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, August 9, 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	¨	¨	¨	
Mayor Pro-Tem Mike McCarty	¨	¨	¨	
Councilperson Dennis Beasley	¨	¨	¨	
Councilperson Diane Huddleston	¨	¨	¨	
Councilperson Frank Jordan	¨	¨	¨	
Councilperson Louie Potetz	¨	¨	¨	
Councilperson Libby Simonson	¨	¨	¨	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2131)

Police Chief Presentation - TeleCommunicators

B. Information Item (ID # 2128)

Various Project Updates - City Manager Gary Broz

C. Information Item (ID # 2129)

Recycling Report - Councilperson Huddleston

D. Information Item (ID # 2130)

Abated Structures - Neighborhood Services Director R. Hood

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, July 12, 2011

B. Council Action (ID # 2132)

Consider Ratifying the Expenditure of Funds for Emergency Repairs to the Collapsed Sewer Line on Jefferson and San Jacinto.

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 2133)

Mr. James R. Daniels Will be Present to Discuss with Council the Public Works Service Center, Associated Expenditures, and Other Matters Related Thereto.

- Daniels Request - Council (PDF)

2. Resolution (ID # 2143)

Consider a Resolution Renaming the Hwy. 146 Bypass to Veterans Memorial Highway.

3. Council Action (ID # 2142)

Consider an Agreement with the Texas Department of Transportation for Signage on the Proposed Veterans Memorial Highway.

- Agreement -Veterans Memorial Hwy. (PDF)

4. Public Hearing (ID # 2122)

Public Hearing on the Condemnation of the Structure Located at 4201 Sandune Road.

- PH 4201 Sandune Rd. (PDF)

5. Council Action (ID # 2123)

Consider an Order of Abtement for the Structure Located at 4201 Sandune Road.

- Order of Abatement 4201 Sandune Rd. (DOC)

6. Public Hearing (ID # 2124)

Public Hearing on the Condemnation of the Structure Located at 106 Carter Street.

- PH 106 Carter Street (PDF)

7. Council Action (ID # 2125)

Consider an Order of Abatement for the Structure Located at 106 Carter Street.

- Order of Abatement 106 Carter (DOC)

8. Council Action (ID # 2134)

Consider Setting the Date, Time and Location for a Public Hearing on the Proposed Budget for Fiscal Year 2011-2012.

- 2011 BUDGET AND TAX RATE SCHEDULE (DOC)

9. Council Action (ID # 2135)

Consider Approval of the Proposed Tax Rate for Fiscal Year 2011-2012.

10. Council Action (ID # 2136)

Consider Setting the Date, Time and Location for Public Hearings on the Proposed Tax Rate for Fiscal Year 2011-2012.

11. Council Action (ID # 2137)

Consider Approval of March 23 & 24 as Dates for the 2012 Liberty Jubilee.

12. Council Action (ID # 2138)

Consider Approval of Change Order #2 for the Round 1 Disaster Funds Project.

- CO #2 TDRA generators (PDF)
- CO #2 TDRA drawings (PDF)

13. Council Action (ID # 2139)

Consider Award of Bid, and Approval of Contract, for the Fire Department Substation Building to be Located on Bowie Street.

- Bid Tab - FD Substation Bldg (PDF)

14. Council Action (ID # 2140)

Consider Contract Award and Expenditure of Funds for Water Line Replacement in the Ridgewood Subdivision.

B. Executive Session

Deliberation Regarding Real Property. Gov. Code §551.072

1. Discussion regarding acquisition of real estate.

C. Reconvene into Regular Session

1. Council Action (ID # 2141)

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

VIII. 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 5th day of August, 2011 at 2:00 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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 2131)

DOC ID: 2131

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2128)

DOC ID: 2128 A

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2129)

DOC ID: 2129

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Presentations

INFORMATION ITEM (ID # 2130)

DOC ID: 2130

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The City of Liberty
City Council
Regular Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, July 12, 2011 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on July 12, 2011 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	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
April Reiss	Secretary	Present	
Brandon Davis	City's Counsel	Present	

II. INVOCATION

The Invocation was given by Lindsey Smith, Jr., new pastor of the First United Methodist Church, Liberty.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Ms. Lauren Cook, recent Liberty High School graduate.

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. There were no comments from the audience.

City Manager Gary Broz reported to Council that the City is working on a sewer line cave-in at San Jacinto and Jefferson Drive. The street is currently blocked at that location.

Mayor Pickett reported on the following items:

1) the TML Region XVI Quarterly Meeting will be held on Thursday, July 28 in the Liberty Center,
2) a Budget Work Session will be held Wednesday, July 13 at 6:00 p.m., with two additional budget work sessions posted for July 14 and 15, if necessary,
3) expressed appreciation for City employees efforts on the July 3rd Celebration, and
4) the City is currently working on repair and painting of curbs in the downtown area.

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2105)

Proclamation-Lauren Cook Day

COMMENTS - Current Meeting:

A proclamation was read by Mayor Pickett proclaiming Wednesday, July 13 as "Lauren Cook Day" in the City of Liberty. Ms. Cook was applauded for her hard work and dedication in winning First Place in the State 3A High Jump competition.

B. Information Item (ID # 2107)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next community "Shred-It Day" would be held on Saturday, July 30, from 9:00 a.m. until Noon. Councilperson Huddleston stated that this event will be held in the City Hall parking lot and provides citizens an opportunity to have their sensitive documents securely shredded.

C. Information Item (ID # 2106)

Various Project Updates

COMMENTS - Current Meeting:

City Manager Gary Broz provided a handout to Council highlighting the status of the City's current projects. Mr. Broz stated that all projects were moving along well and several bid openings would be conducted the following week.

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:	Diane Huddleston, Councilperson
AYES:	Pickett, McCarty, Beasley, Huddleston, Jordan, Potetz, Simonson

A. Minutes Approval

1. Tuesday, June 14, 2011

2. Tuesday, June 28, 2011

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 2108)

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

Public Hearing on the Condemnation of the Structure Located at 903 Lamar Street.

COMMENTS - Current Meeting:

At 6:14 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 903 Lamar Street. After a Power Point presentation of the property was reviewed, the City's Counsel Brandon Davis directed questions to City Manager Gary Broz confirming that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Davis further questioned Mr. Broz regarding the structure being identified as a nuisance and its dilapidated/substandard condition. Property owner Ms. Laviene asked that consideration be given to allow her brothers the opportunity to remove the structure themselves. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 6:21 p.m.

ATTACHMENTS:

- Condemnation-903 Lamar (PDF)

2. Council Action 2011-73

Consider an Order of Abatement for the Structure Located at 903 Lamar Street.

COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement, however, allowing the property owners 90 days to demolish the structure themselves and remove debris from the property.

ATTACHMENTS:

- Order of Abatement 903 Lamar (DOC)

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

3. Public Hearing (ID # 2114)

Public Hearing on the Condemnation of the Structure Located at 3019 Grand Street.

COMMENTS - Current Meeting:

At 6:22 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 3019 Grand Street. After a Power Point presentation of the property was reviewed, the City's Counsel Brandon Davis directed questions to City Manager Gary Broz confirming that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Davis further questioned Mr. Broz 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 6:25 p.m.

ATTACHMENTS:

- Condemnation-3019 Grand (PDF)

4. Council Action 2011-74

Consider an Order of Abatement for the Structure Located at 3019 Grand Street.

COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement for the structure located at 3019 Grand Street.

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

ATTACHMENTS:

- Order of Abatement 3019 Grand (DOC)

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

5. Council Action 2011-75

Consider Bids for the Monta Elevated Water Tank Valve Replacement Project and Award of Contract.

COMMENTS - Current Meeting:

Mr. Broz reported that Schaumburg & Polk, Inc. had completed specifications for new valves located underneath the Monta Street Elevated Tank. Bids were let, with the City receiving four bids ranging from $119,641 to $131,800. Management requested the bid be awarded to the lowest bidder, Panorama, Houston, Texas, in the amount of $119,641. This project is part of the $1.2 million allocated for water tank/tower rehabilitation and system improvements, in which funds have currently been expended in the amount of $509,000 for the Monta Street location.

Motion was made to award the bid to Panorama, in the amount of $119,641.

ATTACHMENTS:

- Bid Tab- Monta Valve Replacement (PDF)

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

6. Council Action 2011-76

Consider Approval of Change Order No. 4 for Wastewater Treatment Plant Project TWDB CWSRF No. 72124 and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Rick Bourque, Schaumburg & Polk, Inc. was present to review Change Order #4 to the Wastewater Treatment Plant Project. Mr. Bourque explained that Change Order #4 is an allowance for grit removal from the existing digester units.

Motion was made to approve Change Order #4, not to exceed the designated amount of $10,000.

ATTACHMENTS:

- Change Order No. 4 WWTP (PDF)

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

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

7. Council Action 2011-77

Consider Management Services Contract with Public Management Inc. for the 2009 Hazard Mitigation Grant Project and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that the proposed contract with Public Management, Inc. is for work on the 2009 Hazard Mitigation Grant Project. 100% disaster funds were expended for a generator for the Liberty Fire Department which will be installed the end of the week.

The contract with Public Management, in the amount of $3750, will be paid for with the grant funds. Contractor agrees to provide all services related to this project to include record keeping, environmental review, financial accounting related to compliance regulations, prepare necessary reports to the Department of Emergency Management, and other matters related thereto.

Motion was made to approve the Management Services Contract with Public Management, Inc.

ATTACHMENTS:

- Public Mgmt Contract 2009 Haz Mitigation (PDF)

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

8. Council Action 2011-79

Consider Elimination of the City Council Meal.

COMMENTS - Current Meeting:

After discussion of the cost of meals, being cognizant of Council and employee's time and dedication after a long working day leaving minimal time to get home, eat and return for a meeting, a motion was made to continue having the meal, only after adjournment of the meeting. This will no longer be an item listed on the agenda.

ATTACHMENTS:

- Agenda Item-Meal (PDF)

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

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

Work Session

Work Session (ID # 2117)

Discuss Water System Capital Improvement and Maintenance Plan.

COMMENTS - Current Meeting:

Mr. Broz reported that with completion of the Monta Street water storage tank and tower, there is approximately $650,000 remaining of the $1.2 million allotted for water tank/tower rehabilitation and system improvements. Mr. Broz also stated that the City's Financial Advisor, Bob Henderson was reviewing the City's funds and researching additional funding opportunities to upgrade other water system facilities.

Rick Bourque, Schaumburg & Polk, Inc. was present to discuss with Council the Water System Capital Improvement and Maintenance Plan. Discussion included connections, pressure, line improvement, current status of the Palmer Road Elevated Storage Tank, the North Water Well Ground Storage Tank, the Trinity Street Water Plant Ground Storage, and the San Jacinto Elevated Storage Tank, and related lines. Mr. Bourque reviewed improvement options, related costs, and maintenance schedules.

This item was informational only, there was no action taken.

B. Executive Session

Deliberation Regarding Real Property. Gov. Code §551.072

1. Discussion of land acquisition.

At 7:16 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:53 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2011-78

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

RESULT:	**NO ACTION TAKEN**

VIII. COUNCIL MEAL

Council shared an evening meal.

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

IX. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:55 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, McCarty, Beasley, Huddleston, Jordan, Potetz, Simonson

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 12, 2011 6:00 PM (Minutes Approval)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Expenditures

COUNCIL ACTION (ID # 2132)

DOC ID: 2132

.

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Discussion

INFORMATION ITEM (ID # 2133)

DOC ID: 2133

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Attachment: Daniels Request - Council (2133 : James Daniels - PW Service Ctr.)

REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

City Council Meetings are held the second Tuesday of each month at 6:00 p.m.

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 7/14/11

Date of Council Meeting 8-9-11

****

Name JAMES R. DANIELS

Street Address 4624 McGUIRE ROAD (P.O. BOX 263)

City LIBERTY State TX. Zip Code 77575

Telephone No. 936-336-2426 Fax No. NONE

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

(1) SOURCE OF THE FUNDS EXPENDED ON THE OLD FM BUILDING FROM PURCHASE THRU FENCE AND LANDSCAPE.

(2) WERE THE FUNDS "DEDICATED", OR COULD THEY HAVE BEEN UTILIZED IN OTHER CITY AREAS? (3) WHAT IS THE CURRENT AND PROPOSED OCCUPANCY OF THE BUILDING?

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 7/14/11 -GS

Date requestor was notified 8/3/11 - 9:35 A.M.

Comments REQUESTOR STATED HE WOULD BE PRESENT.

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

Meeting: 08/09/11 06:00 PM
Department: Administration
Category: Natural Disasters

RESOLUTION (ID # 2143)

DOC ID: 2143 A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS RENAMING THE SH 146 BY-PASS BETWEEN US 90 AND LOOP 227 AS VETERANS MEMORIAL HIGHWAY

WHEREAS, the Liberty City Council received a request from Richard Ayers, Liberty County Veterans Service Officer to consider changing the name of SH 146 By-pass between US 90 and Loop 227 to Veterans Memorial Highway, and

WHEREAS, the City of Liberty wishes to acknowledge the important contributions of all veterans who have served in the armed forces to protect our country's freedom, and

WHEREAS, remembering the sacrifices made by these individuals and their brave and courageous service to our nation is one way to honor these veterans, however, we must honor them with deeds, not just words, and

WHEREAS, the renaming of SH 146 Bypass to Veterans Memorial Highway is a way of paying tribute to all veterans.

NOW THEREFORE, BE IT RESOLVED that the Liberty City Council hereby names the SH 146 BY-pass between US 90 and Loop 227 in the City of Liberty, the Veterans Memorial Highway.

READ, PASSED AND APPROVED on this, the 9th day of August, 2011 at a regular meeting of the City Council of the City of Liberty, Texas.

_____
Carl Pickett, Mayor

ATTEST:

_____
Dianne Tidwell, City Secretary

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 2142)

DOC ID: 2142

.

Attachment: Agreement -Veterans Memorial Hwy. (2142 : Veterans Memoria Hwy. Signage)

Project Name: Veterans Memorial Highway

STATE OF TEXAS §

COUNTY OF TRAVIS §

NAMED MARKER OR MEMORIAL MARKER HIGHWAY SIGN AGREEMENT

THIS AGREEMENT (the Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of Liberty, acting by and through its duly authorized officials, hereinafter called the "Local Government."

WITNESSETH

WHEREAS, Texas Transportation Code, §225.004 establishes that a local government may purchase and furnish to the department a suitable locally identifying memorial marker; and if the director approves the size and type of a marker, the department, on request, may erect the marker at a place most suitable to the department's maintenance operations. The department shall maintain the grounds for a marker. The local government shall repair or replace a marker; and

WHEREAS, the Local Government desires assistance from the State with providing highway marker signs or plaques in accordance with the Texas Manual on Uniform Traffic Control Devices and the State's procedures for the designation of SH 146 By-Pass from U.S. 90 to Loop 227 as "Veterans Memorial Highway to be hereinafter identified as the "Project;" and

WHEREAS, the Local Government proposes to pay the State a fixed amount for furnishing and/or installing these signs; and

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

Article 1. Contract Period

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Project or unless terminated or modified as hereinafter provided.

Article 2. Scope of Work

1. The State will fabricate and/or install the sign(s), as is identified on "Attachment A".
2. The State will fabricate (2) signs, furnish sign supports and make the sign installations, as is identified on "Attachment A".
3. The Local Government will pay the State a sum of $ $1,700 for the cost incurred by the State for the project prior to fabrication and/or installation of the signs. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied by the State to the Project.

4. In the event it becomes necessary to replace one or more of these signs or their supports due to age, vandalism or damage, it will be the responsibility of the Local Government to pay the costs for such replacement. The cost amount shall be as determined at the time of replacement and shall be agreed upon by both parties prior to the State making replacement.
5. The Local Government shall make its intentions known to the State within thirty (30) days of notification by the State that the signs need repair or replacement. If the necessary funds, in full, are not received within 90 days of the notification that the signs need repair or replacement, the State will remove the signs and dispose of the signs and supports as it deems necessary, and this agreement shall be considered terminated as stated in Article 3.

Article 3. Termination

This agreement may be terminated by any of the following conditions:

1. By mutual written agreement and consent of all parties.
2. By the State upon determination that construction of the Project is not feasible or is not in the best interest of the State and the traveling public.
3. By any party, upon the failure of the other parties to fulfill the obligation as set forth herein. Termination of this agreement shall extinguish all rights, duties, obligations and liabilities of the State and Local Government under this agreement. If the potential termination of this agreement is due to the failure of the Local Government to fulfill their contractual obligations as set forth herein; the State will notify the Local Government that possible breach of contract has occurred. The Local Government should make every effort to remedy the breach as outlined by the State within the period stated in Article 2, paragraph 5.

Article 4. Relationship of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 5. Amendments

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by the Local Government and the State.

Article 6. Legal Construction

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 7. Sole Agreement

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

Attachment: Agreement -Veterans Memorial Hwy. (2142 : Veterans Memoria Hwy. Signage)

Article 8. Notices
All notices required under this agreement by one party to the other parties shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

County or City:	*State:*
City of Liberty 1829 Sam Houston Liberty, TX 77575	Texas Department of Transportation 8350 Eastex Freeway Beaumont, TX 77708

Notice shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. The parties hereto may change the above address by sending written notice of such change to the other parties in the manner provided herein.

Article 9. Signatory Warranty
The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

IN TESTIMONY HEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF Liberty, TEXAS

By: _____ Date: _____

Typed or Printed Name and Title _____

_____

THE STATE OF TEXAS
Executed for the Executive Director 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 heretofore approved and authorized by the Texas Transportation Commission.

By: _____

_____District Engineer

Date: _____

Attachment: Agreement -Veterans Memorial Hwy. (2142 : Veterans Memoria Hwy. Signage)

ATTACHMENT A

Description and Location of Named or Memorial Marker Signs

The City of Liberty is naming the SH 146 By-Pass from U.S. 90 to Loop 227 - "Veterans Memorial Highway". One sign for each end of the by-pass will be fabricated similar to the design show on the attached sheet. Installation will be by TxDOT, with the cost of the work being for paid by the city.

2.3" Radius, 1.0" Border, White on Green;
"Veterans" ClearviewHwy-3-W; "Memorial" ClearviewHwy-3-W; "Highway" ClearviewHwy-3-W;

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2122)

DOC ID: 2122

.

Date: July 08, 2011

TO: Leoma & Dorothy Searles
4201 Sandune Rd
Liberty, Texas 77575

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: **4201 Sandune Rd**
Legal Description: **Reece Tract, Lot Tr 28**

Attachment: PH 4201 Sandune Rd. (2122 : PH 4201 Sandune Road)

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 August 09, 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 Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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.

Proof and scope of work will be required to be presented at hearing if work cannot be completed within 30 days. Furthermore, IF an extension is granted by City Council, specific time schedules for the commencement and performance of the work shall be required.

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.

Sincerely,

Robbie L. Hood, CPM

Robbie L. Hood
Neighborhood Services Administrator
City of Liberty

Attachment: PH 4201 Sandune Rd. (2122 : PH 4201 Sandune Road)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: **Leoma & Dorothy Searless**
Mailing Address: **4201 Sandune Rd, Liberty, Texas 77575**

Property Description: **Reece Tract, Lot Tr 28**
Street Address: **4201 Sandune Rd , 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 Chapter 6 of the Liberty Code of Ordinances.

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, CPM
Robbie L. Hood
Neighborhood Services Adm.

7-8-11
Date

Attachment: PH 4201 Sandune Rd. (2122 : PH 4201 Sandune Road)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2123)

DOC ID: 2123

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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 4201 Sandune Road of the Town of Liberty with Liberty County Central Appraisal District Property ID # 65120, Reece Tract, Lot Tr 28 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

Attachment: Order of Abatement 4201 Sandune Rd. (2123 : Order of Abatement 4201 Sandune Road)

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 09th day of August, 2011.

By:_____

Carl Pickett,
Mayor,
City of Liberty

Attachment: Order of Abatement 4201 Sandune Rd. (2123 : Order of Abatement 4201 Sandune Road)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2124)

DOC ID: 2124

.

Date: July 08, 2011

TO: Patricia Stroman
106 Carter St
Liberty, Texas 77575

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: **106 Carter St**
Legal Description: **Liberty Inner Blocks, Block 107, Lot 3 4 Tr 3**

Attachment: PH 106 Carter Street (2124 : PH 106 Carter Street)

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 August 09, 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 Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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.

Proof and scope of work will be required to be presented at hearing if work cannot be completed within 30 days. Furthermore, IF an extension is granted by City Council, specific time schedules for the commencement and performance of the work shall be required.

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.

Sincerely,

Robbie L. Hood
Neighborhood Services Administrator
City of Liberty

Attachment: PH 106 Carter Street (2124 : PH 106 Carter Street)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: **Patricia Stroman**
Mailing Address: **106 Carter St, Liberty, Texas 77575**

Property Description: **Liberty Inner Blocks, Block 107, Lot 3 4 Tr 3**
Street Address: **106 Carter St , 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 Chapter 6 of the Liberty Code of Ordinances.

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, CPM
Robbie L. Hood
Neighborhood Services Adm.

7-8-11
Date

Attachment: PH 106 Carter Street (2124 : PH 106 Carter Street)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2125)

DOC ID: 2125

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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 106 Carter Street of the Town of Liberty with Liberty County Central Appraisal District Property ID # 115506, Liberty Inner Blocks, Block 107, Lot 3 4 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

Attachment: Order of Abatement 106 Carter (2125 : Order of Abatement 106 Carter Street)

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 09th day of August, 2011.

By:_____

Carl Pickett,
Mayor,
City of Liberty

Attachment: Order of Abatement 106 Carter (2125 : Order of Abatement 106 Carter Street)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Budget Issues

COUNCIL ACTION (ID # 2134)

DOC ID: 2134

EXPLANATION:
The governing body of a municipality is required to hold a public hearing on the proposed budget for the new fiscal year. Any person may attend and/or participate in the hearing.

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CITY OF LIBERTY
2011 BUDGET AND TAX RATE SCHEDULE

July 11 – Presentation of the proposed budget (CM between 60-90 days prior to end of FY)

August 9 (Tuesday) – Regular Called Meeting
Set date, time and place for Public Hearing on the Budget (Aug. 23)
Vote on **Proposed** Tax Rate
Set date, time and place for Public Hearings on the Tax Rate
(Aug. 23 & Aug 31)

(Tax Rate – 2nd P.H. held not sooner than 3 days nor later than 14 days after P.H. #1)

August 8 – Give notice of Public Hearings (Budget & Tax Rate) to the paper for publication on Aug. 11 (Notice of Public Hearing on Tax Increase – both dates)

(Publication on Budget – 10 days prior to Public Hearing)
(Publication on Tax Rate – 7 days prior to Public Hearing)

August 11 – Notice of Public Hearing on the Budget in paper this day
Notice of Public Hearing on Tax Revenue Increase in paper this day

August 23 (Tuesday) – Special Called Meeting
Public Hearing on the Budget
Postponement of final vote on FY 10 budget until Sept. 13
1st Public Hearing on the Tax Rate
Budget Work Session ??

Aug. 31 (Tuesday) – Special Called Meeting
2nd Public Hearing on the Tax Rate
Budget Work Session OR Discussion of FY 10 budget related issues??

Sept 2 – Give notice to the paper for publication on Sept. 8
(Notice of Tax Revenue Increase)

Sept. 9 – Notice of Tax Revenue Increase in paper this day

Sept 13 (Tuesday) – Regular Called Meeting
Ordinance adopting the budget (15 days prior to Oct. 1)
Ratify the property tax revenue increase reflected in the FY 11 Budget
Ordinance adopting the tax rate for FY 11
Ordinance regarding tax roll approval and the tax levy

Attachment: 2011 BUDGET AND TAX RATE SCHEDULE (2134 : Dates-PH on Budget)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION (ID # 2135)

DOC ID: 2135

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION (ID # 2136)

DOC ID: 2136

EXPLANATION:

Tax payers must have the opportunity to express their views regarding the proposed tax rate. Management recommends holding the two required public hearings on August 23 and August 31, 2011. The second public hearing may not be held earlier than the third day nor later than the 14th day after the date of the first hearing.

The governing body may not adopt the tax rate at either of these hearings. At each hearing, the governing body must announce the date, time and place of the meeting at which it will vote on the tax rate.

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Jubilee

COUNCIL ACTION (ID # 2137)

DOC ID: 2137

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Change Orders

COUNCIL ACTION (ID # 2138)

DOC ID: 2138

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SCHAUMBURG & POLK, INC
BEAUMONT * HOUSTON * TYLER

July 12, 2011

A&A Electric
PO Box 22986
Beaumont, Texas 77720-2986

Attn: Mr. Doug Jackson

Re: Change Order No. 2 – DRAFT
TDRA Disaster Recovery Project
City of Liberty, Texas
Water & Wastewater Generators
Water & Wastewater SCADA Systems

Gentlemen,

Enclosed is a draft of Change Order No. 2 that has been sent by the City to the Texas Department of Rural Affairs (TDRA) for review. It is our hope that we will have TDRA review done in time for the change order to be posted at the August 8, 2011, Council meeting. In the meantime, please review the change order and advise of any comments. This is not an authorization to proceed. We are still awaiting TDRA approval to release funds for Change Order No. 1 and will advise you once it is received.

Sincerely,

Ricky J. Bourque, P.E.
Vice President

cc: Mr. Gilbert Arteaga/SPI
Mr. Justin Fenley/SPI
SPI File (w/ attachments)

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

CHAPTER 9
CONTRACT AMENDMENTS

Form 9-4 Construction Contract Change Order Approval Request

Owner (Contractor Locality): City of Liberty 1829 Sam Houston Street Liberty, TX 77575 Phone #:936-339-3684	Contract For (project description): Water & Wastewater Generators Water & Wastewater SCADA	Date DRAFT Project No. DRS 010098
Contractor: A&A Electric Company PO Box 22966 Beaumont, Texas 77720 Agreement Date: March 8, 2011 Phone #:(409)842-4437	Engineer: Schaumburg & Polk, Inc. 320 S. Broadway Street Tyler, TX 75702 Phone #:(903)595-3913 Engineer's Project No. WO 14207-1	DR Contract No. 010098 Change Order No. 2

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of Changes-Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
14	WWTP-Concrete foundation increased in area (18x28 to 16x30); add concrete pad for landing and Transfer Switch pad (8x18); adjust wall thickness of foundation; adjust depth of footing; modify stairs steel platform, grating and handrail for Transfer Switch; provide galvanized steel access platform around generator; provide earth fill around pad and adjust road for drainage. Revised drawings for Generator Site Plan and Generator Access Platform.		$52,716.00
15	WWTP-Modify electrical feed to include the following: one (1) 277/480V, 3 ph, 4W, Bypass Isolation Transfer Switch; furnish and install new conduits and cable in revised locations, including junction box; provide for minimum 450 KW, 3 phase generator and fuel with temporary connection to MCC to power portion of WWTP during construction.		$143,627.00

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

CHAPTER 9
CONTRACT AMENDMENTS

Change in Contract Price		Change in Contract Time	
Original Contract Price:	$1,099,763.00	Original Contract Time:	180 days
Previous Change Order(s) No. One	$ 53,023.83	Net Change From Previous Change Orders	0 days
Contract Price Prior to this Change Order	$1,152,786.83	Contract Time Prior to this Change Order	180 days
Net Increase/Decrease of this Change Order	$ 196,342.00	Net Increase/Decrease of this Change Order	125 days
Contract Price With all Approved Change Orders	$1,349,128.83	Contract Time With all Approved Change Orders	305 days
Cumulative % Change in Contract Price: 22.7%			

DR Division reimbursement of costs approved by this change order is subject to approval by TDRA.

RECOMMENDED:

By: _____

ENGINEER(Authorized Signature)

Date: 7-11-11

APPROVED:

By: _____

OWNER (Authorized Signature)

Date: _____

ACCEPTED:

By: _____

CONTRACTOR(Authorized Signature

Date: _____

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

July 11, 2011

Mr. Nic Houston
Public Management, Inc.
P.O. Box 1827
Cleveland, TX 77328-1827

Re: Water & Wastewater Generators
Water & Wastewater SCADA
Ike Disaster Recovery Project No. DRS010098

Gentlemen,

Enclosed is a change order proposed for the above project. The change order specifically addresses modifications at the Wastewater Plant. The items in this change order are being requested to improve the reliability of the incoming power and provide for better access to the generator for fueling and maintenance. In addition to the change in cost, a request is being made to extend the contract time to February 28, 2012. The reason for the extension is in the approval of the changes, delivery bypass isolation transfer switch and additional time for the main power construction. We are also requesting the time be extended to the SCADA portion of the project, which is tied to the completion of the work at the wastewater plant.

The City staff is in agreement with the work. Please submit to the funding agency for their review and approval. It is intended to schedule the change order for Council approval at the August 8, 2011 meeting.

Sincerely,

Gary Broz
City Manager

1829 Sam Houston Street Liberty, Texas 77575 936-336-3684 Fax: 936-336-9846 www.cityofliberty.org

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

CHAPTER 9
CONTRACT AMENDMENTS

JUSTIFICATION FOR CHANGE	Grantee:City of Liberty
	DRS Contract No.:010098
	Change Order No.2

1. Will this Change Order increase or decrease the number of beneficiaries? ☐ Increase ☐ Decrease ✓ No Change

   If there is a change, how many beneficiaries will be affected? Total _____ L/M _____

2. Effect of this change on scope of work: ✓ Increase ☐ Decrease ☐ No Change

3. Effect on operation and maintenance costs: ☐ Increase ✓ Decrease ☐ No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? ✓ Yes ☐ No

   If "No", explain:

5. Will this change be completed within the contract period? ☐ Yes ✓ No

   If "No", expected completion date: February 28, 2012
   (completion date)

6. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? ☐ Yes ✓ No

If "Yes", is an Environmental Re-assessment required? ☐ Yes ☐ No

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

7. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid?	✓ Yes	☐ No
8. Is the TCEQ permit approval still valid? (sewer projects only)	☐ Yes	☐ No
9. Are the handicapped access requirements/approval still valid (if applicable)?	☐ Yes	☐ No
10. Are other Disaster Recovery contractual special condition clearance still valid?	✓ Yes	☐ No

(If no, specify):

NOTE:

* Generally, a cumulative change in the contract price in excess of 25% cannot be approved.
* Generally, items not included or identifying unit costs in the original bid documents cannot be approved as change order items.

Attachment: CO #2 TDRA generators (2138 : C.O. #2 Round 1 Disaster Funds)

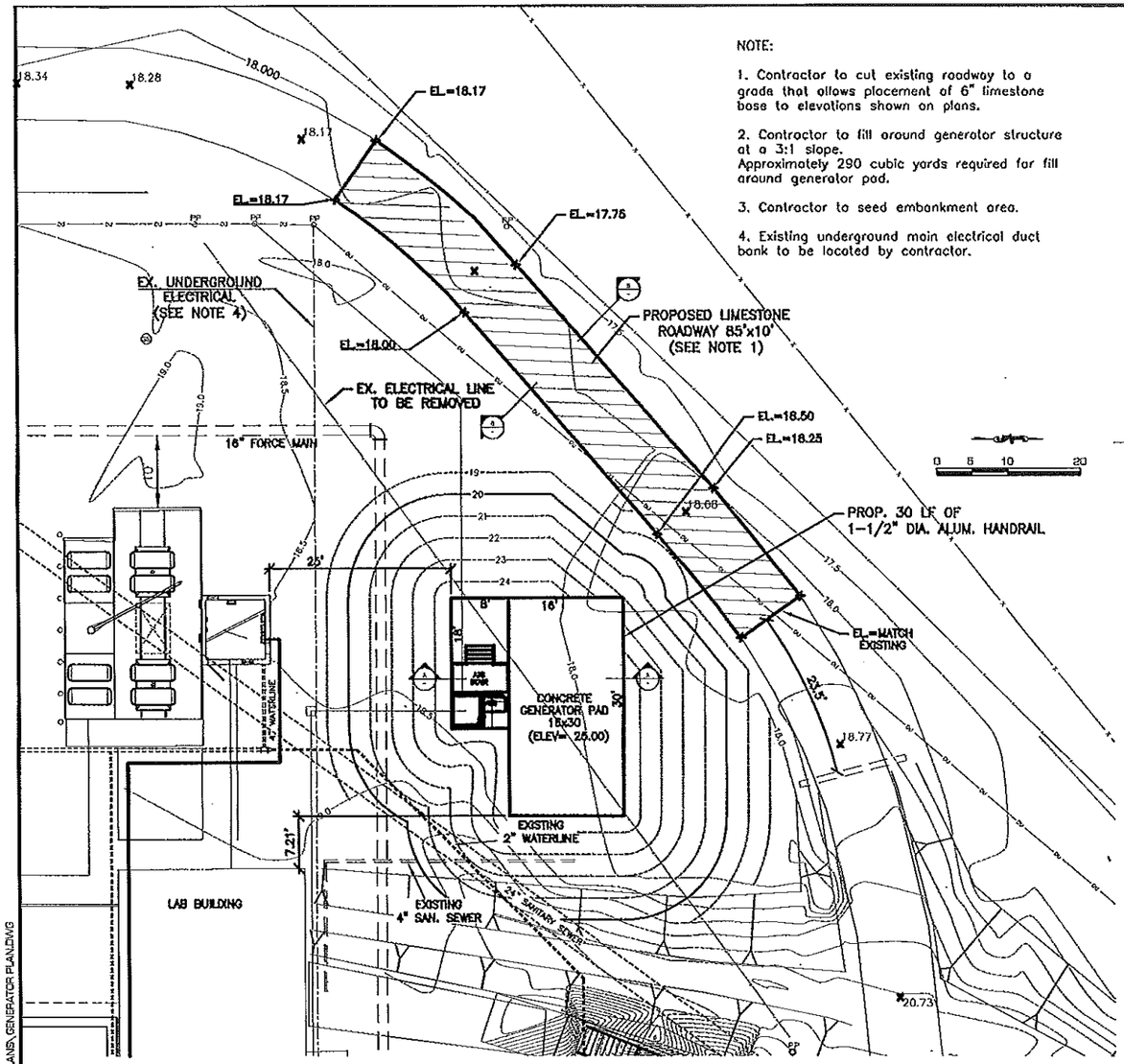
NOTE:

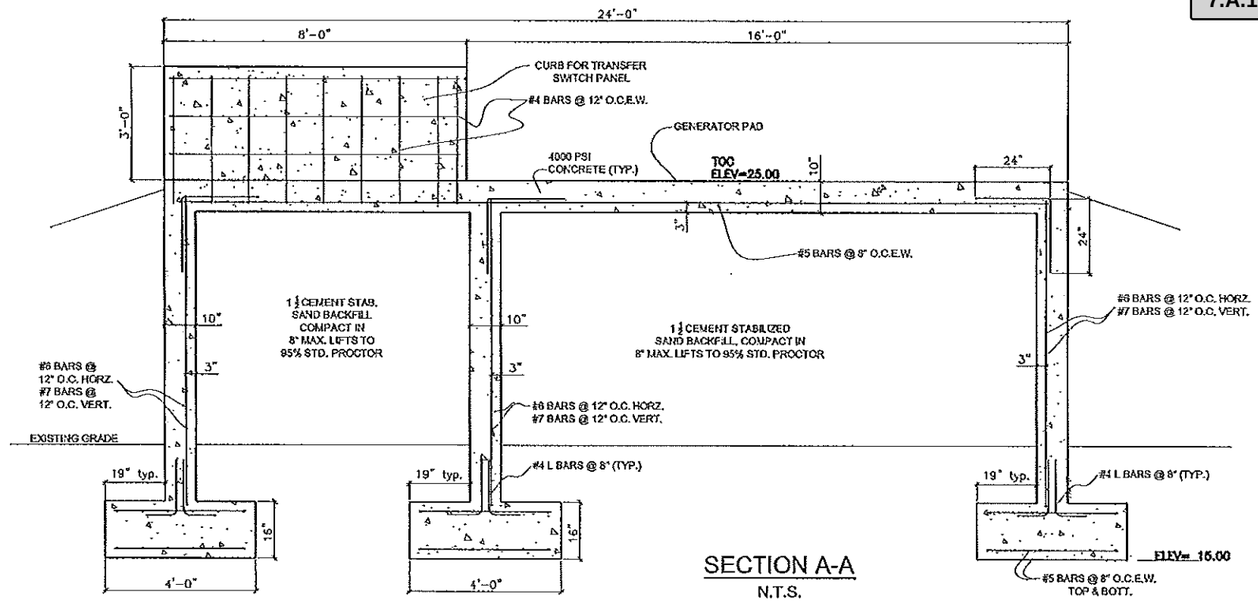
1. Contractor to cut existing roadway to a grade that allows placement of 6" limestone base to elevations shown on plans.

2. Contractor to fill around generator structure at a 3:1 slope.
Approximately 290 cubic yards required for fill around generator pad.

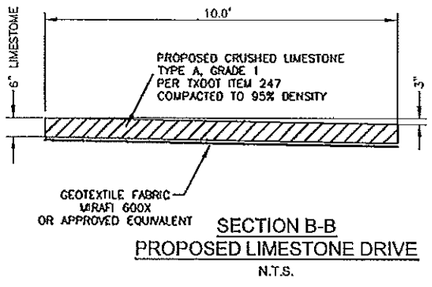
3. Contractor to seed embankment area.

4. Existing underground main electrical duct bank to be located by contractor.

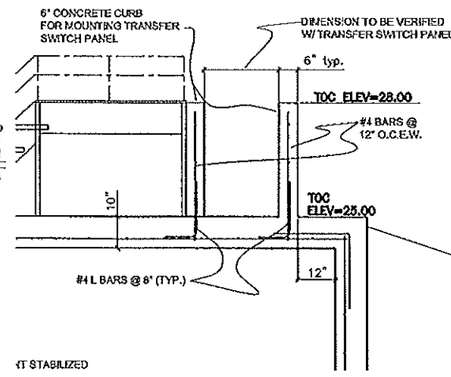


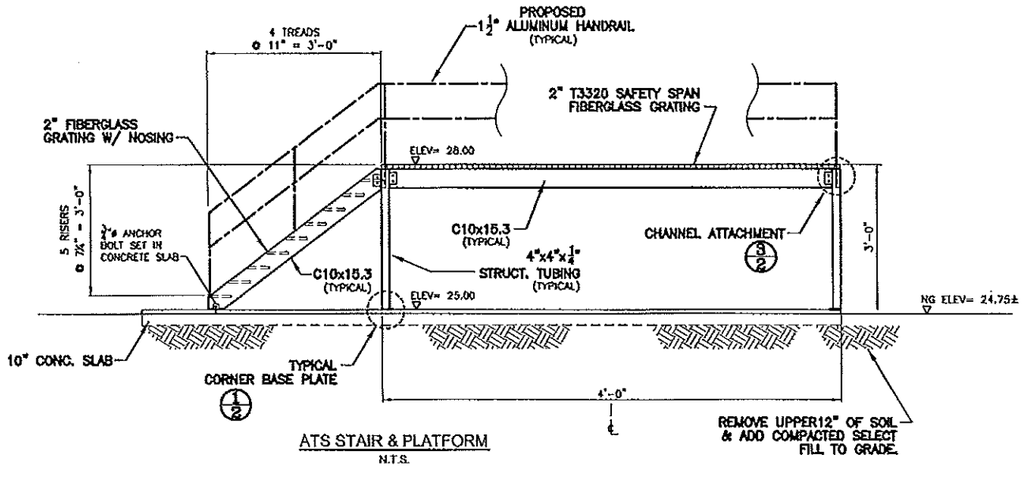


SECTION A-A
N.T.S.

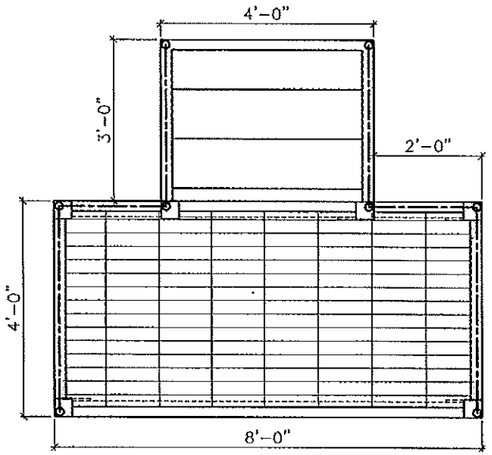


SECTION B-B
PROPOSED LIMESTONE DRIVE
N.T.S.





ATS STAIR & PLATFORM
N.T.S.



PLAN VIEW
ATS STAIR
N.T.S.

DATE	SYM.	BY	REVISIONS

CONSTRUCTION PLANS
FOR
CITY of LIBERTY, TEXAS

WASTEWATER TREATMENT PLANT IMPROVEMENTS

SCHAUMBURG & POLK, INC.
BEAUMONT * HOUSTON * TYLER
Firm Registration # F-000520
8885 College Street, Beaumont, Texas 77707
409.866.0341 P - 409.866.0337 F
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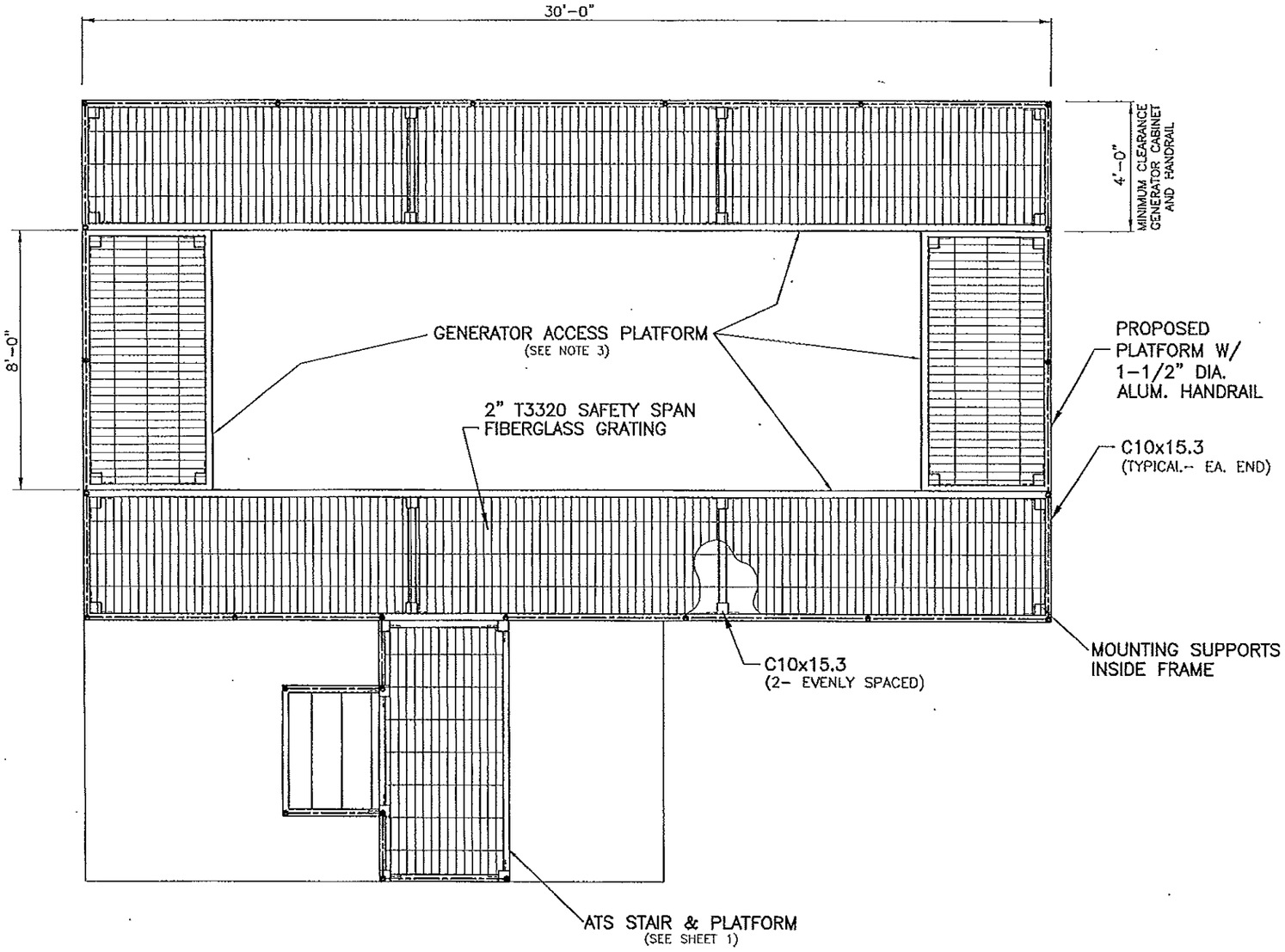
GENERATOR SITE PLAN

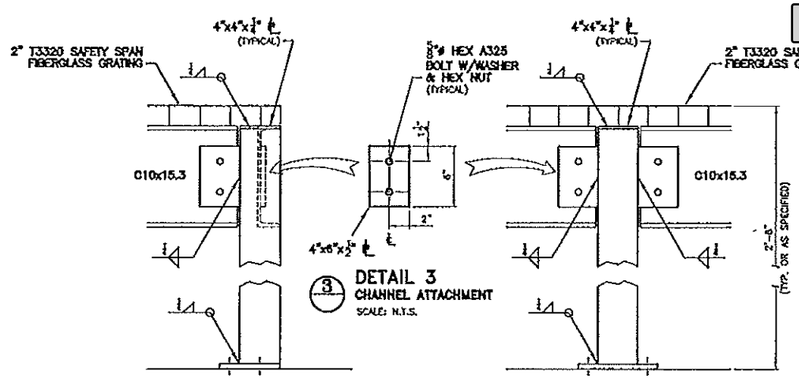
STATE OF TEXAS
RICKY J. BOURQUE
50261
REGISTERED PROFESSIONAL ENGINEER
7-11-11

DATE	JUNE 2011
SCALE	AS SHOWN
DRAWN BY	P WILSON
DESIGNED BY	R BOURQUE
CHECKED BY	R BOURQUE
SHEET	1 OF 3
DWG. NAME	GENERATOR PLANS.DWG
SURVEY FILE	

Attachment: CO #2 TDRA drawings (2138 : C.O. #2 Round 1 Disaster Funds)

P:\CITY OF LIBERTY\19002_CWSRF 2007\PLANS\GENERATOR PLANS.DWG
Monday, July 11, 2011 2:28:52 PM





NOTE:

1. Generator access platform to be provided as separate item.

2. Include cost of automatic transfer switch stair & platform in cost of generator foundation.

3. Coordinate with generator dimensions.

DATE	SYM	BY	REVISIONS

CONSTRUCTION PLANS
FOR
CITY of LIBERTY, TEXAS

WASTEWATER TREATMENT PLANT IMPROVEMENTS

SCHAUMBURG & POLK, INC.
BEAUMONT * HOUSTON * TYLER
Firm Registration # F-000520
8855 College Street, Beaumont, Texas 77707
409.866.0341 P - 409.866.0337 F
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GENERATOR ACCESS PLATFORM

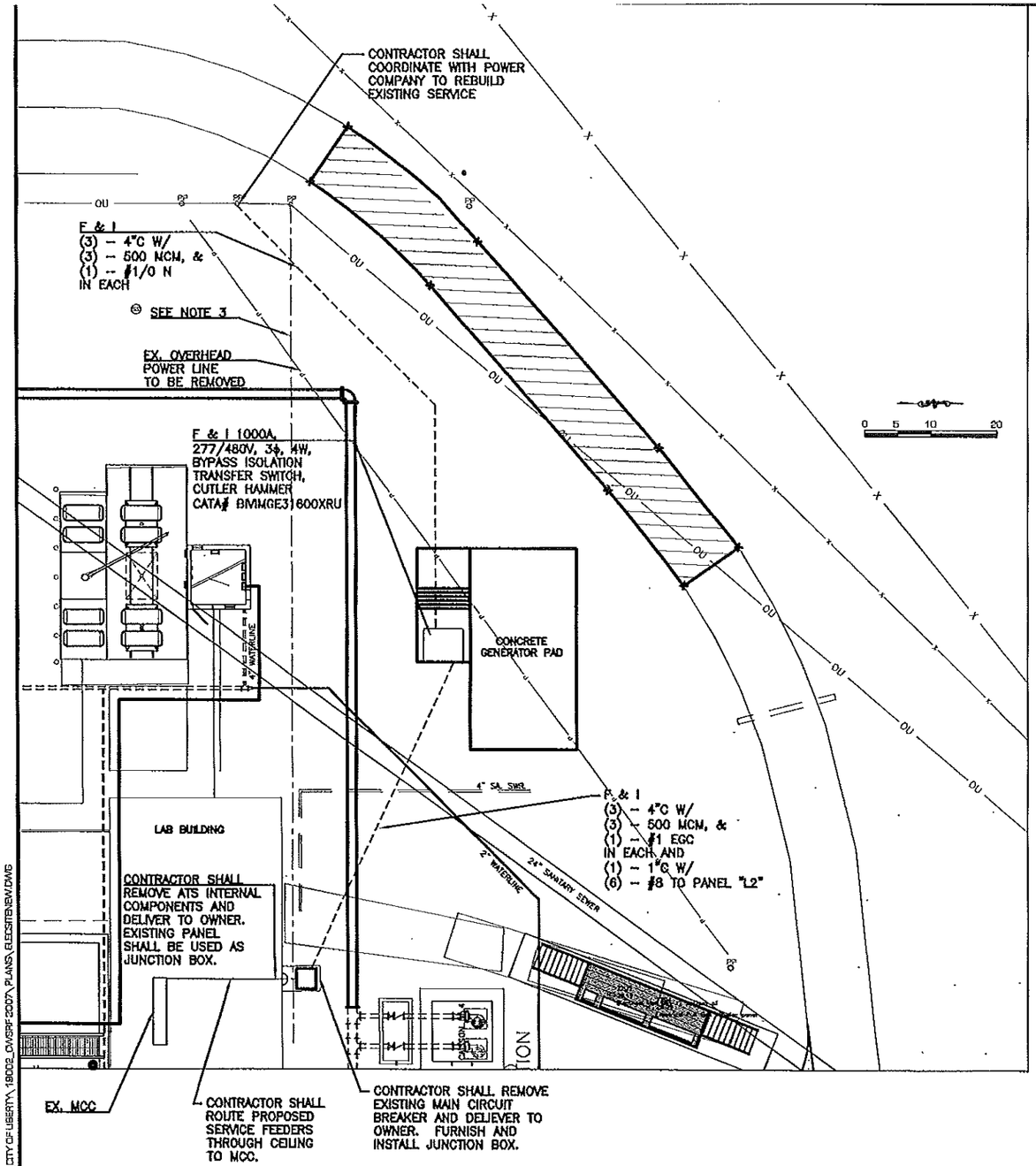
STATE OF TEXAS
RICKY J. BOURQUE
50261
REGISTERED PROFESSIONAL ENGINEER
6-2-11

DATE	JUNE 2011
SCALE	AS SHOWN
DRAWN BY	P WILSON
DESIGNED BY	R BOURQUE
CHECKED BY	R BOURQUE
SHEET	2 OF 3
DWG. NAME	GENERATOR PLAN.DWG
SURVEY FILE	

NOTE:

P:\CITY OF LIBERTY_19002_CWSRF 2007_PLANS\GENERATOR PLAN.DWG
Friday, June 03, 2011 7:35:42 AM

Attachment: CO #2 TDRA drawings (2138 : C.O. #2 Round 1 Disaster Funds)



ELECTRICAL SITE PLAN

SCALE: 1" = 10'

1. CONTRACTOR SHALL PROVIDE ALL ITEMS REQUIRED TO REBUILD SERVICE STRUCTURE TO OWNER FOR INSTALLATION, INCLUDING WOOD POLES, ALUMINUM PLATFORM, AND ALL STRUCTURAL SUPPORTS. COORDINATE WORK FOR NEW SERVICE AND FEEDERS WITH OWNER INSTALLATION TO MINIMIZE DISRUPTION OF SERVICE TO WASTEWATER PLANT.
2. CONTRACTOR SHALL REMOVE EXISTING MAIN CIRCUIT BREAKER, EXISTING AUTOMATIC TRANSFER SWITCH, AND MAIN SERVICE FEEDERS AND DELIEVER TO OWNER.
3. EXISTING UNDERGROUND ELECTRICAL DUCT BANK TO BE LOCATED BY CONTRACTOR.

P:\CITY OF LIBERTY\19002_CWSRF 2007\PLANS\ELECSITENEW.DWG
Monday, July 11, 2011 2:51:03 PM

DATE	SYM	BY	REVISIONS

CONSTRUCTION PLANS
FOR
CITY of LIBERTY, TEXAS

WASTEWATER TREATMENT PLANT IMPROVEMENTS

SPX SCHAUMBURG & POLK, INC.
BEAUMONT * HOUSTON * TYLER
Firm Registration # F000520
8865 College Street, Beaumont, Texas 77707
409.866.0341 P - 409.866.0337 F
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ELECTRICAL SITE PLAN

STATE OF TEXAS
RICKY J. BOURQUE
50261
REGISTERED PROFESSIONAL ENGINEER
7-19-11

DATE	MAY 2011
SCALE	AS SHOWN
DRAWN BY	J PENLEY
DESIGNED BY	W JORDAN
CHECKED BY	R BOURQUE
SHEET	3 OF 3
DWG. NAME	ELECSITENEW.DWG
SURVEY FILE	

Attachment: CO #2 TDRA drawings (2138 : C.O. #2 Round 1 Disaster Funds)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 2139)

DOC ID: 2139

.

CITY OF LIBERTY
PUBLIC WORKS FACILITY
BID TABULATION

BID DATE: 7/14/2011
BID TIME: 2:00pm

PROJECT: City of Liberty Fire Sub Station
LOCATION: 119 Bowie Street
Liberty, Texas 77575

BIDDER			Arnold Builders	Pelco Construction	Brock Construction	National Building	Target Contracting	
ADDENDA ACKNOWLEDGE	#1	7/7/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
	#2	7/8/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
	#3	7/12/2011	Yes ☑ No ☐	Yes ☑ No ☐	Yes ☐ No ☐	Yes ☐ No ☐	Yes ☑ No ☐	
CONTRACT TIME (DAYS)			120	150			60	
BASE BID		TOTAL BID	$ 216,921.00	$ 204,680.00	$	$	$ 160,000.00	
ALTERNATE 1 Add third Apparatus Bay 102 and related site work		TOTAL BID	$ 55,717.00	$ 48,550.00	$	$	$ 48,000.00	
ALTERNATE 2 Add temporary Toilet 103		TOTAL BID	$ 14,600.00	$ 12,790.00	$	$	$ 11,000.00 ~~219,000.00~~	
TOTAL W/ ALTERNATES			$ 287,238.00	$ 266,020.00	$	$	$219,000.00	
REMARKS	Apparent Low Bidder							
		COMMENTS						

Attachment: Bid Tab - FD Substation Bldg (2139 : Bid Award)

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Contracts

COUNCIL ACTION (ID # 2140)

DOC ID: 2140

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

Meeting: 08/09/11 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 2141)

DOC ID: 2141

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