)

6. Information Item (ID # 1910)

Presentation of the Audit Report for Fiscal Year 2009-2010 by Swaim, Hanagriff, & Associates.

7. Council Action (ID # 1911)

Consider Award of Bid for the Sale of Real Property Located on FM 1909 (Old Landfill Site).

- Real Property Bid Tab Jan 2011 (PDF)

8. Council Action (ID # 1913)

Consider Award of Bid for the Sale of Real Property Located at Bowie and Edgewood Streets (South & East Side/Detention Pond).

- Real Property Bid Tab Jan 2011 (PDF)

9. Council Action (ID # 1914)

Consider Award of Bid for the Sale of Real Property Located on Trinity Street (Trinity Street Complex).

- Real Property Bid Tab Jan 2011 (PDF)

10. Council Action (ID # 1912)

Consider Award of Bid for the Sale of Real Property Located on Beaumont Avenue (Water Dept. Tract and Building).

- Real Property Bid Tab Jan 2011 (PDF)

11. Council Action (ID # 1915)

Consider Award of Bid for the Installation of New Water Meters in the City of Liberty.

- Water Meter Installation Bid Tab Jan 2011 (PDF)

12. Council Action (ID # 1916)

Consider Award of Bid for Round 1 Disaster Funds for Pole Replacement.

- Round 1 Disaster Funds Pole Replacement (PDF)

13. Council Action (ID # 1917)

Consider Appointments to the Community Development Advisory Board.

14. Council Action (ID # 1919)

Consider Changing the Dates and Relocating the 26Th Annual Liberty Jubilee from Downtown to the Trinity Valley Fairgrounds.

15. Council Action (ID # 1921)

Discussion, and Possible Action, on the Downtown Analysis and Strategy Program - Mission, Members, and Meetings.

VIII. COUNCIL MEAL**IX. ADJOURNMENT**

A. Motion To: Adjourn

CERTIFICATION

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 7th day of January, 2011 at 1:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

NOTICE

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

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2011.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 1901)

DOC ID: 1901



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 1902)

DOC ID: 1902

	Original Budget	Current Budget	Receipts & Payments to Date 11/30/2010
Projected Revenue Sources			
City of Liberty			
Property Lease	\$471,455	\$501,475	\$599,181
Loan - FLNB	\$660,353	\$715,000	\$950,080
Sub-Total	<u>\$1,131,808</u>	<u>\$1,216,475</u>	<u>\$1,549,261</u>
Other Resources			
Humphrey Donations	\$1,000,000	\$1,000,000 *	\$1,000,000
Fundraisers	\$785,641	\$786,181	\$788,551
Grant Revenue	\$0	\$0	\$50,000
Interest Income	\$74,000	\$90,000	\$88,194
Sub-Total	<u>\$1,859,641</u>	<u>\$1,876,181</u>	<u>\$1,926,745</u>
Total Revenue	<u>\$2,991,449</u>	<u>\$3,092,656</u>	<u>\$3,476,006</u>

Projected Expenditures**Construction Cost**

Construction Contract	\$2,418,000	\$2,388,000	\$2,388,000
Add Alt #2-CCT flooring 2nd floor	\$5,500	\$5,500	\$5,500
Add Alt #3-Addition Parking Space	\$14,300	\$14,300	\$14,300
Add Alt#4-Add Video Projector & Lift	\$7,400	\$7,400	\$7,400
Hand Rails	\$3,600	\$3,600	\$3,600
Original Change Orders	\$0	\$30,000	\$30,000
Authorized Change Orders	\$0	\$0	\$74,059
10% Held in Retainage	\$0	\$0	\$0
Total Construction Expense	<u>\$2,448,800</u>	<u>\$2,448,800</u>	<u>\$2,522,859</u>

Other Expenses

Architect Fees 8%	\$42,304	\$122,200	\$217,394
Architect Reimbursables	\$14,000	\$14,000	\$17,304
Roofing Repairs	\$5,000	\$5,000	\$0
Materials Testing	\$13,186	\$15,000	\$16,201
Asbestos Abatement	\$24,800	\$24,800	\$33,802
Utility Lines Relocation	\$34,183	\$25,949	\$26,009
Gas & Meter Relocation	\$1,500	\$1,719	\$1,720
Computer Cabling	\$6,760	\$6,760	\$2,015
Furniture, Fixtures & Equip	\$150,000	\$150,000	\$253,993
Moving & Storage Expense	\$1,500	\$1,500	\$448
Landscaping	\$2,500	\$10,000	\$0
Telephone System	\$717	\$5,000	\$6,025
Building Security System	\$1,319	\$5,000	\$16,877
Fundraising Expense	\$0	\$0	\$19,666
Inspections	\$0	\$0	\$632
Materials & Supplies	\$0	\$0	\$2,591
Total Other Expenditures	<u>\$297,769</u>	<u>\$386,928</u>	<u>\$614,676</u>
Total	\$2,746,569	\$2,835,728	\$3,137,535

TAN Repayment	\$300,000
Bell Tower Architectural fees	<u>\$18,213</u>
Total	\$318,213
Grand Total Revenue	\$3,476,006
Grand Total Expense	<u>\$3,455,748</u>
Total Revenue Over/Under	\$20,258



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 1903)

DOC ID: 1903



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 1904)

DOC ID: 1904



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.E

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 1905)

DOC ID: 1905



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, December 14, 2010

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 December 14, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	6:34 PM
Frank Jordan	Councilperson	Absent	

II. INVOCATION

The Invocation was given by Randy Wiggins, Electric Services Director.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Mr. Neal Thornton.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council.

Mr. Neal Thornton addressed Council stating his concerns regarding the installation of new water and electric meters, and associated costs. Mr. Thornton also commented on the City's new recycling kiosk, items accepted by the machine, and inquired about the possibility of future curbside recycling.

Mayor Pickett commented on the following items:

- 1) Bikes for Christmas - thanked all the volunteers that assisted in making this event a success, and
- 2) stated the City's annual employee Christmas lunch will be held on Thursday, December 16th.

City Manager Gary Broz reported that the Liberty Police Department will be conducting a "Silver Santa" program to assist the elderly with blankets and food items for the holidays.

Minutes Acceptance: Minutes of Dec 14, 2010 6:00 PM (Minutes Approval)

V. PRESENTATIONS / REPORTS**A. Information Item (ID # 1883)**

Water Control Improvement District #5

COMMENTS - Current Meeting:

Harvey Joiner, President, Water Control Improvement District #5, addressed Council regarding the recent activities of the District. Mr. Joiner reported the following work had been completed:

1) McGuire Road -

Cleaned and reshaped approximately one-half mile of old ditch and reset the flow line.

2) Travis Park -

Installed an additional 5X7 concrete box through the levee to enhance the flow of rain water when the river is down.

Replaced 2 round 48" corrugated pipes that had completely rusted, with one 4X5 concrete box.

Installed a new headwall, with all new flap gates.

B. Information Item (ID # 1881)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the City will sponsor a recycling event for Earth Day in April, 2011, with more details at a later date. Ms. Huddleston also reported on the City's recycling kiosk, its limitations, and its use as an educational tool for the public. Councilperson Huddleston also touched on single-source recycling and quarterly residential pick-up of hazardous materials.

C. Information Item (ID # 1884)

Electric Substation Update

COMMENTS - Current Meeting:

City Manager Gary Broz reported that on November 26th, a transformer at the Beaumont Substation lost power, along with three feeders, affecting areas south of Hwy. 90 and west of Main Street. Dashiell Corporation was called to conduct maintenance on the Sam Rayburn Municipal Power Agency transformer, and discovered that it contained water and two burned spots on the main coil. This transformer is being sent to Solomon, Kansas to be rebuilt, while SRMPA has leased a transformer from a supplier to replace the damaged one during the interim. Mr. Broz stated, at this time, the City is operating on one transformer and that he would have more details regarding when to expect the leased transformer on site, and the time frame for rebuilding the damaged transformer.

D. Information Item (ID # 1882)

Community Development Advisory Board

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported the term of the Community Development Advisory Board had been extended for three years, until December 31, 2013, with committee members to be reviewed annually. Ms. Tidwell stated this agenda item affords Council the opportunity to contemplate new appointments to this Board.

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, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

A. Minutes Approval

1. Tuesday, November 09, 2010

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2010-133**

Consider Ratifying the Liberty Community Development Corporation's Action to Execute a Grant Agreement for Business and Commercial Development with Mr. Paul Goodwin.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on an Agreement for Business and Commercial Development between with the Liberty Community Development Corporation and Mr. Paul Goodwin. This agreement provides Mr. Goodwin with \$36,000 for the demolition of the structure located at 2106 MLK Blvd.

The terms of the agreement were reviewed with the following changes made to clarify several issues:

- 1) within six months approval by the City Council, Mr. Goodwin will begin the project,
- 2) the beginning of the project is defined as the first day of contact between the demolition equipment and the building,

- 3) the project must be completed within one year of approval by the City Council, in order to collect the grant funds, and
- 4) Mr. Goodwin will have one year from the actual demolition date, or end of the one year demolition period, whichever comes first, to construct a new permanent building on the property.

Additional discussion was held regarding supporting local business, public interest projects such as the Airport and Fire Station, and obtaining written guidelines from other municipalities regarding practices and policies for funding economic development projects.

Motion was made to ratify the LCDC's action to execute the Grant Agreement for Business and Commercial Development with Mr. Paul Goodwin.

RESULT:	APPROVED [4 TO 2]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Mike McCarty, Louie Potetz
AYES:	Dennis Beasley, Diane Huddleston, Mike McCarty, Louie Potetz
NAYS:	Carl Pickett, Al Simonson
ABSENT:	Frank Jordan

2. Council Action 2010-134

Consider Approval of a Request for Variance from Ordinance 2010-1, Section 1 Regarding Placement of a Manufactured Home Outside the "No Manufactured Home Zone".

COMMENTS - Current Meeting:

Candice Motschman, Inspection Department, reported on a request for variance from Mr. Fred Majors regarding the age requirement (replacement home must be within ten years of the current model year) for replacement of a manufactured home outside the No Manufactured Home Zone. Ms. Motschman stated that Mr. Majors would like to remove two manufactured homes, in poor condition, and replace with one manufactured home in good condition, that is eleven years from the current model year. The Planning and Zoning Commission voted to approve the variance as the proposed home would be aesthetically pleasing and improve the appearance of the neighborhood.

Motion was made to approve the variance.

ATTACHMENTS:

- Variance Request (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

3. Public Hearing (ID # 1888)

Public Hearing on the Condemnation of the Structure Located at 611 Trinity Street.

COMMENTS - Current Meeting:

At 7:00 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 611 Trinity Street. Acting for the City, Attorney Brandon Davis reported that the City had provided proper notice of the condemnation process and directed questions to Candice Motschman, Inspection Department, regarding the structure being identified as a nuisance and its dilapidated/substandard condition. After brief discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:05 p.m.

ATTACHMENTS:

- Demo Notification 611 Trinity - Burks #1 (PDF)
- Demo Notification 611 Trinity - Burks #2 (PDF)

4. Council Action 2010-135

Consider Authorizing the Condemnation of the Structure Located at 611 Trinity Street.

COMMENTS - Current Meeting:

Motion was made to authorize condemnation of the structure located at 611 Trinity Street.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

5. Public Hearing (ID # 1889)

Public Hearing on the Condemnation of the Structure Located at 205 Hwy. 90.

COMMENTS - Current Meeting:

At 7:06 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 205 Hwy. 90. Acting for the City, Attorney Brandon Davis reported that the City had provided proper notice of the condemnation process and directed questions to Candice Motschman, Inspection Department, regarding the structure being identified as a nuisance and its dilapidated/substandard condition. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:19 p.m.

ATTACHMENTS:

- Demo Notification 205 Hwy. 90 (PDF)

6. Council Action 2010-136

Consider Authorizing the Condemnation of the Structure Located at 205 Hwy. 90.

COMMENTS - Current Meeting:

Motion was made to allow the property owner 90 days to complete the demolition process of the structure located at 205 Hwy. 90.

RESULT: APPROVED [UNANIMOUS]
MOVER: Louie Potetz, Councilperson
SECONDER: Al Simonson, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT: Frank Jordan

7. Council Action 2010-137

Consider Proposals for the Renovation of the Public Works Service Center Located at 1100 N. Main Street.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on proposals received for the renovation of the Public Works Service Center, located at 1100 N. Main Street. The City received two proposals, with additional costs for four alternates:

Alternate #1) Precast concrete fence/gates and monument,

Alternate #2) New millwork, (adding kitchen)

Alternate #3) Paint entire exterior, not part of base bid, and

Alternate #4) Provide work in restroom 119 (bay area)

	Base Bid	Total - Plus Alternates
Arnold Builders	\$173,460	\$264,064.00
Pelco Construction	\$119,840	\$207,670.00

Motion was made to award the base bid, with alternates, to Pelco Construction.

RESULT: APPROVED [UNANIMOUS]
MOVER: Mike McCarty, Mayor Pro-Tem
SECONDER: Louie Potetz, Councilperson
AYES: Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT: Frank Jordan

8. Council Action (ID # 1885)

Consider Award of Bid for the Installation of New Water/Electric Meters in the City of Liberty.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City had received seven bids for the installation of new water and electric meters for the City, ranging from \$140,585 to \$353,000. Management recommended the low bid from East Texas Meter & Hydrant Service for \$140,585.00.

Mr. Lee Gregory, RG-3 Utilities was present to discuss with Council the bids and various required qualifications for installing meters, as he stated he was the low bidder for the

installation of the water meters, but not for the total project. Discussion included the City's electric department's ability to install the electric meters and rebidding the installation of water meters. Further discussion included detailed bid specifications as project completion time not to exceed a specific number of days, definition of weather days, penalty clause, worker certification, and other related information.

Motion was made to reject all bids and rebid the installation of water meters.

ATTACHMENTS:

- Meter Installation Tab Sheet (PDF)

RESULT:	DEFEATED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

B. Executive Session

Consultation With Attorney. Gov. Code §551.071

1. Pending Litigation. Belfor v. City of Liberty.

No Executive Session was held.

C. Reconvene into Regular Session

1. Council Action 2010-138

Consider Action, If Any, on the Items as Discussed in the Executive Session.

RESULT:	NO ACTION TAKEN
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VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

A. Motion To: Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Dec 14, 2010 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Grants

COUNCIL ACTION (ID # 1918)

DOC ID: 1918

**TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

(State Assisted Airport Routine Maintenance)

TxDOT Project No.: AM 2011LBRTY
TxDOT CSJ No.: M120LBRTY

Part I - Identification of the Project

TO: The City of Liberty, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Liberty, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code, Chapter 21.

The project is for airport maintenance at the Liberty Municipal Airport.

Part II - Offer of Financial Assistance

- I. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or \$50,000.00, which ever is less, per fiscal year and subject to availability of state appropriations.

The Sponsor may request the State to provide mowing services, services to be provided at the discretion of the State. However, mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of costs of any mowing services.

Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2011, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:
 - a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and
 - b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and
 - c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and
 - d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and
 - e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and
 - f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and
 - g. the Sponsor shall submit to the State annual statements of airport revenues and

expenses when requested; and

- h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and
 - i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and
 - j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
 - k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.
2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.
5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.
6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.
7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

Attachment: RAMP Grant 2011 (1918 : TXDOT RAMP Grant)

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
 - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
 - b. enter into contracts as necessary for execution of scope of services;
 - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;
 - d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
 - e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
 - f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
 - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.
 - b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances**Sponsor**

The City of Liberty, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20__.

City of Liberty, Texas

Sponsor

Witness Signature

Sponsor Signature

Witness Title

Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for _____, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20__.

Witness Signature

Attorney's Signature

Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By: _____

Date: _____

Attachment: RAMP Grant 2011 (1918 : TXDOT RAMP Grant)

**Attachment A
Scope of Services**

TxDOT CSJ No.:M120LBRTY

Eligible Scope Items	Estimated Costs	State Share	Sponsor Share
	Amount A	Amount B	Amount C
PAVEMENTS	\$25,000.00	\$12,500.00	\$12,500.00
GENERAL MAINTENANCE	\$0.00	\$0.00	\$0.00
PAVEMENT MARKINGS	\$0.00	\$0.00	\$0.00
GRADING/DRAINAGE	\$15,000.00	\$7,500.00	\$7,500.00
MISCELLANEOUS	\$60,000.00	\$30,000.00	\$30,000.00
Total	\$100,000.00	\$50,000.00	\$50,000.00

Accepted by: City of Liberty, Texas

Signature

Title: _____

Date: _____

Notes: (explanations of any specifications or variances as needed for above scope items) _____

PAVEMENTS – Sponsor to contract for public parking lot construction and concrete pads for fuel farm.

GRADING/DRAINAGE – Sponsor to contract for vegetation clearing in drainage ditches.

MISCELLANEOUS – Sponsor to contract for airfield lighting, hangar, signage, and gate/fence repairs/improvements; infrastructure improvements; and construction of office/pilot's lounge. Other projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M120LBRTY

The City of Liberty does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

City of Liberty, Texas

(Sponsor)

By: _____

Title: _____

Date: _____

State of Texas Single Audit Requirements

I, _____, do certify that the City of Liberty will comply with all
(Designated Representative)

requirements of the State of Texas Single Audit Act if the city/county spends or receives more than \$500,000 in any funding sources during this fiscal year. And in following those requirements, the City of Liberty will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold of \$500,000.00 in grant expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

SignatureTitleDate

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M120LBRTY

The City of Liberty designates, _____
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

City of Liberty, Texas

(Sponsor)

By: _____

Title: _____

Date: _____

TPIN: _____

Address: _____
_____**DESIGNATED REPRESENTATIVE**Mailing Address: _____

_____Overnight Mailing Address: _____

_____Telephone/Fax Number: _____

Email address: _____

RE: TxDOT CSJ No.: M120LBRTY
Audit Requirements

In compliance with the State of Texas Single Audit Act and TxDOT-Aviation Division airport grant requirements, we submit the following information to TxDOT Aviation Division. The City of Liberty has not received nor spent more than \$500,000.00 in grant funds during the most recent audited year; and therefore, was not obligated to perform a Single Audit.

Submitted this _____ day of _____, _____.

Name

Title

Attachment: RAMP Grant 2011 (1918 : TXDOT RAMP Grant)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 1906)

DOC ID: 1906

Date: December 7, 2010

TO: Jan Stuckey
PO Box 1561
Liberty, Texas 77575-1561

RE: Public Nuisance-Proposed Order to Demolish

Dear Sir and/or Madam:

As the City of Neighborhood Services Administrator, it has come to my attention and I do hereby find the building or structure situated on the below described location is:

- ☒ unsafe,
- ☒ substandard,
- ☒ dangerous,
- ☒ a hazard,
- ☒ a public nuisance.

I have attached hereto a detailed list setting out the conditions which I find render the building or structure, or portion thereof, a nuisance. The subject building or structure and its location are described as follows:

Building/Structure: Dilapidated Structure

Street Address: Avenue E, Liberty, Texas

Legal Description: Layl, Block 10, Lot 7, MH Label # TEX 444522

Attachment: PH Condemnation 205 Avenue E (1906 : PH Condemnation 205 Avenue E)

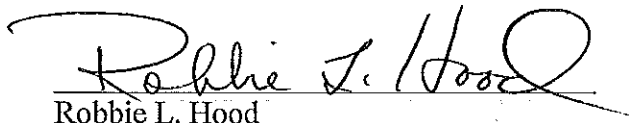
City of Liberty, Liberty County, Texas

You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on January 11, 2011, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in City Ordinance No. 793, or if the structure should be ordered repaired, vacated and repaired, or demolished. I am authorized, but not bound, upon your request, to give you an additional thirty (30) days to comply with any ORDER of the City Council.

All interested persons who desire to be heard or who oppose the proposed order to repair, vacate and repair, or demolish the above described structure, shall appear at the above mentioned City Council hearing and show cause, if any, why the building or structure, or any portion thereof, involved in these proceedings should not be ORDERED repaired, vacated and repaired, or demolished. Your failure to appear shall constitute a waiver of your right to oppose any ORDER of the City Council.

Furthermore, the amount of cost of abating such nuisance or demolishing said building or structure, and all incidental expenses associated therewith, if undertaken by the City of Liberty, shall constitute special assessments against the property on which the structure is located and as such, shall constitute a lien on said property. Thank You.

Sincerely,



Robbie L. Hood
Neighborhood Services Administrator
City of Liberty

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Jan Stuckey

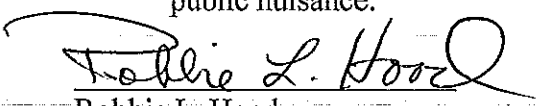
Mailing Address: PO Box 1561, Liberty, Texas 77575-1561

Property Description: Layl, Block 10, Lot 7, MH Label # TEX 444522

Street Address: Avenue E, Liberty, Texas 77575

UNSAFE BUILDINGS: All buildings or structures which are unsafe, unsanitary, or do not provide adequate egress, or which constitutes a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitutes a hazard to safety or health, are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of City Ordinance N. 793 of The City of Liberty.

1. Lack of hot and cold water running to plumbing fixtures in bathroom and kitchen.
2. Improper sewage disposal system in bathroom and kitchen.
3. Lack of adequate heating facilities.
4. Lack of required ventilating equipment.
5. Lack of required electrical lighting.
6. Dampness of habitable rooms.
7. Infestation of insects, vermin and rodents.
8. General dilapidation and improper maintenance of all heating and plumbing facilities.
9. Lack of adequate garbage and rubbish storage and removal facilities.
10. Deteriorated and inadequate foundations.
11. Defective and deteriorated flooring and floor supports.
12. Members of walls, partitions and other vertical supports have split, lead, list and/or buckled due to defect and deterioration.
13. Members of ceilings, roofs, ceiling and roof supports and other horizontal members have sagged, split and/or buckled due to defect and deterioration.
14. Hazardous wiring which is not connected and can not be connected due to defective maintenance and deterioration.
15. Hazardous plumbing which is not connected and can not be connected due to defective maintenance and deterioration.
16. Faulty weather protection.
17. Serious fire hazard.
18. Hazardous and unsanitary premises with an accumulation of junk, debris and garbage which constitutes a fire, health and safety hazard.
19. The building structure or portion thereof as a result of decay, deterioration or dilapidation's has or is likely to fully or partially collapse.
20. The building structure or portion thereof is in such a condition that it constitutes a public nuisance.


Robbie L. Hood

Neighborhood Services Adm.

12-7-10

Date

Attachment: PH Condemnation 205 Avenue E (1906 : PH Condemnation 205 Avenue E)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 1907)

DOC ID: 1907

City of Liberty
Order of Abatement

The City Council of the City of Liberty ("Council"), at a duly noticed public hearing, does hereby adopt the following Order of Abatement:

WHEREAS, it has come to the attention of Council that a building or structure at 205 Avenue E of the Town of Liberty with Liberty County Central Appraisal District Property ID # 55695, Layl, Block 10, Lot 7 in the City of Liberty is reported to be or believed to be substandard under the terms of Chapter 6 of the Liberty Code of Ordinances; and

WHEREAS, Council has at a public hearing received and/or heard evidence that the structure(s) on the property described above have/has

- a. become substantially deteriorated through natural causes and/or from exposure to the elements (wind, hail, rain and storms), or
- b. become so structurally deteriorated and/or damaged that it/they are in danger of collapse, or
- c. become a fire hazard due to the substantial deterioration of the building or structure; or
- d. failed to be constructed in conformity with the City Building Code; or
- e. become a hazard to the health and/or safety of the general public, including all conditions conducive to the harboring of rats, mice, and other disease carrying animals and/or insects, including such conditions that may be hazardous to safety, such as inadequate bracing or the use of deteriorated materials.

WHEREAS, Council has received and/or heard evidence that the City has made a diligent effort to determine the identity and address of any owner, lienholder, or mortgagee by searching the following records:

- a. county real property records of Liberty County;
- b. appraisal district records of Liberty County;
- c. records of the secretary of state;
- d. assumed name records of Liberty County;
- e. tax records of the City of Liberty; and
- f. utility records of the City of Liberty.

and has given notice of the public hearing held on this day regarding the substandard structure.

WHEREAS, the Council, having the authority to order abatement of substandard structures pursuant to Chapter 6 of the Liberty Code of Ordinances and Chapter 214 of the Local Government Code.

NOW, THEREFORE, BE IT RESOLVED, THAT the City Council of the City of Liberty hereby

ORDERS the abatement of the condition of the identified property by removal of the structure(s) thereon, within 30 days of this ORDER. The City Council further authorizes the City Manager or other City officials to secure the demolition of the structure(s) on the identified property if the structures have not been removed within 30 days of this ORDER, and place a lien on the land for costs associated with such demolition and removal according to law ; and

Part 1: That the notice of this public hearing was made or attempted with the efforts outlined in Chapter 214 of the Local Government Code.

Part 2: That it is hereby determined that the identified structure is in fact a structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare.

Part 3: That public necessity requires the demolition and removal of the identified structure.

Part 4: That this resolution shall take effect immediately from and after its passage.

I certify that the foregoing is a true and correct copy of the resolution/order duly adopted by the City Council of the City of Liberty. This Order of Abatement shall be maintained with the official minutes of the City Council of the City of Liberty

In witness whereof, I have hereunto set my hand on this the 11th day of January, 2011.

By: _____

Carl Pickett,
Mayor,
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 1908)

DOC ID: 1908

Date: December 7, 2010

TO: Ernest Newton Tillman Etal
9427 Lamkin Rd
Houston, Texas 77049-1026

RE: Public Nuisance-Proposed Order to Demolish

Dear Sir and/or Madam:

As the City of Neighborhood Services Administrator, it has come to my attention and I do hereby find the building or structure situated on the below described location is:

- ☒ unsafe,
- ☒ substandard,
- ☒ dangerous,
- ☒ a hazard,
- ☒ a public nuisance.

I have attached hereto a detailed list setting out the conditions which I find render the building or structure, or portion thereof, a nuisance. The subject building or structure and its location are described as follows:

Building/Structure: Dilapidated Structure

Street Address: 517 Bowie, Liberty, Texas

Legal Description: Liberty Inner Blocks, Block 70, Lot Pt 1 2 Tr 3

Attachment: PH Condemnation 517 Bowie (1908 : PH Condemnation 517 Bowie)

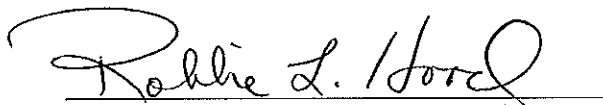
City of Liberty, Liberty County, Texas

You are hereby given notice that a hearing will be held before the Liberty City Council at 6:00 o'clock p.m. on January 11, 2011, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575 to determine if the building complies with the standards set out in City Ordinance No. 793, or if the structure should be ordered repaired, vacated and repaired, or demolished. I am authorized, but not bound, upon your request, to give you an additional thirty (30) days to comply with any ORDER of the City Council.

All interested persons who desire to be heard or who oppose the proposed order to repair, vacate and repair, or demolish the above described structure, shall appear at the above mentioned City Council hearing and show cause, if any, why the building or structure, or any portion thereof, involved in these proceedings should not be ORDERED repaired, vacated and repaired, or demolished. Your failure to appear shall constitute a waiver of your right to oppose any ORDER of the City Council.

Furthermore, the amount of cost of abating such nuisance or demolishing said building or structure, and all incidental expenses associated therewith, if undertaken by the City of Liberty, shall constitute special assessments against the property on which the structure is located and as such, shall constitute a lien on said property. Thank You.

Sincerely,



Robbie L. Hood
Neighborhood Services Administrator
City of Liberty

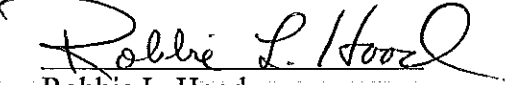
Attachment: PH Condemnation 517 Bowie (1908 : PH Condemnation 517 Bowie)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Ernest Newton Tillman Etal
 Mailing Address: 9427 Lamkin Rd, Houston, Texas 77049-1026
 Property Description: Liberty Inner Blocks, Block 70, Lot Pt 1 2 Tr 3
 Street Address: 517 Bowie, Liberty, Texas 77575

UNSAFE BUILDINGS: All buildings or structures which are unsafe, unsanitary, or do not provide adequate egress, or which constitutes a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitutes a hazard to safety or health, are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of City Ordinance N. 793 of The City of Liberty.

1. Lack of hot and cold water running to plumbing fixtures in bathroom and kitchen.
2. Improper sewage disposal system in bathroom and kitchen.
3. Lack of adequate heating facilities.
4. Lack of required ventilating equipment.
5. Lack of required electrical lighting.
6. Dampness of habitable rooms.
7. Infestation of insects, vermin and rodents.
8. General dilapidation and improper maintenance of all heating and plumbing facilities.
9. Lack of adequate garbage and rubbish storage and removal facilities.
10. Deteriorated and inadequate foundations.
11. Defective and deteriorated flooring and floor supports.
12. Members of walls, partitions and other vertical supports have split, lead, list and/or buckled due to defect and deterioration.
13. Members of ceilings, roofs, ceiling and roof supports and other horizontal members have sagged, split and/or buckled due to defect and deterioration.
14. Hazardous wiring which is not connected and can not be connected due to defective maintenance and deterioration.
15. Hazardous plumbing which is not connected and can not be connected due to defective maintenance and deterioration.
16. Faulty weather protection.
17. Serious fire hazard.
18. Hazardous and unsanitary premises with an accumulation of junk, debris and garbage which constitutes a fire, health and safety hazard.
19. The building structure or portion thereof as a result of decay, deterioration or dilapidation's has or is likely to fully or partially collapse.
20. The building structure or portion thereof is in such a condition that it constitutes a public nuisance.


 Robbie L. Hood

Neighborhood Services Adm.

12-7-10

Date

Attachment: PH Condemnation 517 Bowie (1908 : PH Condemnation 517 Bowie)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 01/11/11 06:00 PM

Department: Inspection
Category: Plats

COUNCIL ACTION (ID # 1920)

DOC ID: 1920

EXPLANATION:

Request approval of Final Plat for Glenn Street. Preliminary plat was approved during the December meeting.

FINAL PLAT GLENN STREET R.O.W. EXTENSION

0.136 ACRES - DEDICATED FOR PUBLIC R.O.W.

BEING A PORTION OF A CALLED 0.80 ACRE TRACT
AS RECORDED IN LIBERTY COUNTY CLERK'S
FILE No. 2010002071 AND BEING SITUATED IN THE
JAMES MARTIN LEAGUE, A-73, LIBERTY COUNTY, TEXAS.

DECEMBER, 2010

STATE OF TEXAS
COUNTY OF LIBERTY

I, (WE), the undersigned, owner(s) of the land shown on this plat, and designated herein as the GLENN STREET R.O.W. Extension to the City of Liberty and whose name is subscribed hereto, hereby dedicated to the use of the public forever all streets, alleys, parks, water courses, drains, easements, and public places thereon shown for the purpose of consideration therein expressed.

Owner - VICTOR MANUEL MUNOZ

Date

STATE OF TEXAS
COUNTY OF LIBERTY

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

_____, GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1th day of _____, 2010.

Notary Public in and for Liberty County, Texas

I, the undersigned, Mayor of the City of Liberty, hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

Mayor

Date

STATE OF TEXAS
COUNTY OF LIBERTY

I, Louis W. Bergman IV, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey on the property made under my supervision on the ground.

Louis W. Bergman IV
Registered Professional Land Surveyor
12-1-10

Date



LEGAL DESCRIPTION 0.136 ACRE TRACT

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.136 ACRES SITUATED IN THE JAMES MARTIN LEAGUE, ABSTRACT No. 73, LIBERTY COUNTY, TEXAS, SAME BEING OUT OF A CALLED 0.80 ACRE TRACT AS RECORDED IN LIBERTY COUNTY CLERK'S FILE No. 2010002071 OUT OF A CALLED 4.87 ACRE TRACT AS RECORDED IN VOLUME 1910, PAGE 418 OFFICIAL PUBLIC RECORDS LIBERTY COUNTY, TEXAS, SAID 0.136 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

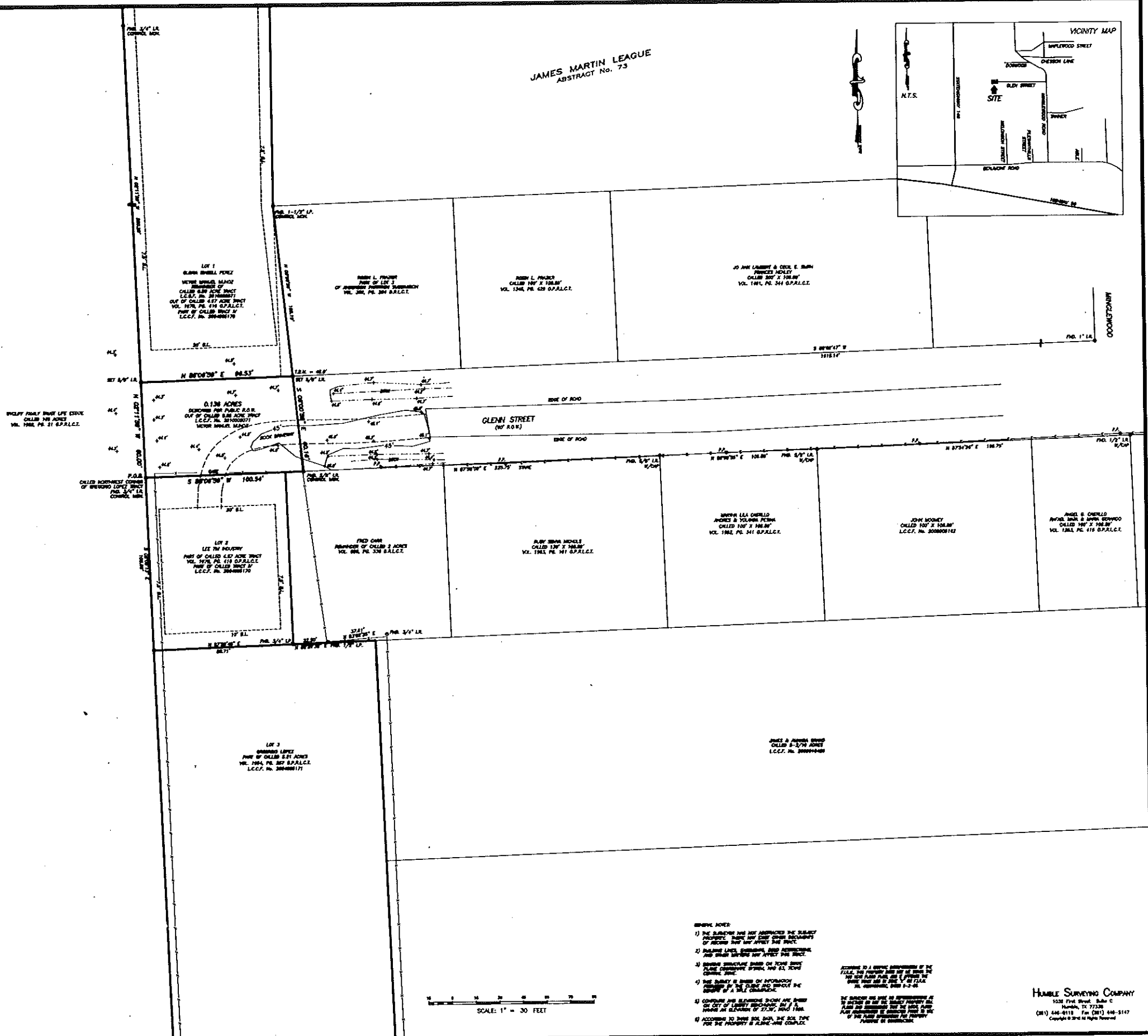
BEGINNING at a 3/4 inch iron rod found in the east line of a called 100 acre tract as recorded in Volume 1902, Page 21 Official Public Records Liberty County, Texas for the far the east northeast corner of the Grapier Loper tract and same being the southeast corner of this herein described tract;

THENCE North 02 degrees 11 minutes 58 seconds West, a distance of 80.00 feet with the east line of said 100 acre tract to a 5/8 inch iron rod set for the northeast corner of this herein described tract from which a 3/4 inch iron rod bears: North 02 degrees 11 minutes 58 seconds West, a distance of 800.28 feet;

THENCE North 08 degrees 00 minutes 58 seconds East, a distance of 98.55 feet to a 5/8 inch iron rod set for the northeast corner of this herein described tract from which a 1-1/2 inch iron pipe bears: North 08 degrees 00 minutes 58 seconds West, a distance of 108.18 feet;

THENCE South 04 degrees 00 minutes 58 seconds East, a distance of 80.18 feet to a 5/8 inch iron rod found in the north line of the remainder of a called 3 acre tract as recorded in Volume 686, Page 336 Deed Records Liberty County, Texas for the southeast corner of this herein described tract;

THENCE South 08 degrees 08 minutes 58 seconds West, a distance of 108.54 feet to the PLACE OF BEGINNING and containing 0.136 acres.



- REMARKS:
- 1) THE SURVEY WAS NOT INTERFERED BY THE SUBJECT PROPERTY. THERE WAS NO EVIDENCE OF ANY ENCROACHMENTS OR EASEMENTS AFFECTING THE TRACT.
 - 2) PLATING LINES, BOUNDARY, AND INTERSECTION AND OTHER SURVEYING DATA WERE OBTAINED FROM THE SURVEYOR'S FIELD BOOKS AND PLAT.
 - 3) THE SURVEY IS BASED ON THE SURVEYOR'S FIELD BOOKS AND PLAT, AND THE SURVEYOR'S FIELD BOOKS AND PLAT ARE THE ONLY RECORDS OF THE SURVEY.
 - 4) THE SURVEYOR HAS REVIEWED THE SURVEY AND THE SURVEYOR'S FIELD BOOKS AND PLAT, AND THE SURVEYOR'S FIELD BOOKS AND PLAT ARE THE ONLY RECORDS OF THE SURVEY.
 - 5) THE SURVEYOR HAS REVIEWED THE SURVEY AND THE SURVEYOR'S FIELD BOOKS AND PLAT, AND THE SURVEYOR'S FIELD BOOKS AND PLAT ARE THE ONLY RECORDS OF THE SURVEY.

THE SURVEYOR HAS REVIEWED THE SURVEY AND THE SURVEYOR'S FIELD BOOKS AND PLAT, AND THE SURVEYOR'S FIELD BOOKS AND PLAT ARE THE ONLY RECORDS OF THE SURVEY.

HUMBLE SURVEYING COMPANY
1528 First Street, Suite C
Humble, TX 77338
(281) 446-6119 Fax (281) 446-5147
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The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 1909)

DOC ID: 1909

City of Liberty
Order of Abatement

The City Council of the City of Liberty ("Council"), at a duly noticed public hearing, does hereby adopt the following Order of Abatement:

WHEREAS, it has come to the attention of Council that a building or structure at 517 Bowie of the Town of Liberty with Liberty County Central Appraisal District Property ID # 56202, Liberty Inner Blocks, Block 70, Lot PT 1 2 TR 3 in the City of Liberty is reported to be or believed to be substandard under the terms of Chapter 6 of the Liberty Code of Ordinances; and

WHEREAS, Council has at a public hearing received and/or heard evidence that the structure(s) on the property described above have/has

- a. become substantially deteriorated through natural causes and/or from exposure to the elements (wind, hail, rain and storms), or
- b. become so structurally deteriorated and/or damaged that it/they are in danger of collapse, or
- c. become a fire hazard due to the substantial deterioration of the building or structure; or
- d. failed to be constructed in conformity with the City Building Code; or
- e. become a hazard to the health and/or safety of the general public, including all conditions conducive to the harboring of rats, mice, and other disease carrying animals and/or insects, including such conditions that may be hazardous to safety, such as inadequate bracing or the use of deteriorated materials.

WHEREAS, Council has received and/or heard evidence that the City has made a diligent effort to determine the identity and address of any owner, lienholder, or mortgagee by searching the following records:

- a. county real property records of Liberty County;
- b. appraisal district records of Liberty County;
- c. records of the secretary of state;
- d. assumed name records of Liberty County;
- e. tax records of the City of Liberty; and
- f. utility records of the City of Liberty.

and has given notice of the public hearing held on this day regarding the substandard structure.

WHEREAS, the Council, having the authority to order abatement of substandard structures pursuant to Chapter 6 of the Liberty Code of Ordinances and Chapter 214 of the Local Government Code.

NOW, THEREFORE, BE IT RESOLVED, THAT the City Council of the City of Liberty hereby

ORDERS the abatement of the condition of the identified property by removal of the structure(s) thereon, within 30 days of this ORDER. The City Council further authorizes the City Manager or other City officials to secure the demolition of the structure(s) on the identified property if the structures have not been removed within 30 days of this ORDER, and place a lien on the land for costs associated with such demolition and removal according to law ; and

Part 1: That the notice of this public hearing was made or attempted with the efforts outlined in Chapter 214 of the Local Government Code.

Part 2: That it is hereby determined that the identified structure is in fact a structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare.

Part 3: That public necessity requires the demolition and removal of the identified structure.

Part 4: That this resolution shall take effect immediately from and after its passage.

I certify that the foregoing is a true and correct copy of the resolution/order duly adopted by the City Council of the City of Liberty. This Order of Abatement shall be maintained with the official minutes of the City Council of the City of Liberty

In witness whereof, I have hereunto set my hand on this the 11th day of January, 2011.

By: _____
Carl Pickett,
Mayor,
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 1910)

DOC ID: 1910



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1911)

DOC ID: 1911

Sale of Property - Bids Received

Bid No. 10-012, 521 Travis	
No Bids Received	
Bid No. 10-013, City Landfill, W.M. PHELPS, TRACT 34, 60 ACRES	
Cody Turner	120,000.00
Bid No. 10-014, Water Department Building and Tract, B.C. FRANKLIN, TRACT 64, 0.64 ACRES AND IMPROVEMENT	
Matthew G. Harris	25,100.00
Frank Jordan	2,800.00
Liberty Plant Maintenance, Inc.	7,000.00
Bid No. 10-015, Detention Pond, Edgewood and Bowie	
No Bids Received	
Bid No. 10-016, Trinity Complex, LIBERTY INNER BLOCKS, 2.85 ACRES AND IMPROVEMENTS	
Frank Jordan	8,100.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1913)

DOC ID: 1913

Sale of Property - Bids Received

Bid No. 10-012, 521 Travis	
No Bids Received	
Bid No. 10-013, City Landfill, W.M. PHELPS, TRACT 34, 60 ACRES	
Cody Turner	120,000.00
Bid No. 10-014, Water Department Building and Tract, B.C. FRANKLIN, TRACT 64, 0.64 ACRES AND IMPROVEMENT	
Matthew G. Harris	25,100.00
Frank Jordan	2,800.00
Liberty Plant Maintenance, Inc.	7,000.00
Bid No. 10-015, Detention Pond, Edgewood and Bowie	
No Bids Received	
Bid No. 10-016, Trinity Complex, LIBERTY INNER BLOCKS, 2.85 ACRES AND IMPROVEMENTS	
Frank Jordan	8,100.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1914)

DOC ID: 1914

Sale of Property - Bids Received

Bid No. 10-012, 521 Travis		
No Bids Received		
Bid No. 10-013, City Landfill, W.M. PHELPS, TRACT 34, 60 ACRES		
Cody Turner		120,000.00
Bid No. 10-014, Water Department Building and Tract, B.C. FRANKLIN, TRACT 64, 0.64 ACRES AND IMPROVEMENT		
Matthew G. Harris		25,100.00
Frank Jordan		2,800.00
Liberty Plant Maintenance, Inc.		7,000.00
Bid No. 10-015, Detention Pond, Edgewood and Bowie		
No Bids Received		
Bid No. 10-016, Trinity Complex, LIBERTY INNER BLOCKS, 2.85 ACRES AND IMPROVEMENTS		
Frank Jordan		8,100.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1912)

DOC ID: 1912

Sale of Property - Bids Received

Bid No. 10-012, 521 Travis	
No Bids Received	
Bid No. 10-013, City Landfill, W.M. PHELPS, TRACT 34, 60 ACRES	
Cody Turner	120,000.00
Bid No. 10-014, Water Department Building and Tract, B.C. FRANKLIN, TRACT 64, 0.64 ACRES AND IMPROVEMENT	
Matthew G. Harris	25,100.00
Frank Jordan	2,800.00
Liberty Plant Maintenance, Inc.	7,000.00
Bid No. 10-015, Detention Pond, Edgewood and Bowie	
No Bids Received	
Bid No. 10-016, Trinity Complex, LIBERTY INNER BLOCKS, 2.85 ACRES AND IMPROVEMENTS	
Frank Jordan	8,100.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1915)

DOC ID: 1915

Request for Qualifications or Proposal

Installation of Meters

Company Name

Statement of Qualification

Proposal Form

Addendum Total

Utiliuse, 6700 Guada Coma Drive, Schertz, TX 78154	Yes	Yes	\$91,925.00
Utility Partners of America, 7600 Pelham Road, Suite B, Greenville, SC 29615	Yes	Yes	\$136,463.21
US Bronco Services, PO Box 181418, Fairfield, OH 45018	Yes	Yes	\$114,400.00
East Texas Meter & Hydrant Services, 402 Mulberry Circle, PO Box 3017, Forney, TX 75126	Yes	Yes	\$92,350.00
RG-3 Utilities, 304 Forest Hills, Hallsville, TX 75650	Yes	Yes	\$72,450.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1916)

DOC ID: 1916

BID TABULATION
CITY OF LIBERTY
LIBERTY COUNTY, TEXAS
POWER POLE REMOVE/REPLACE PROGRAM

BID OPENING DATE: TUESDAY, DECEMBER 21, 2010

Item	Qty	Unit	Description	Ernest P. Breaux Electric 2812 Broken Arrow Road Post Office Box 11640 New Iberia, LA 70562-1640 337.364.8183 p		North Houston Pole Line 1608 Margaret Street Houston, Texas 77093 713.691.3616 p 713.691.5612 f		Power Line Solutions 321 24th Street San Leon, Texas Post Office Box 1068 Baytown Texas 77522 281.559.1016 p	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1.	1	LS	Mobilization costs, including payment bond, performance bond, insurance, moving equipment to project; and setting up field office all in accordance with plans and specifications; NOT TO EXCEED 3% OF TOTAL PROJECT BID for,	\$1,500.00	\$1,500.00	\$5,732.89	\$5,732.89	\$9,959.00	\$9,959.00
2.	15	EA	Remove and Replace Existing Damaged Electric Utility Poles: install poles and hardware supplied by the City, complete and in place, including excavation, select backfill, surface repair, disposal of existing poles and equipment, re-connection, testing, inspection, and in operation, all in accordance with plans and specifications	\$1,600.00	\$24,000.00	\$3,630.83	\$54,462.45	\$6,465.00	\$96,975.00
3.	40	EA	Remove Existing Damaged Electric Utility Poles, including excavation, backfill restoration of surface, disposal of poles, complete and in place, including all labor, all in accordance with plans and specifications for,	\$550.00	\$22,000.00	\$1,612.38	\$64,495.20	\$4,798.00	\$191,920.00
4.	1	EA	Rebuild bank, including installation of hardware supplied by the City, disposal of equipment, complete, in place and operational, including all labor, all in accordance with plans and specifications for,	\$3,600.00	\$3,600.00	\$7,067.41	\$7,067.41	\$9,490.00	\$9,490.00
5.	7	EA	Straighten Poles, including installation of hardware supplied by the City, disposal of equipment, complete, in place and operational, including all labor, all in accordance with plans and specifications for,	\$1,000.00	\$7,000.00	\$1,637.97	\$11,465.79	\$4,798.00	\$33,586.00
TOTAL BASE BID				\$58,100.00		\$143,223.74		\$341,930.00	
Bonding Company Information				YES		YES		*YES	
Bid Bond				YES		YES		*YES	
Bid Schedule				YES		YES		YES	
Non-Collusion Affidavit of Prime Contractor				YES		YES		YES	
Vendor Compliance Statement				YES		YES		YES	
Qualification Statement/Financial Statement				YES		YES		YES	
Acknowledgement of Addendum No. 1				YES		YES		YES	

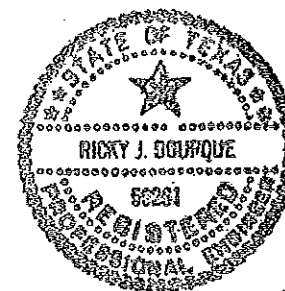
The Bid Proposals submitted have been reviewed, and to the best of my knowledge this is an accurate tabulation of the Bids received.

* Cashier's Check received as Bid Bond.

Signature

Date

12-21-10



Attachment: Round 1 Disaster Funds Pole Replacement (1916 : Bid Award -Pole Replacement)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.13

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 1917)

DOC ID: 1917

EXPLANATION:

At the Council Meeting of October 12, 2010, Council approved extending the term of the Community Development Advisory Board for a period of three years, ending December 31, 2013, with committee members reviewed annually.

This agenda item affords Council the opportunity to appoint new members, if they so choose.

Current members are: Frank Jordan - Chairman
Celeste Newton
Stephen Dugger
Beth Takach
Sharon Riley
Martha Goodwin
Juan Venegas



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.14

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Jubilee

COUNCIL ACTION (ID # 1919)

DOC ID: 1919



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.15

Meeting: 01/11/11 06:00 PM

Department: Administration
Category: Downtown Issues

COUNCIL ACTION (ID # 1921)

DOC ID: 1921