



The City of Liberty
City Council
Regular Meeting
~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, December 13, 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

Public Comment is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda. Please be aware that, under Texas Law, the Council may not deliberate or take any action on non-agenda items. In some situations, City staff may be able to respond to the public comment with a factual statement or clarification. City Council may request that the item be placed on a future agenda at which time the Council may deliberate and/or act.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2256)

Various Project Updates

B. Information Item (ID # 2257)

Shred-It Recycling Event

C. Information Item (ID # 2258)

Annual Review and Update of the Community Development Capital Improvement Program.

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, November 08, 2011
2. Tuesday, November 22, 2011
3. Tuesday, December 06, 2011

B. Council Action (ID # 2264)

Consider Ratifying the Agreement for Fire Protection Services Between the City of Liberty and Liberty County.

- Fire Protection Agreement Dec 2011 (PDF)

VII. REGULAR AGENDA**A. Regular Session****1. Ordinance (ID # 2262)**

Consider Adoption of an Ordinance Objecting to a Proposed Rate Increase from Entergy Gulf States, Inc.

2. Public Hearing (ID # 2246)

Public Hearing on the Condemnation of the Structure Located at 609 Washington Street.

- PH 609 Washington (PDF)

3. Council Action (ID # 2247)

Consider an Order of Abatement for the Structure Located at 609 Washington Street.

- Order of Abatement 609 Washington (DOC)

4. Public Hearing (ID # 2248)

Public Hearing on the Condemnation of the Structure Located at 708 Lamar.

- PH 708 Lamar (PDF)

5. Council Action (ID # 2249)

Consider an Order of Abatement for the Structure Located at 708 Lamar.

- Order of Abatement 708 Lamar (DOC)

6. Public Hearing (ID # 2250)

Public Hearing on the Condemnation of the Structure Located at 1102 Trinity.

- PH 1102 Trinity (PDF)

7. Council Action (ID # 2251)

Consider an Order of Abatement for the Structure Located at 1102 Trinity.

- Order of Abatement 1102 Trinity (DOC)

8. Public Hearing (ID # 2252)

Public Hearing on the Structure Located at 3019 Grand.

- PH 3019 Grand (DOC)

9. Resolution (ID # 2253)

Consider a Resolution to Affirm the Cost of Demolition and Assess Lien on Property Located at 3019 Grand.

10. Public Hearing (ID # 2254)

Public Hearing on the Condemnation of the Structures Located at 615 Washington, 617 Washington, and 107 Tennessee.

- PH 615 Washington, 617 Washington, 107 Tennessee (DOC)

11. Resolution (ID # 2255)

Consider a Resolution to Affirm the Cost of Demolitions and Assess Lien on Property Located at 615 Washington, 617 Washington, and 107 Tennessee.

12. Public Hearing (ID # 2259)

Public Hearing Regarding the Taxing of Tangible Personal Property in Transit Which Would Otherwise be Exempt Pursuant to Texas Tax Code, Section 11.253.

- Goods in Transit Info 2011 (PDF)

13. Ordinance (ID # 2260)

Consider Adoption of an Ordinance to Tax Tangible Personal Property in Transit Which Would Otherwise be Exempt Pursuant to Texas Tax Code, Section 11.253.

14. Council Action (ID # 2263)

Consider Approval of the Final Plat of the Katina Whittington Subdivision.

- K. Whittington Subd Map Dec 2011 (PDF)

15. Council Action (ID # 2261)

Consider Appointments to the Airport Advisory Board.

16. Council Action (ID # 2265)

Consider and Act Upon Possible Changes to the City Election Cycle as a Result of SB 100.

17. Council Action (ID # 2266)

Consider Awarding Bid for a SCADA System for the City's Water Wells and Water Towers.

- SCADA Water Wells & Towers (PDF)

18. Council Action (ID # 2271)

Consider Approval of a Change Order (TWDB) for the SCADA System for the Wastewater Treatment Plant and Lift Stations.

- Change Order TWDB WWTP & Lift Stations (PDF)
- TWDB SCADA(PDF)

19. Council Action (ID # 2269)

Consider and Adopt the 2011 Plan of Finance as Presented by the City's Financial Advisor, on November 8, 2011.

- 2011 Plan of Finance (PDF)

20. Council Action (ID # 2270)

Consider and Compile a List of Projects to be Funded by the Proposed Issuance of Certificates of Obligation.

- CO Projects (PDF)

21. Council Action (ID # 2272)

Consider Authorizing Submission of an Application to the Houston-Galveston Area Council for a Community Improvement Grant.

- HGAC Community Grant (PDF)

22. Council Action (ID # 2273)

Consider and Take Action, If Any, on Proposed Curbside Recycling to be Provided by Waste Management for City Residents.

- Recycling Proposal Dec 2011 (PDF)

23. Council Action (ID # 2274)

Consider Authorizing Submission of an Application to the Houston-Galveston Area Council for a Solid Waste Grant.

- Solid Waste Grant Dec 2011 (PDF)

24. Information Item (ID # 2275)

Discussion Regarding the Sam Rayburn Municipal Power Agency and the Cambridge Project.

B. Executive Session

Deliberation Regarding Real Property. Gov. Code §551.072
Consultation with Attorney, Closed Meeting. Gov. Code §551.071

1. Discussion regarding sale of real estate.
2. Discussion regarding contemplated litigation.

C. Reconvene into Regular Session

1. Council Action (ID # 2267)

Consider and Take Action, If Any, on the Sale of Real Estate as Discussed in the Executive Session.

2. Council Action (ID # 2268)

Consider and Take Action, If Any, on Contemplated Litigation 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 9th day of December, 2011 at 3:00 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: 12/13/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2256)

DOC ID: 2256



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2257)

DOC ID: 2257



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2258)

DOC ID: 2258



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, November 8, 2011

6:00 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on November 8, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:01 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Absent	
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	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	
Brandon Davis	City Counsel	Present	

II. INVOCATION

The Invocation was given by Mr. Kevin Ladd.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was given by Fire Chief Fred Collins.

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.

Mayor Pickett reported on the following:

- 1) Veterans' Memorial Highway Dedication to be held on Wednesday, November 9, at 9:30 a.m.,
- 2) new flag placed on the flagpole on Hwy. 90,
- 3) Employee Appreciation Dinner to be held Thursday, November 17th,
- 4) on November 8th proclaimed November as Pancreatic Cancer Awareness Month, and
- 5) Councilperson Huddleston has scheduled a "Shred It Day" for Saturday, December 3rd in the City Hall parking lot.

City Manager Gary Broz reported on the following:

- 1) on Saturday, November 12th the Animal Control Department will hold a pet adoption day

from 9:00 a.m. until 3:00 p.m. at the corner of Main & Grand, and

2) on Wednesday, November 9th, FEMA, in coordination with the FCC will conduct the country's first nationwide Emergency Alert System Test. This test will last approximately three minutes.

V. WORK SESSION

A. Work Session (ID # 2217)

Discussion of City Elections and Possible Changes as a Result of SB 100.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding SB 100 which brings Texas into compliance with federal legislation, changing the time that military and overseas voters have to receive their ballots and return them to assure that their vote counts. SB 100 adjusts several dates in the election calendar, one being that the primary runoff date has been moved from April to the fourth Tuesday in May. Many County election officials have determined they are not in a position to offer voting equipment to cities and school districts for May elections in even numbered years. Discussed were the following options for conducting city elections:

- 1) City can purchase voting equipment and continue to conduct its own annual elections in May,
- 2) City can move to November uniform election date, allowing for a joint election with the County on each annual November uniform election date,
- 3) City can untagger Council Member terms and conduct elections on May uniform election date in odd-numbered years only. This would dictate that all seven Council seats are up for election every two years.
- 4) City can continue to conduct its own annual election on the May uniform election date, if the County is willing to provide voting equipment or by holding joint elections with the County.

Additional discussion on this topic will be held at a future meeting.

B. Work Session (ID # 2215)

Discussion with Mr. Bob Henderson, City Financial Advisor, Regarding Possible Future Projects and Updating the City's Plan of Finance.

COMMENTS - Current Meeting:

Mr. Bob Henderson, City of Liberty Financial Advisor, was present to speak with Council regarding updating the City's plan of finance, to include proposed future projects and associated funding. Mr. Henderson stated that the June 2010 Plan of Finance was well focused and the City is currently on schedule with its objectives.

Mr. Henderson reviewed the city's current finances, speaking to the various sources of revenue, to include sales tax collections which year-to-date, are up. Mr. Henderson further reviewed various fund balances and the city's debt issues currently outstanding. Mr. Henderson stated that there are several projects requiring the city's attention including a new police station, as stated in the previous plan of finance, currently estimated at an approximate cost of \$2.5 million, and several immediate needs; replacement of the Humphreys Cultural Center HVAC system at an estimated cost of \$200,000, and an equipment shed for the Public Works Service Center at an estimated cost of \$50,000.

Mr. Henderson reported that with the application for Round 2 Disaster Funds in the amount of \$1 million for construction of the police department facility, the City will be able to issue certificates of obligation to cover the above mentioned projects, with no increase in the I & S tax rate the next year. Lengthy discussion ensued regarding the issuance and other details related to the City's debt.

Cost of issuance:

Police Station	\$2.5 million
Cultural Center AC & Heating	\$200,000
PW Service Center Shed	\$50,000
Cost of Issuance/Legal fees	\$75,000
Total	\$2,825,000
Round 2 Disaster Funds	- \$1 million
Total Issuance	\$1,825,000

Mr. Henderson concluded his presentation by stating that the figures discussed are subject to action by Council to publish Notice of Intent to Issue in January and selling the debt in February, 2012.

C. Work Session (ID # 2216)

Discussion of Possible Tattoo Parlor Ordinance.

COMMENTS - Current Meeting:

This item was passed on for discussion at a later date.

VI. PRESENTATIONS / REPORTS

A. Information Item (ID # 2210)

Various Project Updates

COMMENTS - Current Meeting:

Mr. Broz reviewed with Council the printed project report of November 8th stating that the smart meter replacement project is nearing completion, the Monta Street water storage project should be in first class condition by the end of the week, the TXDOT contractor is working on the dirt work for the hangars at the Municipal Airport, and the Wastewater Treatment Plant operation is going well, with only a small punch list of items to complete.

Mr. Broz also reported on the status of other projects including the Fire Department Substation, Boomerang Electric Substation, new summary billing, sewer line replacement, and other various projects.

Minutes Acceptance: Minutes of Nov 8, 2011 6:00 PM (Minutes Approval)

B. Information Item (ID # 2211)

Abated Structures

COMMENTS - Current Meeting:

This item was passed on for discussion at a later date.

C. Information Item (ID # 2212)

Airport Advisory Board Appointments

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Airport Advisory Board will cease to exist on December 31, 2011. Mr. Broz stated that should the Council extend the term of this Board, appointments will need to be made at the December Council Meeting.

VII. 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:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, Jordan, Potetz, Simonson
ABSENT:	Mike McCarty

A. Minutes Approval

1. Tuesday, October 11, 2011

B. Council Action 2011-113

Consider Extending the Term of the Airport Advisory Board.

COMMENTS - Current Meeting:

Motion approving the Consent Agenda included extending the term of the Airport Advisory Board until December 31, 2013.

VIII. REGULAR AGENDA**A. Regular Session****1. Council Action 2011-114**

Consider Approval of the Preliminary Plat of the Katina Whittington Subdivision, Located on the East End of Westwood Avenue.

COMMENTS - Current Meeting:

Candy Motschman, Inspection Department, reported that Ms. Whittington obtained property from her father and additional land for a street right-of-way extension of Westwood, in order to obtain the proper street frontage for construction of a future home. This property is located off

of Hwy. 563, south of the Briargate Subdivision. Discussion was held regarding the street condition, improved road frontage and the property owners responsibility, previous water line extension, and additional related issues. Ms. Motschman further reported that the plat meets the City's requirements and was conditionally approved, for minor changes, by the Planning & Zoning Commission.

Motion was made to approve the preliminary plat of the Katina Whittington Subdivision.

ATTACHMENTS:

- Katina Whittington Subdivision Checklist (PDF)
- Katina Whittington Subd Map (PDF)

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

2. Public Hearing (ID # 2218)

Public Hearing on the Condemnation of the Structure Located at 902 Washington Street.

COMMENTS - Current Meeting:

At 7:19 p.m., Mayor Pickett opened a Public Hearing on the condemnation of the structure located at 902 Washington Street. Brandon Davis, Legal Counsel, explained that this property was previously approved for demolition by Council, that the demolition has taken place, and by City ordinance this hearing must be held in order to set the lien amount for filing with the County.

After a brief power point showing the before and after pictures of the property under consideration, Mr. Davis questioned Robbie Hood, Code Enforcement Officer, asking if proper notice was given to the property owner regarding this public hearing, if notice was published in the newspaper, and if bids were taken for the demolition process. Mr. Hood answered in the affirmative to all questions, stating that the demolition cost for 902 Washington was \$2,100.00. Additional costs for publications, mailing costs, filing fees, and attorney's fees bring the total lien amount to \$2,319.66.

At 7:22 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Demo Exp 902 Washington (DOC)

3. Resolution 2011-18

Consider a Resolution to Affirm the Cost of Demolition and Assess Lien on Property Located at 902 Washington Street.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution authorizing the filing of a lien on the property located at 902 Washington Street, in the amount of \$2,319.66.

Minutes Acceptance: Minutes of Nov 8, 2011 6:00 PM (Minutes Approval)

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

4. Public Hearing (ID # 2220)

Public Hearing on the Condemnation of the Structure Located at 839 Washington Street.

COMMENTS - Current Meeting:

At 7:23 p.m., Mayor Pickett opened a Public Hearing on the condemnation of the structure located at 839 Washington Street. Brandon Davis, Legal Counsel, explained that this property was previously approved for demolition by Council, that the demolition has taken place, and by City ordinance this hearing must be held in order to set the lien amount for filing with the County.

After a brief power point showing the before and after pictures of the property under consideration, Mr. Davis questioned Robbie Hood, Code Enforcement Officer, asking if proper notice was given to the property owner regarding this public hearing, if notice was published in the newspaper, and if bids were taken for the demolition process. Mr. Hood answered in the affirmative to all questions, stating that the demolition cost for 839 Washington was \$2,450.00. Additional costs for publications, mailing costs, filing fees, and attorney's fees bring the total lien amount to \$2,651.70.

At 7:25 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Demo Exp 839 Washington (DOC)

5. Resolution 2011-19

Consider a Resolution to Affirm the Cost of Demolition and Assess Lien on Property Located at 839 Washington Street.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution authorizing the filing of a lien on the property located at 839 Washington Street, in the amount of \$2,651.70.

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

6. Public Hearing (ID # 2222)

Public Hearing on the Condemnation of the Structure Located at 507 Trinity Street.

COMMENTS - Current Meeting:

At 7:26 p.m., Mayor Pickett opened a Public Hearing on the condemnation of the structure located at 507 Trinity Street. Brandon Davis, Legal Counsel, explained that this property was

also previously approved for demolition by Council, that the demolition has taken place, and by City ordinance this hearing must be held in order to set the lien amount for filing with the County.

After a brief power point showing the before and after pictures of the property under consideration, Mr. Davis questioned Robbie Hood, Code Enforcement Officer, asking if the proper process was followed regarding notice to property owners and bids, just as discussed in the previous two properties. Mr. Hood answered in the affirmative to all questions, stating that the demolition cost for 507 Trinity was \$2,800.00. Additional costs for publications, mailing costs, filing fees, and attorney's fees bring the total lien amount to \$2,942.52.

At 7:27 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Demo Exp 507 Trinity (DOC)

7. Resolution 2011-20

Consider a Resolution to Affirm the Cost of Demolition and Assess Lien on Property Located at 507 Trinity Street.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution authorizing the filing of a lien on the property located at 507 Trinity Street, in the amount of \$2,942.52.

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

8. Public Hearing (ID # 2224)

Public Hearing on the Condemnation of the Structure Located at 3603 Beaumont.

COMMENTS - Current Meeting:

At 7:29 p.m., Mayor Pickett opened a Public Hearing on the condemnation of the structure located at 3603 Beaumont Avenue. Brandon Davis, Legal Counsel, explained that this property was also previously approved for demolition by Council, that the demolition has taken place, and by City ordinance this hearing must be held in order to set the lien amount for filing with the County.

After a brief power point showing the before and after pictures of the property under consideration, Mr. Davis questioned Robbie Hood, Code Enforcement Officer, asking if the proper process was followed regarding notice to property owners and bids, as discussed in the previous properties. Mr. Hood answered in the affirmative to all questions, stating that the demolition cost for 3603 Beaumont Avenue was \$4,800.00. Additional costs for publications, mailing costs, filing fees, and attorney's fees bring the total lien amount to \$4,914.34.

At 7:30 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Demo Exp 3603 Beaumont (DOC)

9. Resolution 2011-21

Consider a Resolution to Affirm the Cost of Demolition and Assess Lien on Property Located at 3603 Beaumont Avenue.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution authorizing the filing of a lien on the property located at 3603 Beaumont Avenue, in the amount of \$4,914.34.

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

10. Resolution 2011-22

Consider a Resolution to Set Hearings Regarding Hazardous/Substandard Building Demolition Liens.

COMMENTS - Current Meeting:

Brandon Davis reported that expenses were incurred for the City's demolition of various properties as follows:

3019 Grand Street, Liberty, Texas,
 615 Washington Street, Liberty, Texas,
 617 Washington Street, Liberty, Texas, and
 107 Tennessee, Liberty, Texas

Motion was made to set the public hearing date of December 13, 2011 to establish lien amounts on the properties located at 3019 Grand Street, 615 Washington, 617 Washington Street, and 107 Tennessee Street.

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

11. Resolution 2011-23

Consider a Resolution Casting the City's Voting Entitlement for Position(S) on the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

Motion was made to apply the City's entire voting entitlement of 168 votes to John Hebert, Jr. for a position on the Liberty County Central Appraisal District Board of Directors.

ATTACHMENTS:

- CAD Voting Entitlement Info 2011 (PDF)

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

12. Public Hearing (ID # 2228)

Public Hearing Regarding the Taxing of Tangible Personal Property in Transit Which Would Otherwise be Exempt Pursuant to Texas Tax Code, Section 11.253.

COMMENTS - Current Meeting:

At 7:38 p.m., Mayor Pickett opened a Public Hearing regarding the taxing of tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253. Legal Counsel Brandon Davis explained that "goods-in-transit" means tangible personal property that is acquired or imported into the state to be forwarded to another location in or out of state; is property temporarily stored at a location that is not owned by the owner of the personal property, and is property that is transported to another location in or out of state not later than 175 days after the imported property is brought into the state. Further discussion included goods not regulated by this tax, taxing these goods for 2012 requires Council action by December 31, 2011, and other related topics.

At 7:47 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Goods in Transit Info 2011 (PDF)

13. Ordinance (ID # 2229)

Consider Adoption of an Ordinance to Tax Tangible Personal Property in Transit Which Would Otherwise be Exempt Pursuant to Texas Tax Code, Section 11.253.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Discussion ensued regarding the impact of this tax from the Central Appraisal District, the percentage of impact on small business, that passing this ordinance allows the City to tax goods that qualify, and other matters related thereto.

No action was taken; this item will be brought to Council at a later date.

Minutes Acceptance: Minutes of Nov 8, 2011 6:00 PM (Minutes Approval)

RESULT: NO ACTION TAKEN

14. Council Action 2011-112

Consider Approval of the PSAP Responding Boundary Agreement Between the City of Dayton and the City of Liberty.

COMMENTS - Current Meeting:

Police Chief Billy Tidwell reported that the Public Safety Answering Point Responding Boundary Agreement redefines the 911 boundaries, ensuring that the boundary between the City of Dayton and the City of Liberty are accurate and does not conflict. This agreement is part of the ongoing updates to the 911 System implemented by the Houston-Galveston Area Council.

Motion was made to approve the PSAP Agreement between the Houston-Gavleston Area Council, the City of Dayton and the City of Liberty, as presented.

ATTACHMENTS:

- PSAP Agreement - Dayton Nov 2011 (PDF)

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

15. Information Item (ID # 2230)

Annual Review and Update of the Community Development Capital Improvement Program.

COMMENTS - Current Meeting:

This agenda item was passed on until a later date.

IX. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:54 p.m.

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

 Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, November 22, 2011

6:00 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on November 22, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:05 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Absent	
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	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. 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.

City Manager Gary Broz reported on the following:

- 1) Council will soon receive an invitation from Boomerang Tube, LLC to an Open House and Facility Tour to be held on December 2nd,
- 2) new utility billing is working well, past due notices are no longer sent out,
- 3) expressed appreciation to Council for the Employee Appreciation Dinner held on November 17th, and
- 4) received information from Comcast Cable regarding potential programming changes.

Mayor Pickett reported on the following:

- 1) expressed appreciation for the efforts of Daneille Abt, Humane Officer, for the Dog Adoption Day held on November 12th,
- 2) stated that Councilperson Huddleston had scheduled a "Shred-It" day from 9 a.m. until Noon on Saturday, December 3rd,
- 3) remarked on a recent Houston Chronicle newspaper article regarding electric rates in the Houston area, and that the City of Liberty is in the normal range for the area, and
- 4) wished everyone a Happy Thanksgiving with friends and family.

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 2233)

Minutes Acceptance: Minutes of Nov 22, 2011 6:00 PM (Minutes Approval)

Financial Report

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that the financials for the month of October have now been closed, stating that October is a slow month as the City has yet to receive any property tax revenues. However, the City should begin receiving property tax revenues within the next month. Ms. Herrington further reported that the General Fund revenues for October were in the amount of \$344,765, and expenditures in the amount of \$567,121. This leaves the General Fund expenses, over revenue, in the amount of \$222,000. Ms. Herrington stated that the City is doing well on sales tax revenue.

Ms. Herrington further reviewed the various funds, along with their revenue and expenditure totals. Discussion included Bommerang payment for usage, SRMPA, payments for Certificates of Obligation, and other related matters. Ms. Herrington reported that the financial books have been closed for the previous fiscal year and sent to the auditors. The auditors will begin work on the City's audit in early December.

B. Information Item (ID # 2237)

Annual Review and Update of the Community Development Capital Improvement Program.

COMMENTS - Current Meeting:

This agenda item was passed on until a later date.

IV. WORK SESSION**1. Work Session (ID # 2234)**

Discussion of Round 2 Disaster Funds and Issuance of Certificates of Obligation for Construction of a Police Department Facility.

COMMENTS - Current Meeting:

City Manager Gary Broz presented a financing timeline for the proposed issuance of certificates of obligation and a draft copy of the City's Plan of Finance 2011. Mr. Broz reported this issuance would include funding for a new police station, replacement of HVAC units at the Humphreys Cultural Center, and construction of an equipment shed at the Public Works Service Center. Mr. Broz further reported that along with the proposed issuance, management is working on an application for Round 2 Disaster Recovery Funds, in the amount of \$1 million to assist in funding the police department facility. The police department will fit the criteria for the application as the facility "failed to function". Mr. Broz further reported that the application deadline is December 9.

Further discussion included engineering and administrative costs, handling certain administrative costs in-house, including additional funds in the proposed CO issuance for a bell tower and grounds improvements, library architect issues, special called meeting on December 6 for a public hearing and action on this issue. Mr. Broz reported that he is also working with Public Management to complete other necessary items related to this proposed project.

2. Work Session (ID # 2235)

Discussion of City Elections and Possible Changes as a Result of SB 100.

COMMENTS - Current Meeting:

Discussion was held regarding the various options for conducting a City's election due to SB 100. Those options discussed were:

- 1) the City can purchase voting equipment and continue to conduct its own annual elections in May,
- 2) the City can move to November uniform election date, allowing for a joint election with the County on each annual November uniform election date,
- 3) the City can unstagger Council Member terms and conduct elections on May uniform election date in odd-numbered years only. This would dictate that all seven Council seats are up for election every two years, or
- 4) the City can continue to conduct its own annual election on the May uniform election date, if the County is willing to provide voting equipment or by holding joint elections with the County.

After further discussion of the costs related to the various options, the process for changing election dates or terms, contracts for services and/or election equipment, and other related matters, it was the consensus of the Council to continue the lease of voting equipment from the County and conduct our own elections on the uniform election date in May of each year.

V. REGULAR AGENDA

A. Regular Session

1. Council Action 2011-115

Consider Approval of a Change Order for the Boomerang Substation Construction Project.

COMMENTS - Current Meeting:

General Manager Gary Broz reported that a tie-breaker had been left out of the original schematics of the Boomerang Substation Project. In order to remedy this situation, Mr. Broz requested approval of a change order in the amount of \$16,569.00, that would provide for a cubicle and tie-breaker which would tie all feeders together. Mr. Broz also reviewed the status of the project budget, stating that approximately \$458,000 had been spent out of the budgeted \$600,000 for controls and switchgear.

Motion was made to approve the Change Order in the amount of \$16,569.00.

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

2. Council Action 2011-116

Consider Acceptance of Round 2 Disaster Funds and Issuance of Certificates of Obligation for Construction of a Police Department Facility.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT: NO ACTION TAKEN

B. Executive Session

Personnel Matters. Gov. Code §551.074

Consultation with Attorney. Gov. Code §551.071

1. Deliberation regarding employment of a City Engineer.

At 7:09 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:44 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2011-117

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

RESULT: NO ACTION TAKEN

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:45 p.m.

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

 Carl Pickett, Mayor

ATTEST:

 Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 22, 2011 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, December 6, 2011

5:30 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on December 6, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 5:30 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	Absent	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. 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.

III. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 2240)

Public Hearing on Submission of an Application to the Texas General Land Office for Community Development Block Grant Disaster Recovery Funds, Hurricane Ike, Round 2.2.

COMMENTS - Current Meeting:

At 5:32 p.m., Mayor Pickett opened the Public Hearing on submission of an application to the Texas General Land Office for Disaster Recovery Funds, Round 2.2. City Manager Gary Broz stated that these funds, if awarded, would be in the approximate amount of \$1 million. Mr. Broz requested that these funds be dedicated to the construction of a new police station. Approximate cost of this facility is \$2.5 million.

At 5:34 p.m., Mayor Pickett closed the Public Hearing.

2. Resolution 2011-24

Minutes Acceptance: Minutes of Dec 6, 2011 5:30 PM (Minutes Approval)

Consider Approval of a Resolution Authorizing Submission of a Community Development Block Grant Program Application to the Texas General Land Office for the Disaster Recovery Fund, Hurricane Ike, Round 2.2, and Authorizing the Mayor to Act as the City's Representative in All Matters Related Thereto.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution as presented.

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

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 5:36 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Dec 6, 2011 5:30 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 2264)

DOC ID: 2264

STATE OF TEXAS §
COUNTY OF LIBERTY §

This contract is made by and between Liberty County, ("County") and City of Liberty Fire Department ("Department") located at:
1912 Lakeland Dr.
Liberty, Texas 77575
936-336-3922
Number of Active Members: 48

This contract shall commence on October 1, 2011 and unless terminated earlier, shall end on September 30, 2012.

Department shall operate a fire protection and fire fighting operation program for the geographic area of the community, and equipment must meet or exceed state equipment minimum requirements.

Liberty County Commissioners Court agrees with the following provisions and terms for county rural fire protection. Subject to approval and certification for payment by the County Fire Marshall, Liberty County Commissioners Court agrees to pay the Department for rural fire protection according to the following rate schedule:

(See Exhibit "A" which is attached hereto and incorporated herein for all purposes.)

Liberty County Commissioners Court agrees to pay for mutual aid assistance according to the rate schedule provided that the mutual aid department can prove that the primary fire department requested the assistance. Proof must be certified by the requesting Department's Fire Chief.

Reimbursement from Liberty County to the Department shall be on a monthly basis. The County shall reimburse the Department for runs and rural protection not within the Department's geographical boundaries of the City of Liberty.

In addition to reimbursement from the County to the Department as provided herein above, the County may provide to the Department rock and road surface materials to be placed by the County at the Department's facilities for use by emergency service vehicles including base material for driveway facilities at and adjacent to the VFD station. Cost of such materials shall be deducted from the Monthly Reimbursement made to the VFD.

ALL FIRE REPORTS MUST BE COMPLETED AND TURNED INTO THE COUNTY FIRE MARSHAL FOR APPROVAL BY THE 15TH OF EACH MONTH. COMPLIANCE WITH THIS PROVISION MANDATORY FOR PROPER PAYMENT TO THE FIRE DEPARTMENT

REQUESTING PAYMENT. FAILURE TO COMPLY MAY RESULT IN NON-REIMBURSEMENT.

5. TERMINATION

- A. County may terminate this contract, in whole or in part, at any time if County determines that cause exists for such termination. The party requesting termination shall give written notice sixty (60) days prior to the date of termination. The notice shall state the reason for termination and the portion of the contract to be terminated.
- B. County may immediately suspend performance of this contract, without advance notice to Department, if County identifies possible instances of fraud, abuse, fiscal mismanagement, or other serious deficiencies in Department's performance.
- C. The suspension or termination of this contract by County shall not relieve Department of any of their existing liability to County.

6. INDEMNIFICATION

To the fullest extent permitted by law, the Department shall defend indemnify and hold harmless the County, its consultants, agents and employees from and against suits, claims, damages, losses and expenses, including but not limited to, attorneys' fees, arising out or resulting from performance of the work to the extent that such claim, damage, loss or expense is attributable to bodily or personal injury, sickness, disease or death or to injury to or destruction of tangible property, including loss of use resulting therefrom and is caused in whole or in part by negligent acts or omissions or acts or omissions of the Department, a subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. This indemnity shall include but not be limited to, any claim or suit brought by an employee of the Department or any of the Department's subcontractors. This indemnity obligation shall not be construed to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

To the fullest extent permissible under Texas law, the County shall indemnify, defend, and hold harmless the Department, its officers, agents, and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of the County, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass, override or supercede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of any Texas constitutional claim pertaining to the application of any indemnity claim under this contract.

The parties expressly acknowledge that the Department is contracted by the County only for the purposes and to the extent set forth in this agreement, and the relationship of the Department to the County shall during the period or periods hereunder, be that of an independent contractor. The Department shall not be considered as having employee, subcontractor, agent, or joint venture status. Neither party shall be deemed an employee or agent of the other party. This agreement does not constitute a joint venture, either expressed or implied.

To effectuate the purpose of this Section 6, the indemnified party, as the case may be, shall give written notice of any suit or claim within twenty one (21) days of the date of receipt of same to the indemnifying party. The indemnifying party shall have the right, but not the obligation, to participate in the defense of the claim or suit by engaging its own counsel and conducting any defense of any claim it may be called upon to pay the party to be indemnified. The party to be indemnified shall cooperate fully with the indemnifying party.

7. COMMITMENT OF CURRENT REVENUE

Pursuant to Article XI Section 5 of the Texas Constitution and Section 271.903 of the Local Government Code, the County retains the continuing right to terminate this contract at the expiration of each budget period. This contract is conditioned on the best efforts attempt of the County to obtain and appropriate funds within each budget period for the payment of the contract.

8. COMPLIANCE WITH LAW

The Department shall comply with all regulations applicable to volunteer fire departments as applicable and with all federal, state and local laws and regulations applicable to this contract. In the event of a conflict between such laws and regulations and the terms of this contract, precedence shall be given to the laws and regulations.

9. ENTIRE CONTRACT

This Contract incorporates all of the agreements, covenants and understandings between the Parties thereto, concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Contract. No other prior agreement or understanding, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this Contract. Each party acknowledges that it was represented by competent counsel of its own choosing regarding the negotiation and execution of this Contract.

Signed this the _____ day of _____, 2011.

Craig McNair, County Judge

City of Liberty Fire Department,
President

Jim Wilson, County Fire Marshal

EXHIBIT "A"

INCIDENT TYPE	RATE
STRUCTURE	\$ 450.00
VEHICLE FIRES OR ACCIDENT	\$ 300.00
VEGETATION CROP FIRES	\$ 350.00
TRAFFIC CONTROL	\$ 200.00
LANDING ZONE	\$ 200.00
SEARCH AND RESCUE	\$ 200.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Electric Issues

ORDINANCE (ID # 2262)

DOC ID: 2262 A

EXPLANATION:

In the State of Texas, the city has "Original Jurisdiction" over utility rates. Any time an energy provider has a change in rates, the provider must go to the "Regulator of Origin" (city). Usually the energy provider requests the "rate increase" be denied or referred to the PUC for an automatic appeal. This gives the provider time to contact each city, have documents signed, so that the rates may begin the same time and date, for all of the provider's territory (Entergy Texas).

In the case of a refund, the provider asks the rate be approved, normally because it has already been approved by the Federal Energy Regulatory Commission (FERC).

This situation is unique to Texas.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, SAID ORDINANCE OBJECTING TO A PROPOSED RATE INCREASE FOR ELECTRIC POWER PROVIDED BY ENTERGY TEXAS, INC. (ETI) AND ASKING THAT THE PUBLIC UTILITIES COMMISSION OF TEXAS (PUCT) SUSPEND ETI'S RATE CASE UNTIL APRIL 1, 2012.

WHEREAS, ETI has notified the City of its intent to file a Statement of Intent to increase rates for electric power; said proposed increase to include a reconciliation of fuel and purchased power costs; and

WHEREAS, ETI has provided the City with a copy of its Statement of Intent and application for authority to change rates and to reconcile fuel costs; and

WHEREAS, said consideration has taken place in a public meeting, same having been duly posted by the City Secretary in conformity with the Texas Local Government Code; and

WHEREAS, the City Council's action on this matter have been and are within its legal authority as provided under applicable state law.

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

- (1) the City Council hereby declines to approve any and all changes in ETI's current rate structure; said disapproval to be inclusive of ETI's Statement of Intent,
- (2) the City Council herein declares its desire that the PUCT suspend all actions relating to ETI's rate case and that said suspension be in effect until April 1,

2012; said suspension allowing for an appropriate period of time with which to adequately review and comment on ETI's request, and

- (3) the City staff is instructed to provide ETI with a certified copy of this Ordinance and to place a copy of said Ordinance on file with the Public Utilities Commission of Texas.

PASSED AND ADOPTED this the 13th day of December, 2011.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2246)

DOC ID: 2246

Date: November 10, 2011

TO: Joseph Burrell Jr
C/O Ronnie Rubit
4925 Steel Meadows Ln
Humble, Texas 77346

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: 609 Washington
Legal Description: Fisher, Block 0-49, Lot 14

Attachment: PH 609 Washington (2246 : PH 609 Washington Street)

City of Liberty, Liberty County, Texas

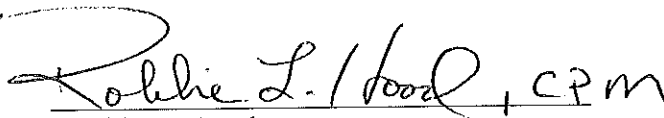
You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on December 13, 2011, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code 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 609 Washington (2246 : PH 609 Washington Street)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Joseph Burrell Jr C/O Ronnie Rubit
 Mailing Address: 4925 Steel Meadows Ln, Humble, Tx 77346

Property Description: Fisher, Block 0-49, Lot 14
 Street Address: 609 Washington , 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.

11-10-11

Date

Attachment: PH 609 Washington (2246 : PH 609 Washington Street)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2247)

DOC ID: 2247

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 609 Washington of the Town of Liberty with Liberty County Central Appraisal District Property ID # 48219, Fisher, Block 0-49, Lot 14 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 13th day of December, 2011.

By: _____

Carl Pickett,
Mayor,
City of Liberty

Attachment: Order of Abatement 609 Washington (2247 : Order of Abatement 609 Washington)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2248)

DOC ID: 2248

Date: November 10, 2011

TO: Betty Kirkwood
PO Box 571
Liberty, Texas 77575-0571

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: 708 Lamar

Legal Description: Mobile Home on Tr 3, Lot Pt 1, Blk 114, Liberty Inner

Blocks

Attachment: PH 708 Lamar (2248 : PH 708 Lamar)

City of Liberty, Liberty County, Texas

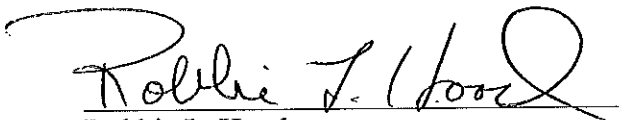
You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on December 13, 2011, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code 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 708 Lamar (2248 : PH 708 Lamar)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Betty Kirkwood

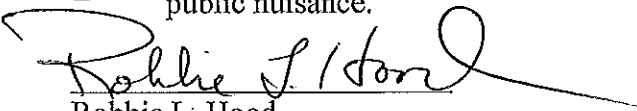
Mailing Address: PO Box 571, Liberty, Texas 77575-0571

Property Description: Mobile Home on Tr 3, Lot Pt 1, Blk 114, Liberty Inner Blocks

Street Address: 708 Lamar, 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

Neighborhood Services Adm.

11-10-11

Date

Attachment: PH 708 Lamar (2248 : PH 708 Lamar)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2249)

DOC ID: 2249

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 708 Lamar of the Town of Liberty with Liberty County Central Appraisal District Property ID # 56414, Liberty Inner Blocks, Block 114, Lot Pt 1 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 13th day of December, 2011.

By: _____

Carl Pickett,
Mayor,
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2250)

DOC ID: 2250

Date: November 10, 2011

TO: Jose Victor Garcia
PO Box 8055
Liberty, Texas 77575-2655

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: **1102 Trinity**

Legal Description: **Mobile Home on Pt 1, Tr 1, Blk 78, Liberty Inner**

Blocks

Attachment: PH 1102 Trinity (2250 : PH 1102 Trinity)

City of Liberty, Liberty County, Texas

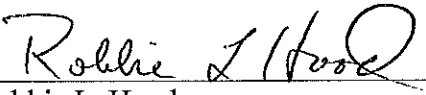
You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on December 13, 2011, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code 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 1102 Trinity (2250 : PH 1102 Trinity)

Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Jose Victor Garcia
 Mailing Address: PO Box 8055, Liberty, Texas 77575-2655

Property Description: Mobile Home on Pt 1, Tr 1, Blk 78, Liberty Inner Blocks
 Street Address: 1102 Trinity, 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
 Robbie L. Hood
 Neighborhood Services Adm.

11-10-11

Date

Attachment: PH 1102 Trinity (2250 : PH 1102 Trinity)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2251)

DOC ID: 2251

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 1102 Trinity of the Town of Liberty with Liberty County Central Appraisal District Property ID # 111692, Mobile Home On Liberty Inner Blocks, Block 78, Lot Pt 1 Tr 1 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 13th day of December, 2011.

By: _____
 Carl Pickett,
 Mayor,
 City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2252)

DOC ID: 2252

Expenses for the Demolition of 3019 Grand

Certified/Regular Mail	\$ 5.98
Vindicator Publication of Public Hearing.....	\$ 43.20
Vindicator Publication of Councils Findings.....	\$ 36.40
Demolition of Structure.....	\$ 1,800.00
Lien.....	\$ 11.00
 Total.....	 \$ 1,896.58

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Property Liens

RESOLUTION (ID # 2253)

DOC ID: 2253 B

**A RESOLUTION BY THE CITY COUNCIL OF THE
CITY OF LIBERTY, TEXAS, FINDING ABATEMENT COSTS TO BE REASONABLE AND
AUTHORIZING THE FILING OF A LIEN ON THE PROPERTY LOCATED AT 3019 GRAND,
LIBERTY, TEXAS 77575**

WHEREAS, the City of Liberty wishes to maintain a city clean of hazardous buildings;
and

WHEREAS, the property located at 3019 Grand, Liberty, Texas 77575 was previously
declared a hazardous building and ordered demolished by the City of Liberty City Council
("Council"); and

WHEREAS, the City of Liberty incurred expenses in preparation for and execution of the
abatement of hazardous buildings and other nonconforming conditions on the property; and

WHEREAS, interested parties have been given notice of the time and date of a public
hearing held on December 13, 2011 to consider the reasonableness of expenses incurred in
abating hazardous and other nonconforming properties;

WHEREAS, Council heard evidence of the costs associated with the reasonableness of
expenses incurred in abating hazardous conditions and other nonconforming properties; and

WHEREAS, the City of Liberty finds it to be in the best interest of the City to file a lien on
the referenced property with the Liberty County Clerk for the amount of expenses incurred by
the City during the hazardous building abatement process.

NOW, THEREFORE, BE IT RESOLVED that the Council finds that the costs expended
in the abatement of the hazardous and other nonconforming structures is found to be
reasonable, and Council authorizes City officials to execute and file a lien with the Liberty
County Clerk in the amount of \$1,896.58 on the property located at 3019 Grand, Liberty, TX
77575, further described as 3019 Grand, Liberty Outer Blocks 0-18, Lot Pt 5, Tr 12.

PASSED AND APPROVED this 13th day of December, 2011.

CITY OF LIBERTY, TEXAS

Carl Pickett
Mayor

ATTEST:

Resolution (ID # 2253)
Page 2

City Council Meeting

December 13, 2011

Dianne Tidwell
City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2254)

DOC ID: 2254

Expenses for the Demolition of 615 Washington. 617 Washington and 107 Tennessee

Certified/Regular Mail	\$ 17.94
Vindicator Publication of Public Hearing.....	\$ 45.20
Vindicator Publication of Councils Findings.....	\$ 36.40
Demolition of Structures.....	\$ 4,200.00
Lien.....	\$ 11.00
 Total.....	 \$ 4,310.54



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Property Liens

7.A.11

RESOLUTION (ID # 2255)

DOC ID: 2255 A

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, FINDING ABATEMENT COSTS TO BE REASONABLE AND AUTHORIZING THE FILING OF A LIEN ON THE PROPERTY LOCATED AT 615 WASHINGTON, LIBERTY, TEXAS 77575, 617 WASHINGTON, LIBERTY, TEXAS 77575 AND 107 TENNESSEE, LIBERTY, TEXAS 77575

WHEREAS, the City of Liberty wishes to maintain a city clean of hazardous buildings;
and

WHEREAS, the property located at 615 Washington, Liberty, Texas 77575, 617 Washington, Liberty, Texas 77575 and 107 Tennessee, Liberty, Texas 77575 was previously declared hazardous buildings and ordered demolished by the City of Liberty City Council ("Council"); and

WHEREAS, the City of Liberty incurred expenses in preparation for and execution of the abatement of hazardous buildings and other nonconforming conditions on the property; and

WHEREAS, interested parties have been given notice of the time and date of a public hearing held on December 13, 2011 to consider the reasonableness of expenses incurred in abating hazardous and other nonconforming properties;

WHEREAS, Council heard evidence of the costs associated with the reasonableness of expenses incurred in abating hazardous conditions and other nonconforming properties; and

WHEREAS, the City of Liberty finds it to be in the best interest of the City to file a lien on the referenced property with the Liberty County Clerk for the amount of expenses incurred by the City during the hazardous building abatement process.

NOW, THEREFORE, BE IT RESOLVED that the Council finds that the costs expended in the abatement of the hazardous and other nonconforming structures is found to be reasonable, and Council authorizes City officials to execute and file a lien with the Liberty County Clerk in the amount of \$4,310.54 on the property located at 615 Washington, Liberty, Texas 77575, 617 Washington, Liberty, Texas 77575 and 107 Tennessee, Liberty, Texas 77575 further described as Tennessee @ Washington, Liberty Outer Blocks, Block 0-49, Tract 20.

PASSED AND APPROVED this 13th day of December, 2011.

CITY OF LIBERTY, TEXAS

Carl Pickett
Mayor

Resolution (ID # 2255)
Page 2

City Council Meeting

December 13, 2011

ATTEST:

Dianne Tidwell
City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Tax Issues

PUBLIC HEARING (ID # 2259)

DOC ID: 2259

EXPLANATION:

Before any action can be taken regarding the taxing of "Goods in Transit", a Public Hearing must be held to discuss whether to exempt or tax these goods. Please see attached information.

Liberty County Central Appraisal District

P. O. Box 10016 -- 2030 Sam Houston -- Liberty, TX 77575-2916

Phone -- (936) 336-5722 -- Fax -- (936) 336-8390

APPRAISAL REVIEW BOARD

Curtis Laird -- Chm.
Winn Skidmore
Bill Bracken
Kenneth Riggs
Walt Saucier
Joe Bazar
Cordella Kirkham



CHIEF ADMINISTRATOR

Alan D. Conner

MEMBERS OF THE BOARD

Ronnie Danner -- Chm.
Bob Pickle
Mike Van Etta
Frank Barnett
Bob Edwards
Richard L. Brown -- Ex-Officio

Date: September 7, 2011
To: All Taxing Units
From: Alan Conner 
Re: Senate Bill 1- "Goods in Transit" Exemption

Senate Bill 1 redefines the "goods in transit" exemption for the 2012 tax year. This update to the original "goods in transit" legislation passed in 2007 requires your taxing entity to act during a very narrow window of time. The law provides that you must take action after October 1, 2011 but before December 31, 2011, if you wish to continue to tax "goods in transit". Please find enclosed the following documents:

1. List of Taxing Entities in Liberty County currently electing to tax "goods in transit".
2. Article 48. Ad Valorem Taxation of certain stored property
3. Sample resolutions or orders

Before you act to tax these "goods in transit" for 2012, your taxing entity must hold a public hearing on the question of whether to exempt or tax these goods. Next, in order to tax these goods for 2012, the governing body of taxing unit must take action in a manner required for official action after October 1, 2011 and before December 31, 2011.

When finalized, please forward a copy of your order, resolution or ordinance to our office. If you have any questions concerning this exemption please give me a call.

Attachment: Goods in Transit Info 2011 (2259 : Goods in Transit)

LIBERTY COUNTY TAXING UNITS
HB 621 GOODS IN TRANSIT
AS OF JANUARY 1, 2011

TAX GOODS IN TRANSIT

LIBERTY COUNTY
CLEVELAND ISD
DAYTON ISD
HARDIN ISD
HULL DAISSETTA ISD
LIBERTY ISD
TARKINGTON ISD
CITY OF AMES
CITY OF CLEVELAND
CITY OF DAYTON
CITY OF LIBERTY
CITY OF MONT BELVIEU
WCID#5
DD #1
ESD #7
NAVIGATION DIST
HOSPITAL DISTRICT #1

NO ACTION

DEVERS ISD
CITY OF DAISSETTA
CITY OF DAYTON LAKES ESTATE
CITY OF DEVERS
CITY OF HARDIN
WCID #1
WCID #6
HULL FRESH WATER
DD #2
DD #4
ESD #1
ESD #2
ESD #3

ARTICLE 48. AD VALOREM TAXATION OF CERTAIN STORED PROPERTY

SECTION 48.01. Subsection (a), Section 11.253, Tax Code, is amended by amending Subdivision (2) and adding Subdivisions (5) and (6) to read as follows:

(2) "Goods-in-transit" means tangible personal property that:

(A) is acquired in or imported into this state to be forwarded to another location in this state or outside this state;

(B) is stored under a contract of bailment by a public warehouse operator ~~[detained]~~ at one or more public warehouse facilities ~~[a location]~~ in this state that are not in any way owned or controlled by ~~[in which]~~ the owner of the personal property ~~[does not have a direct or indirect ownership interest]~~ for the account of ~~[assembling, storing, manufacturing, processing, or fabricating purposes by]~~ the person who acquired or imported the property;

(C) is transported to another location in this state or outside this state not later than 175 days after the date the person acquired the property in or imported the property into this state; and

(D) does not include oil, natural gas, petroleum products, aircraft, dealer's motor vehicle inventory, dealer's vessel and outboard motor inventory, dealer's heavy equipment

inventory, or retail manufactured housing inventory.

(5) "Bailee" and "warehouse" have the meanings assigned by Section 7.102, Business & Commerce Code.

(6) "Public warehouse operator" means a person that:

(A) is both a bailee and a warehouse; and

(B) stores under a contract of bailment, at one or more public warehouse facilities, tangible personal property that is owned by other persons solely for the account of those persons and not for the operator's account.

SECTION 48.02. Section 11.253, Tax Code, is amended by amending Subsections (e) and (h) and adding Subsections (j-1) and (j-2) to read as follows:

(e) In determining the market value of goods-in-transit that in the preceding year were [~~assembled,~~] stored[~~, manufactured, processed, or fabricated~~] in this state, the chief appraiser shall exclude the cost of equipment, machinery, or materials that entered into and became component parts of the goods-in-transit but were not themselves goods-in-transit or that were not transported to another location in this state or outside this state before the expiration of 175 days after the date they were brought into this state by the property owner or acquired by the property owner in this state. For component parts held in bulk, the chief appraiser may use the average length of time a component part was held by the owner of the

component parts during the preceding year at a location in this state that was not owned by or under the control of the owner of the component parts in determining whether the component parts were transported to another location in this state or outside this state before the expiration of 175 days.

(h) The chief appraiser by written notice delivered to a property owner who claims an exemption under this section may require the property owner to provide copies of property records so the chief appraiser can determine the amount and value of goods-in-transit and that the location in this state where the goods-in-transit were detained for storage [~~assembling, storing, manufacturing, processing, or fabricating purposes~~] was not owned by or under the control of the owner of the goods-in-transit. If the property owner fails to deliver the information requested in the notice before the 31st day after the date the notice is delivered to the property owner, the property owner forfeits the right to claim or receive the exemption for that year.

(j-1) Notwithstanding Subsection (j) or official action that was taken under that subsection before October 1, 2011, to tax goods-in-transit exempt under Subsection (b) and not exempt under other law, a taxing unit may not tax such goods-in-transit in a tax year that begins on or after January 1, 2012, unless the governing body of the taxing unit takes action on or after

October 1, 2011, in the manner required for official action by the governing body, to provide for the taxation of the goods-in-transit. The official action to tax the goods-in-transit must be taken before January 1 of the first tax year in which the governing body proposes to tax goods-in-transit. Before acting to tax the exempt property, the governing body of the taxing unit must conduct a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution. If the governing body of a taxing unit provides for the taxation of the goods-in-transit as provided by this subsection, the exemption prescribed by Subsection (b) does not apply to that unit. The goods-in-transit remain subject to taxation by the taxing unit until the governing body of the taxing unit, in the manner required for official action, rescinds or repeals its previous action to tax goods-in-transit or otherwise determines that the exemption prescribed by Subsection (b) will apply to that taxing unit.

(j-2) Notwithstanding Subsection (j-1), if under Subsection (j) the governing body of a taxing unit, before October 1, 2011, took action to provide for the taxation of goods-in-transit and pledged the taxes imposed on the goods-in-transit for the payment of a debt of the taxing unit, the tax officials of the taxing unit may continue to impose the taxes against the goods-in-transit until the debt is discharged, if cessation of the imposition would impair the obligation of the

contract by which the debt was created.

SECTION 48.03. Subdivision (2), Subsection (a), Section 11.253, Tax Code, as amended by this article, applies only to an ad valorem tax year that begins on or after January 1, 2012.

SECTION 48.04. (a) Except as provided by Subsection (b) of this section, this article takes effect January 1, 2012.

(b) Section 48.02 of this article takes effect October 1, 2011.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.13

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Tax Issues

ORDINANCE (ID # 2260)

DOC ID: 2260

EXPLANATION:

In order to tax the "Goods in Transit" for 2012, action must be taken by the governing body prior to December 31, 2011.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

WHEREAS, the 82nd Texas Legislature in Special Session, enacted Senate Bill 1, to take effect on September 1, 2011, which would require a taxing unit to take action, in the required manner, after October 1, 2011, to provide for the taxation of goods-in-transit; and

WHEREAS, Tex. Tax Code §11.253(j-1) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the City Council of the City of Liberty, Texas having conducted a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution, and Tex. Tax Code §11.253(j-1) is of the opinion that it is in the best interests of the City to continue to tax such goods-in-transit;

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

Section 1.

The goods-in-transit, as defined in Texas Tax Code Section 11.253(a)(2), as amended by Senate Bill 1, enacted by the 82nd Texas Legislature in Special Session, shall remain subject to taxation by the City of Liberty, Texas.

Section 2.

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

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, THIS THE 13TH DAY OF DECEMBER, 2011.

Ordinance (ID # 2260)
Page 2

City Council Meeting

December 13, 2011

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.14

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Plats

COUNCIL ACTION (ID # 2263)

DOC ID: 2263



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.15

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2261)

DOC ID: 2261

EXPLANATION:

The City Council recently extended the term of the Airport Advisory Board until December 31, 2013. This agenda item allows for appointments to the Board for the new term.

MEMBERSHIP REQUIREMENTS

1. The Board will consist of 8 members.
2. Membership may include 2 "non-resident" members.
3. 1 member will be a councilperson or member of management.

Listed below are the current members of the AAB:

Dale Clawson
Charlie Grabein
Chet Tims
Linda Dubois

Bill Sjolander
David Lawrence
Darryl Taylor
Mike McCarty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.16

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Election Issues

COUNCIL ACTION (ID # 2265)

DOC ID: 2265

EXPLANATION:

Previous Council discussion centered on the pros and cons of the various options for conducting the City's election, as a result of SB 100. Those options are: 1) keeping the municipal election on the uniform election date in May, and leasing voting equipment from the County 2) the City can purchase its own voting equipment and still conduct its election in May, 3) moving the City election to the November uniform election date, or 4) adjusting terms of office so that all council/mayoral elections are held in May of odd-numbered years with all Council Members being elected at the same time.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.17

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Utilities

COUNCIL ACTION (ID # 2266)

DOC ID: 2266

City of Liberty SCADA
Preliminary Distribution by Contract/Revenue

Site Description	Curr. Cost by Site			Subtotal by Contract
	Hahn	Aqua Metric		
		Radio	Other	
Separate Direct Contract for Water				
North Water Plant	\$ 20,023.53	\$ 1,599.00		
South Water Plant	\$ 20,023.53	\$ 1,599.00		
San Jacinto Elevated	\$ 2,844.12	\$ 2,099.00		
Palmer Elevated	\$ 2,844.12	\$ 2,099.00		
Subtotal				\$ 53,131.30
Change Order to CWSRF - Williamson Contract				
Wallisville	\$ 7,583.33	\$ 1,399.00		
Washington	\$ 10,299.66	\$ 1,399.00		
Wastewater Plant	\$ 14,582.94	\$ 1,599.00		
Sensus (Software & Hardware)			\$ 48,657.00	
Trihedral Software (65%)	\$ 15,150.73			
Subtotal				\$ 100,670.66
Disaster Recovery				
Bowie LS	\$ 10,329.71	\$ 1,399.00		
Briar Gate	\$ 3,198.82	\$ 1,399.00		
By-Pass	\$ 10,329.71	\$ 1,399.00		
Forest Hills	\$ 5,247.76	\$ 1,399.00		
McGuire	\$ 5,247.76	\$ 1,399.00		
Travis	\$ 10,329.71	\$ 1,399.00		
Beaumont	\$ 6,037.50	\$ 1,399.00		
Boomerang	\$ 3,209.46	\$ 1,399.00		
Glen Steet	\$ 6,037.50	\$ 1,399.00		
Griffin	\$ 2,684.74	\$ 1,399.00		
Jefferson	\$ 2,684.74	\$ 1,399.00		
Johnson Trailer Park	\$ 2,684.74	\$ 1,399.00		
Lakeland	\$ 2,684.74	\$ 1,399.00		
Liberty Forge	\$ 5,618.13	\$ 1,399.00		
Mismosa	\$ 2,684.13	\$ 1,399.00		
Minglewood	\$ 7,168.75	\$ 1,399.00		
Mosley	\$ 2,684.74	\$ 1,399.00		
Park	\$ 3,209.46	\$ 1,399.00		
Park Forest	\$ 2,992.59	\$ 1,399.00		
Royal	\$ 3,209.46	\$ 1,399.00		
Texas	\$ 5,276.25	\$ 1,399.00		
Travis Park	\$ 3,209.46	\$ 1,399.00		
Twin Oaks	\$ 2,684.74	\$ 1,399.00		
Westwood	\$ 5,151.25	\$ 1,399.00		
Monta Water Plant - NEMA-3R	\$ 3,000.36			
Trihedral Software (35%)	\$ 8,158.09			
Subtotal				\$ 159,330.30

2010 CO's
water input

Change Order
"TWAP"

Round 1 -
Disaster Fund

Attachment: SCADA Water Wells & Towers (2266 : SCADA Water Wells & Towers)

Date: 11-28-11

2010 Water Projects: 10/11/11

CO's Issued: 1,200,000.00

Projects: Approved

Monta Tower/Tank	513,000.00	
Change Order	- 16,825.00	
Engineering- Tower/Tank SPI	62,000.00	
Monta Valve Replacement	119,650.00	
Change Order	+ 8,210.99	
Engineering- Valve Replacement SPI	15,700.00	
Monta Well Control Replacement	22,000.00	723,735.00
	<u>723,735.00</u>	<u>476,265.00</u>

Proposed Projects:

Ridgewood Project	170,000.00	
Minglewood Project (6A)	67,000.00	
Layl Project (7)	75,000.00	
SCADA	55,000.00	367,000.00
	<u>367,000.00</u>	<u>109,265.00</u> Balance



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.18

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Change Orders

COUNCIL ACTION (ID # 2271)

DOC ID: 2271

CHANGE ORDER No.: One(1)

DATE: DRAFT

PROJECT: City of Liberty, Liberty County, Texas
Wastewater System Improvements
TWDB CWSRF # 72124, Cont. No. 2

OWNER: City of Liberty
1829 Sam Houston Street
Liberty, Texas 77575

CONTRACTOR: Williamson Construction & Equipment, Inc.
2575 Hwy 69S
Lumberton, TX 77657

TO THE OWNER: Approval of the following contract change is requested.

REASON FOR CHANGE: Modifications to SCADA system as requested by Owner.

CONTRACT PRICE

ORIGINAL CONTRACT AMOUNT: \$2,317,685.00

PREVIOUS CHANGE ORDERS:

THIS CHANGE ORDER:

<u>Item</u>	<u>Description</u>	
50	Replace the Siemens Flygt Intralink LC3000 (Specification Item 764) with a Multitrode "Multismart" 6 pump controller at both the Wallisville and Washington Street Lift Station sites	\$17,882.99
51	Add a Multitrode "Multismart" 6 pump controller at the influent lift station at the Wastewater Treatment Plant	\$14,582.94
52	Owner Provided Radios: 1 RTMI, Modbus Protocol Aqua-Metric at each the Washington and Wallisville Lift Stations and 1 RTMI, NEMA 3R, DNP3 Protocol Aqua-Metric	\$4,397.00
53	Sensus software provided by Owner through AquaMetric and 65% proportional cost for Trihedral software for operation of the SCADA system installed on the City's network.	\$61,930.73

AMOUNT OF THIS CHANGE ORDER: \$98,793.66

TOTAL REVISED CONTRACT AMOUNT INCLUDING
CHANGE ORDER NO. Two (2) \$2,416,478.66

CONTRACT TIME

Description: Contract Time is being adjusted to provide for modification of the digester decant.

ORIGINAL CONTRACT TIME - Substantial Completion 330 Consecutive Calendar Days

Previous Change Orders- 0 Consecutive Calendar Days

THIS CHANGE ORDER: 0 Calendar Days

TOTAL REVISED CONTRACT TIME INCLUDING

CHANGE ORDER NO. One (1) 330 Consecutive Calendar Days

CONDITION OF CHANGE:

Contractor acknowledges and agrees that the adjustments in contract price and contract time stipulated in this Change Order represents full compensation for all increases and decreases in the cost of, and the time required to perform the entire work under the Contract arising directly or indirectly from this Change Order and all previous Change Orders. Acceptance of this waiver constitutes an agreement between Owner and Contractor that the Change Order represents an all inclusive, mutually agreed upon adjustment to the Contract, and that Contractor will waive all rights to file a claim on this Change Order after it is properly executed.

SUBMITTED BY

REVIEWED BY

APPROVED BY

Williamson Construction & Equip., Inc.
Contractor
Date: _____

Schaumburg & Polk, Inc.
Engineer
Date: _____

City of Liberty
Owner
Date: _____

Gary Broz

From: Rick Bourque <rbourque@spi-eng.com>
Sent: Monday, December 12, 2011 9:48 AM
To: Gary Broz
Subject: Re: TWDB Budget

Gary,

Here is a summary of the general funds remaining:

Item	TWDB Revenue	Amount Committed	Difference
Construction	\$6,183,000.00	\$5,350,232 (Allco & Williamson)	\$ 832,768.00
Contingency	\$ 433,530.50	\$ 0	\$ 433,503.50
Total Remaining			\$1,266,271.50

The following is the planned expenditure

SCADA	\$ 105,000
Willisamson Contract - Contingency	\$ 50,000
Wastewater Plant	\$ 540,000
Manhole Rehabilitation	\$ 400,000
Professional Services	\$ 165,000
Total	\$1,260,000

The manhole rehabilitation will be the last project bid and will be set to expand or decrease as the funds will allow.

Ricky Bourque, P.E.
 SPI
 ph. 409-866-0341

Attachment: TWDB SCADA (2271 : Change Order SCADA WWTP -Lift Stations)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.19

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Financial Issues

COUNCIL ACTION (ID # 2269)

DOC ID: 2269



Robert V. Henderson
 Managing Director,
 Phone: (210) 805-1118
 Facsimile: (210) 805-1119
 robert.henderson@RBCDain.com

CITY OF LIBERTY, TEXAS

LONG TERM PLANNING & PRELIMINARY PLAN OF FINANCE

CAPITAL IMPROVEMENT PROJECTS – 2011

DATED: NOVEMBER 8, 2011

INTRODUCTION:

In June, 2010, the City of Liberty adopted a Long-Term Planning and Plan of Finance document establishing long-term goals for fund balances and capital improvement projects and outlining a plan of finance to begin the implementation of the long-term plan. This document also served as an educational tool for the Council attempting to provide a comprehensive snapshot of City operations. At the time the document was prepared, presented and adopted, it was understood that this must be, by its nature, a “living” document subject to updating as time passes to reflect actual operating results and changes in priorities as required. As we begin FYE 2011, a year in which the original plan contemplated a financing for the Police Station, this is the first of such updates. In order to remain viable as an educational as well as planning tool, fundamental and historical materials are maintained.

FINANCIAL BACKGROUND:

OPERATING:

The City of Liberty is fortunate to have a variety of major revenue sources. The most traditional for City governments is the tax base. The Net Taxable (adjusted to reflect impact of frozen values) Assessed Valuation for tax year 2011 is \$467,538,006. This is a 2.4% increase over the previous year, slowing slightly from last year’s increase of 3.2%. The City did not achieve as much growth as anticipated primarily because Boomerang Corp. was not at 100% production on January 1, 2011 as expected and therefore, the value of inventory on the tax rolls was less than expected. They did achieve 100% by spring and we would expect inventory levels to increase approximately \$10.0 million for tax year 2012.

The second traditional revenue source for Cities is sales taxes. For the most recently ended fiscal year (September 30, 2011), the City of Liberty collected \$2,044,763 in sales taxes, increasing approximately 16.4% from the previous year. However, it should be noted that the collections for FYE 2010 at \$1,753,437 represented a decrease of 19.3% from 2009.

Water and Sewer Utility System Operations is the third traditional revenue source for Cities. The City of Liberty owns and operates both its water and sewer systems. The FYE 2010 \$3.0 project to replace the meters in both the water and electric systems is 98% complete. As these projects are still wrapping up, and even those customers completed a couple of months ago are still just beginning to see the impacts on their billings (which can prompt conservation), it is still too early to quantify the financial impact of these improvements. We currently estimate, based on the most recent monthly billings, that water revenues have increased approximately 10%; staff will need at least another quarter of actual results to finalize estimates. It should be noted that the budgeted revenues of the water and sewer system for FYE 2011 was

approximately \$2.7 million. A 10% increase in this figure (\$270,000) together with the expenditure savings associated with the reduction of two meter reading positions puts the City in line with the expected annual benefits of approximately \$350k per year for that system.

The City of Liberty is very fortunate to have a significant, non-traditional source of revenue. That is, the City's electric utility system. As noted above, the \$3.0 million meter project included funding to replace electric meters. It was anticipated that this project would improve revenues in the system approximately \$1.0 million per year. Preliminary indications are that the recognized revenue increases due to the re-metering project will be at or in excess of 5%. With the electric system budgeted revenues for FYE at just over \$20 million, 5% would meet that \$1.0 million goal. However, the unaudited FYE revenues of the system came in at just over \$16.1 million, 5% of this figure is approximately \$800k. To be redundant, the improvements are just coming on line and staff will need at least another quarter of actual results to finalize an analysis of benefits. What is clear is that even if the benefits in the electric system are only \$800k, the return on investment to the City can be measured in less than two years!

Finally, with respect to the electric system, the City is the largest of the three owners of the Sam Rayburn Municipal Power Agency (SMRPA). This agency has recently undergone a re-organization involving its wholesale power providers and its contracted customers in a project dubbed "Cambridge". Cambridge has been executed and is scheduled to be implemented on December 1, 2011. SMRPA currently estimates that the City of Liberty should expect to realize approximately \$1.0 million in additional net annual revenues as a result of this project. These revenues are not currently projected and will not be projected in the City's budget until actual results can be measured.

FUND BALANCES:

The City maintains a number of different funds to provide liquidity for City operations, funding for scheduled outlays and contingencies for non-scheduled expenses. These accounts and balances currently include the following:

General Fund Reserve, which administration estimates at approximately \$1,500,000 at September 30, 2011 (roughly equal to FYE 2010 ending balance) This fund is designed to provide both operating liquidity and contingency funding for unscheduled expenditures such as natural disasters or unexpected capital expenditures. The proper level of this fund would be determined by a combination of the rule of thumb of 90 days for operating reserve plus an amount, given the City's proximity to the coast, for a natural disaster contingency. The City's anticipated General Fund (GF) expenses for the current budget year are approximately \$6.57 million. Therefore, funding for 90 days would amount to approximately \$1,640,000 for an undesignated reserve. The 2009 hurricane in which the City sustained damages, overtime and other related costs prior to FEMA reimbursement may provide a good estimate of the level of a proper reserve for such an event. The costs incurred by the City related to GF operations were approximately \$1,255,000. Therefore, it might be appropriate to create a designated General Fund Reserve of approximately \$1,250,000 for a total targeted fund balance of approximately \$2,900,000. Based on this, it would appear the City needs to increase its GF balance by approximately \$1,400,000 with no surplus available for one-time capital expenditures.

Electric Utility System Reserve, (cash balance) which administration estimates will be approximately \$884,000 at September 30, 2011 (The cash balance at 9-30-10 was \$392,332). The City's Electric Utility Fund (EUF) expenses for the current budget year are approximately \$20,750,000 million. Therefore,

funding for 45 days would amount to approximately \$2,600,000. The net costs incurred by the City related to the 2009 hurricane as it applies to the EUF operations were approximately \$2,900,000. However, this figure is likely substantially above average. Reducing that figure by 50%, it would appear an appropriate EUF Reserve should be approximately \$4,000,000. Based on this, it would appear the City needs to increase its EUF balance by approximately \$3,175,000 with no surplus available for one-time capital expenditures.

Water and Wastewater Utility System Reserve, which administration estimates will be approximately \$521,000 at September 30, 2011 (The cash balance at 9-30-10 was \$73,213). The City's anticipated Water & Wastewater Utility Fund (W/WWUF) expenses for the current budget year are approximately \$2,971,000 million. Operating funding for 60 days would amount to approximately \$500,000. The net costs incurred by the City related to the hurricane as it applies to the W/WWUF operations were \$0. However, this figure is likely unreasonable. Assuming a minimal disaster reserve of \$500,000 it would appear an appropriate W/WWUF Reserve should be approximately \$1,000,000. Based on this, it would appear the City needs to increase its W/WWUF balance by approximately \$490,000 with no surplus available for one-time capital expenditures.

Employee Health Benefits Contingency Fund, which administration estimates will be approximately \$217,700 at September 30, 2011 (The cash balance at 9-30-10 was approximately \$274,379k). This fund is designed to provide contingency funding for employee health care expenses not covered by the stop-loss policy held by the City. The proper level of this fund would be determined by examining the historic claim history of the City and providing an additional cushion should the actual claims exceed the historic levels. It is the opinion of City Administration that appropriate funding is not quite in place. It is recommended that the fund balance be increased to approximately \$400,000 and that the recent adjustments to the plan will accomplish this goal early in the next fiscal year.

Other Fund Balances: The City maintains a variety of minor funds that carry balances. They should be maintained at positive levels but likely do not need to exceed even a 30 days level as they are not generally considered operating accounts. It is noted that the City of Liberty maintains a proprietary fund for the garbage service. The garbage service is typically handled through the General Fund, particularly in situations where that service is contracted out to private vendors. The garbage fund balance is currently approximately \$132,634 (for FYE 2011) or about 28% of anticipated expenditures. Since this service is contracted out, this is substantially more than adequate. However, it is recommended that this operation be transferred into the General Fund.

The City does not currently maintain a **Fixed Asset Replacement Fund**, which would be designed to provide funding for regularly scheduled capital outlays for such items as emergency vehicles, road equipment and other rolling stock. The level of this fund would be determined by an analysis of the City's current rolling stock to incorporate estimates of useful life. Once properly funded, it should be maintained through a funded depreciation mechanism. This analysis is being currently conducted. Until completed, administration is estimating this fund should be approximately \$300,000.

In summary, it would appear the funds are underfunded. The total recommended balances, per the above, are approximately \$8,500,000 however the City only has available balances of approximately \$3,255,000. The City still anticipates \$400,000 in FEMA reimbursements that are unrestricted, allowing them to flow to fund balances. This would take total available balances to approximately \$3,532,500. Therefore, the recommended net additional increases to fund balances would be approximately \$5,245,000.

DEBT:

The City of Liberty has 5 debt issues currently outstanding. The first is the Series 2004 Certificates of Obligation (COs) in the original amount of \$4,100,000. The currently balance is \$3,180,000 at interest rates ranging from 3.80% to 4.50% and pay off on March 1, 2024. This debt becomes callable on March 1, 2014 at par. The second is the Series 2007 COs in the original amount of \$8,100,000. The currently outstanding balance is \$7,095,000 at interest rates ranging from 1.95% to 2.85% (they were sold to the Texas Water Development Board) and pay off on March 1, 2028. This debt becomes callable on March 1, 2014 at par. The third is the Series 2010 COs in the original amount of \$2,565,000. The currently outstanding balance is \$2,565,000 at a taxable interest rate of 5.50% (they were sold to Prosperity Bank) and pay off on September 1, 2020. This debt becomes callable on September 1, 2015 at par. The fourth is the Series 2010A COs in the original amount of \$4,705,000 at interest rates ranging from 2.0% to 4.0% and pay off on March 1, 2030. This debt becomes callable on March 1, 2020 at par. The fifth and last is the Series 2010 General Obligation Refunding Bonds in the original amount of \$3,115,000. The currently outstanding balance is \$2,570,000 at interest rates ranging from 2.0% to 3.0% and pay off on March 1, 2016. These bonds are not callable.

To best comprehend the impact of this debt on the City, we must have a clear understanding of the sources of revenues being used to meet debt service on each Series of debt. The Series 2004 COs, Series 2010A COs and the Series 2010 General Obligation Refunding Bonds are paid from a continuing ad valorem property tax. The combined debt service of these three issues approximate \$1.2 million and are paid with an I&S tax rate of approximately 28 cents. The Series 2007 COs were issued to the TWDB to provide funding for sewer plant improvements and are paid from the Water and Sewer Utility System. The City increased its water and sewer rates in two stages (2008 & 2009) to generate revenues to meet debt service. The last issue, the Series 2010 Taxable COs, was issued in support of the Boomerang Corp. project and is paid from the revenues derived from that source.

CAPITAL IMPROVEMENT NEEDS:**GENERAL FUND PROJECTS:**

There remains a handful of General Fund Projects. These include funding for a new police station at approximately \$2,500,000; replacement of the HVAC units at the library at approximately \$200,000 and funding for the construction of a shed at the service center at approximately \$50,000. It should be noted that FEMA has awarded the City a \$1.0 million grant to assist with the rebuilding of the police station. Also on the 4-6 year horizon is the possible funding for the bell tower at approximately \$250,000.

Pending for the 4b Corp. is the only identified street project for the City, the Lake Land Avenue Street project at an estimated cost of \$8.0 million for which the LCDC can issue Sales Tax Revenue Bonds. The current thinking of the LCDC board is funding this project in phases with Phase I at approximately \$2.0 million, which could be approved in the intermediate future.

To completely review general fund items, it should be noted that the City Hall is new and the park system is considered complete and in fair shape. Additionally, the LCDC has completed the cash funding of the fire substation and the airport improvements. The streets are considered in fair condition with the only identified street project being that identified above.

WATER & SEWER SYSTEM:

In 2007, the City closed a \$8.1 million Clean Water State Revolving Fund Loan (CWSRF) to fund certain improvements to the City's sewer plant and collection system. Construction of these improvements is still on-going. Separately from these, the City needs additional collection system improvements deemed critical by the TCEQ. Those improvements are estimated to cost approximately \$4.5 million and the TCEQ expects these improvements to be completed in 3-4 years. The current capacity of the system is 2.5 million gallons per day and the current consumption is 1.2 million gallons per day. At the historical growth rates of the City, current capacity is expected to be sufficient for the City's needs for the intermediate future.

On the water side, the City's water supply is ground wells which are reported to be in good condition. The storage and distribution system improvements recommended in 2009 were funded with the Series 2010A COs and construction is complete. The current capacity of the system is 4.0 million gallons per day and the current consumption is 1.3 million gallons per day. At the historical growth rates of the City, current capacity is expected to be sufficient for the City's needs for approximately 20 years.

Per the discussion above in regards to fund balances, the system is experiencing losses in quantities of water pumped versus water billed of approximately 30%. There are typically a couple of reasons this why this occurs including outdated/inefficient meters and water line leaks. As discussed above, the Series 2010A issue funded the meter replacements and benefits look like they will come in as projected. Once sufficient operating information can be gathered, administration will need to re-examine the ratio of water pumped versus water billed to determine if potential water line leaks need to be re-examined.

ELECTRIC UTILITY SYSTEM:

The hurricane damaged certain of the City's Electric system infrastructure including the electric building. FEMA has provided funding for repair/replacement, which have been used to fund the acquisition and renovation of the auto dealership property. The condition of the system is reported to be good; in fact, better than before the storm. As discussed above, the Series 2010A issue funded the meter replacements and benefits are yet to be definitively quantified. It is not expected, that the system is in need of major repairs or upgrades that can not be funded out of operations.

PRIORITIZATION:

As discussed in the original June 2010 plan, prioritization was based on the City gaining the highest return possible on its capital improvements expenditures. And, the projects that met that criteria were funded in 2010 and, as discussed above, the City has begun to realize the benefits thereof.

Given the above stated considerations and the above identified projects, the following is the preliminary prioritization we would recommend with notes regarding funding sources. This is, of course, subject to Council review and approval.

<u>Project:</u>	<u>Cost:</u>	<u>Funding Source:</u>	<u>Benefits/Notes:</u>
Police Station	\$2.5m	GF - Taxes	\$1.0 m FEMA; Save \$42k rent
Library HVAC	200k	GF - Taxes	
Service Center Shed	50k	GF - Taxes	
Cityplace, Suite 2400 2711 North Haskell Avenue Dallas, TX 75204-2936		(214) 989-1660	RBC Capital Markets Member NYSE/SIPC

Sewer Collection Sys	4.5m	W/WW System	Required in 3-4 yrs by TCEQ
Bell Tower	250k	GF – Taxes	Timing to be determined
Lake Land Avenue	8.0m	LCDC – Sales Taxes	Funded with Sales Tax Bonds

PRELIMINARY PLAN OF FINANCE:

The City had three important goals: Gaining equilibrium in the operations of both utility systems, providing for the health and safety of its citizens and undertaking to increase fund balances to targeted levels. The Series 2010A CO issue funded the meter replacements and the City is beginning to see the operating benefits in those systems. Initial results would indicate that the benefits to the water and sewer utility are coming in as projected. The results in the electric system are too preliminary to gauge accurately but the Council should be prepared for those results to not come in quite as high as projected by the engineers. None-the-less, it remains projected that the benefits will still be sufficient to rebuild fund balances and put the City in a very reasonable position in just 4-5 years with other adjustments. The tax base did not grow in 2010 as quickly as projected (as noted above, Boomerang) but otherwise, the original plan is working as expected. Due to the unexpected \$1.0 million grant from FEMA for the Police Station, the City remains positioned to undertake the Police Station project and other minor General Fund projects without tax or utility rate increases.

Looking further down the road, the City has been required by the TCEQ to undertake certain sewer system improvements for the safety and health of the citizens. The current estimate for these projects, as noted above, is \$4,500,000. Fortunately, the TCEQ has given the City 4 years to undertake these projects. By that time, the City should have rebuilt its fund balances adequately and can then divert the estimated improved revenues (originally estimated at \$750k/yr) to debt service on a TWDB issue to address this problem. The estimated annual debt service payments on a TWDB issue of \$4.5 million would be approximately \$330k/yr, leaving \$420k/yr for the City to undertake other projects on a “pay-as-you-go” basis or to consider reducing utility rates.

Finally, it should be noted that the analysis on the Boomerang project financings were such that the City could also begin seeing significant changes in the cash flow related to that project in about 5 years. Combined with the scheduled reductions in debt, it is reasonable to project that the City could also have the latitude to reduce property taxes in that same time frame.

So, for the direct City operations (excluding LCDC), the Plan of Finance can be summarized as follows (see Exhibit “D”).

FYE 2012 or 2013 –

- Undertake a CO issue in the \$1.825 million range to fund the construction of the police department, library HVAC and service center improvements saving about \$42k/yr in rent on current Police facility. Estimated I & S tax rate impact – zero. Positive impact on GF.

FYE 2014 or 2015 –

- Undertake a Texas Water Development Board (TWDB) revenue bond issue in the \$4.5 million to fund TCEQ required sewer system improvements. Estimated rate impact – zero.

- Complete rebuilding of fund balances.
- Examine opportunities for Utility and Tax rate reductions.

SUMMARY AND CONCLUSION:

In 2010, the City of Liberty was facing what, at first glance, appeared to be an almost daunting list of operating challenges, needed capital improvements and debt. However, the City has been able to fund the most critical of those improvements with no total tax rate increase and is beginning to see the financial benefits that will allow the fast rebuilding of fund balances. With close study and organization of the issues, swift implementation of staff reductions and key capital improvements, the City has put itself in the position to undertake the scheduled 2012 issue without rate adjustments even as it moves to improve fund balances, eliminate the need for minor or interim financings and position itself to reduce utility and tax rate in probably 4-5 years despite the recognized need for a significant financing in 2014 or 2015.

DRAFT

Attachment: 2011 Plan of Finance (2269 : 2011 Plan of Finance)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.20

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Financial Issues

COUNCIL ACTION (ID # 2270)

DOC ID: 2270

Proposed Liberty Projects for 2012 Certificate of Obligations

Police Station	\$2,500,000.00
Culture Center - HVAC Units - 6	\$200,000.00
Service Center Vehicle Awning	\$50,000.00
	\$2,750,000.00
Less Round 2 Disaster Grant	\$1,000,000.00
	\$1,750,000.00
Issue Fee's	\$50,000.00
Grand Total	\$1,800,000.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.21

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Grant Issues

COUNCIL ACTION (ID # 2272)

DOC ID: 2272 A

H-GAC Downtown Public Space Improvement Grant

\$25,000 - Matching Grant = 50/50 Match

	<u>QTY</u>		<u>Price</u>	<u>Total</u>
<u>Grant:</u>	6	Double Street Lights	\$1,725.00	\$10,350.00
	1	Single Street Lights	\$1,425.00	\$1,425.00
				<u>\$11,775.00</u>
 <u>City:</u>	6	Single Street Lights	\$1,425.00	\$8,550.00
	7	Days to Install	\$300.00	\$2,100.00
	13	Anchors	\$100.00	\$1,300.00
				<u>\$11,950.00</u>



H-GAC DOWNTOWN PUBLIC SPACES IMPROVEMENTS PROGRAM

INTRODUCTION

H-GAC, in coordination with the Houston Galveston Area Local Development Corporation (H-GALDC) is pleased to issue this request for proposals for the Downtown Public Spaces improvements Program. Instructions and application procedures follow:

PROGRAM SCOPE

- A. **Goal:** Funds available through this program will be used to improve the public spaces in the Downtown areas of communities in the H-GAC region. The program will benefit the region by making Downtown areas more attractive and increasing local economic vitality, sales tax and property values, while preserving and enhancing their architectural and cultural history.
- B. **Objectives:**
 - Stimulate reinvestment and commercial activity in Downtown areas
 - Restore and preserve the historical fabric and character of the region's communities
 - Eliminate blight conditions in downtown areas
- C. **Eligible Areas:**
 - Project area must be located in a Downtown area or a recognized community gateway of a community in the H-GAC region
- D. **Eligible Improvements:** Eligible improvements include, but are not limited to the following:
 - Repair, replacement or new installation of streetscape improvements including landscaping, sidewalks, street lighting, street amenities such as benches, trash receptacles, fountains, sculpture, monuments and the like
 - Repair, replacement or new installation of canopies and awnings
 - Repair of historic facades
 - Restoration of historic signage
- E. **Use of Proceeds:** Funding may be used for:
 - Materials and labor costs for eligible improvements
 - Architectural and design costs for eligible improvements
- E. **Program Eligibility:**
 - Qualifying improvements must be a part of a City-approved plan
 - Qualified applicants include but are not limited to municipalities, their affiliates and other special purpose units of local government, as well as civic oriented non-profit organizations.
- F. **Policy and Conditions of the Grant Program:**
 - Matching grant amounts will be awarded for 50% of the total estimated cost of the improvements
 - Maximum grant amount awarded will be \$25,000
- G. **Reimbursement Procedure:** As a general rule, all local funding for a project must be expended prior to the use of the grant funding. Matching grant funds will be disbursed at the completion of improvements and with the acceptance of work by H-GAC Staff. Documentation of proof of payment must be submitted with a written request for reimbursement. *Acceptable proofs of payment for reimbursement include, but are not limited to the following:*

- Itemized contractor and/or sub-contractor's invoices with the corresponding receipts and /or cancelled checks
 - Paid Invoices for materials and/or supplies with the corresponding receipts and/or cancelled checks, or
 - A release of lien from contractors, sub-contractors, and/or suppliers (A sample of the release of lien is available upon request)
 - The applicant will supply any additional documentation as required by the H-GAC to confirm expenses.
- H. Project Duration:** Approved Construction must begin within sixty (60) days from the date of grant approval, and must be completed within one hundred and eighty (180) days. The need for a longer term will be addressed on an individual basis.
- I. Changes to Approved Scope of Work:** Funding will not be awarded for any changes under construction without prior approval. Significant changes to the scope of work will require the authorization of the H-GALDC. Minor changes may be approved by staff.
- J. Eligible Labor:** Matching grant monies may not be used to pay a property owner or members of the owner's family for labor on the project.
- K. Grant Limitations:** Matching grants shall be processed on a first come – first served basis, as grant monies are limited, and can be competitive. Consideration will include the necessity of the repairs or improvements, the potential economic benefit to the area and the general public, and the historic significance of the structure. Matching grants may be used for approved work only. The total of H-GAC funded grants from the Downtown Public Spaces Improvements Program for a single project may not exceed the combined total of \$25,000 unless approved by H-GAC and the H-GALDC.

INITIATING REQUESTS FOR THE DOWNTOWN PUBLIC SPACES IMPROVEMENTS PROGRAM

Interested eligible entities should contact the H-GAC Community and Environmental Planning Department at (713) 993-2459 to arrange a meeting with staff to discuss the Downtown Public Spaces Improvements Grant Program process.

The eligible applicant will meet with staff to discuss the proposed improvements. A walk through of the property will be scheduled, if necessary. Staff will review the application process, and assist the owner in preparation as needed. The applicant will work with contractors/architects/engineers to determine improvement specifics and to obtain required cost estimates.

The applicant will submit the following:

- Completed application
- Written description of project improvements
- Current photographs of the property
- Drawings or plans detailing the planned improvement
- Two (2) itemized cost estimates from two independent sources

Staff will review the provided information and will request additional information if needed. Staff will approve or deny the design proposal. If approved, proceed to next step. Once the design proposal has been approved, staff will place the grant request onto the next H-GALDC agenda for final funding approval. Once funding is approved, a preconstruction meeting may be held if necessary and the project will begin.

CONTACT INFORMATION:

Chuck Wemple

Housing & Economic Development Coordinator

H-GAC

P.O. Box 22777

Houston, Texas 77227

Phone: 713-993-4514

E-mail: cwemple@h-gac.com



We Accept:

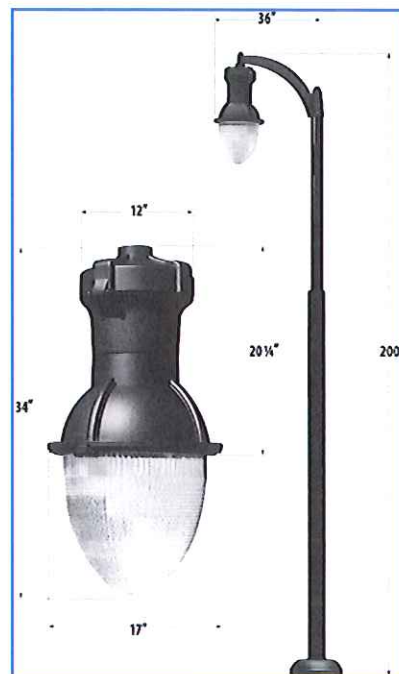
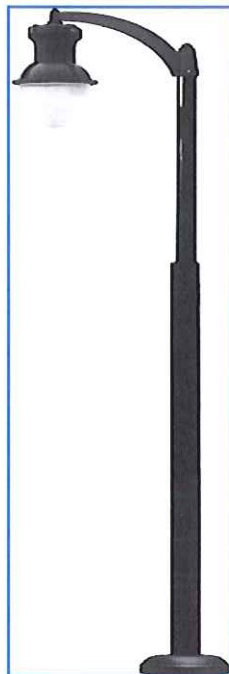


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Street Lights

**NEW!!! GM-9210 to GM-9214****GM-9210, 120 volt single head**

Contemporary post fixture

Material.. Powder-coated cast aluminum

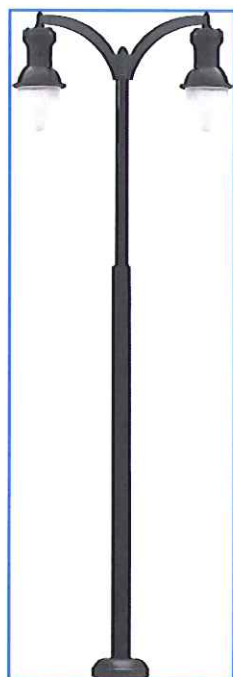
Lens.. Polycarbonate

Available finish.. Black

* Multi-tap ballasts are available - call office for details. 1-888-999-9041

Model	Lamp	Price	Quantity	
GM-9210	100 Watt High Pressure Sodium (Included)	\$1,425	1	Add to Cart
GM-9211	150 Watt High Pressure Sodium (Included)	\$1,425	1	Add to Cart
GM-9212	100 Watt Metal Halide (Included)	\$1,425	1	Add to Cart
GM-9213	150 Watt Metal Halide (Included)	\$1,425	1	Add to Cart
GM-9214	175 Watt Metal Halide (Included)	\$1,425	1	Add to Cart

NEW!!! GM-9220 to GM-9224

**GM-9220, 120 volt double head**

Contemporary post fixture

Material.. Powder-coated cast aluminum

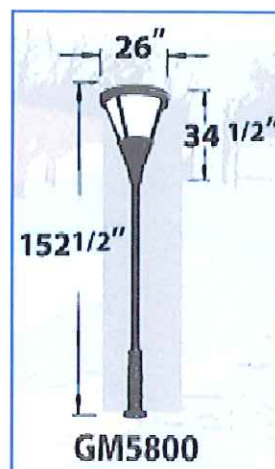
Lens.. Polycarbonate

Available finish.. Black

* Multi-tap ballasts are available - call office for details. 1-888-999-9041

Model	Lamp	Price	Quantity	
GM-9220	100 Watt High Pressure Sodium (Included)	\$1,725	1	Add to Cart
GM-9221	150 Watt High Pressure Sodium (Included)	\$1,725	1	Add to Cart
GM-9222	100 Watt Metal Halide (Included)	\$1,725	1	Add to Cart
GM-9223	150 Watt Metal Halide (Included)	\$1,725	1	Add to Cart
GM-9224	175 Watt Metal Halide (Included)	\$1,725	1	Add to Cart

NEW GM-5800

**GM-5800**

Material.. Fiberglass housing with powder-coated cast aluminum top.

Lens.. Acrylic

Available finish.. Black or Bronze

* Choose Color Under "Comments" in Checkout



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.22

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Recycling Issues

COUNCIL ACTION (ID # 2273)

DOC ID: 2273

Recycling Proposals

Present	Option 1	Option 2	Option 3	Option 4
\$15.63	\$15.63	\$15.63	\$15.63	\$15.63
\$11.95	\$15.50	\$14.92	\$14.90	\$13.74
\$3.68	\$0.13	\$0.71	\$0.73	\$1.89
2700	2700	2700	2700	2700
\$9,936.00	\$351.00	\$1,917.00	\$1,971.00	\$5,103.00
12	12	12	12	12
\$119,232.00	\$4,212.00	\$23,004.00	\$23,652.00	\$61,236.00

Revenue

Collection	\$119,232.00	\$4,212.00	\$23,004.00	\$23,652.00	\$61,236.00
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Expenses

Recycling	\$4,000.00	\$0.00	\$4,000.00	\$4,000.00	\$4,000.00
Bad Debt	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
Transfers	\$103,000.00	\$1,712.00	\$16,504.00	\$17,152.00	\$54,736.00
	\$109,500.00	\$4,212.00	\$23,004.00	\$23,652.00	\$61,236.00

Difference	\$9,732.00	\$0.00	\$0.00	\$0.00	\$0.00
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Essential , flexible solutions for your community

Recycling Options

Option 1

Curbside Recycling Collection 1 x week 96 Gal CART

2 x week Solid Waste Collection

WM provides 96 Gal Carts

Per Unit Price 3.55

Total Rate 15.50

Option 2

1 x week - Solid Waste Collection "Updated"

WM provides Recycling 96 Gal Carts

Per Unit Price 14.92

Option 3

City of Liberty provides carts

1 x week

Per unit price 2.95

Total Rate 14.90

Option 4

City of Liberty provides carts

EOW 2 x month

Per unit price 1.79

Total Rate 13.74

OPTION

Recycling Drop Off Site

250.00 Per Haul

ALL MATERIALS Processed at - WM GASMER MRF

30 yard RO would be used



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.23

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Grant Issues

COUNCIL ACTION (ID # 2274)

DOC ID: 2274 A

Solid Waste Grant

2700 Containers

\$48.00 Each

\$129,600.00 Grant Request



Houston-Galveston Area Council

You are here: [Home](#) > [H-GAC Home](#) > [Section Contents](#) > [Solid Waste](#) > Solid Waste Grants

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SOLID WASTE GRANTS

A total of \$1.2 million will be available for solid waste implementation grants during FY12 and FY13. Unlike past years, there will only be one call for applications for the two-year period, with half of the money to be distributed each year. Additionally, \$600,000 has been earmarked for large projects (those \$100,000 and over) and \$600,000 has been earmarked for small projects. No match is required, however, it is encouraged. The application period for this two-year period is scheduled to open **Tuesday, November 1, 2011**, and close **Thursday, December 22, 2011**, at noon. Pass-through funding comes from the Texas Commission on Environmental Quality.

Who is Eligible?*

- Cities
- Counties
- Public School Districts
- Councils of Governments (COGs)
- Certain general and special law districts (those with water quality protection or solid waste management responsibility or authority)

* Only those in H-GAC's thirteen-county Gulf Coast Planning region are eligible. Non-profit organizations and private companies are not directly eligible, but may be subcontracted by eligible public entities.



Eligible Project Categories

- Citizens' Collection Stations and "Small" Registered Transfer Stations
- Education and Training
- Household Hazardous Waste Management
- Litter and Illegal Dumping Cleanup and Community Collection Events
- Local Enforcement
- Local Solid Waste Management Plans/Technical Studies
- Source Reduction and Recycling

Regional Priorities

An additional 10 points will be given to projects submitted which address one of four regional priorities that have been established. Individual regional priorities are not specific to any one project category, but rather may be tied to multiple categories. Regional priorities include:

- Development of independent school district programs that increase school-based source reduction and recycling
- Development of new infrastructure
- Development of targeted education programs to change recycling and waste diversion behavior
- Development of new programs to minimize environmental risk and promote safe disposal



Eligible Expenses

- Supplies
- Equipment
- Personnel
- Fringe
- Indirect
- Construction
- Contractual
- Travel



Examples of Projects

- Community Cleanup Event
- Construction and Demolition Waste Processing and Reuse Facility

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- Construction of Recycling Facility
- Curbside Recycling Startup
- Household Hazardous Waste Collection Event
- Local Enforcement Officer
- Local Environmental Enforcement Program
- Organics Management
- Permanent Drop-off Recycling Center
- Permanent Used Electronics Collection Center & Voucher Program Development
- Permanent Household Hazardous Waste Collection Center & Voucher Development
- Public Education and Outreach
- Purchase of Environmental Enforcement Vehicle and Equipment
- Purchase of Recycling Equipment
- Reinvestment in Existing Recycling Drop-off Centers, Signage and Equipment
- School Recycling Education
- Storm Debris Plan
- Upgrade of Recycling Equipment

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[Solid Waste Grants to date](#) (PDF) 119



To Apply

All applications must be submitted through the online application process. The application will be made available on November 1, 2011.

Additional Resources

[FY2012-13 Solid Waste Funding Plan Presentation](#) (PDF) 127K

[Tentative Grant Schedule](#) pending TCEQ approval (PDF) 7K

Grant Notification List

Please send an e-mail if you would like to be added to the grant notification list for FY12/13:

hilde.leitenbacher@h-gac.com

For further information please contact:

Cheryl Mergo
Sustainable Development Program Manager
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cheryl.mergo@h-gac.com

Erin Livingston
Environmental Planner
(832) 681-2525
erin.livingston@h-gac.com

Amanda Thorin
Sustainable Development Program Specialist
(713) 993-4587
amanda.thorin@h-gac.com

Tentative Grants Timeline – Pending TCEQ Approval***

Date	Key Activities
September 28, 2011	Public Meeting on FY12/13 Funding Plan
November 1, 2011	H-GAC issues Request for Applications (RFA)
November 9, 2011	Pre-application workshop at H-GAC offices
December 22, 2011	Submittal deadline for grant applications
January 10-11, 2012	Solid Waste Project Review Committee reviews and scores grant applications
January 16, 2012	Appeals deadline
January 25, 2012	SWMC meets to review committee scores and hear appeals, if necessary
February 21, 2012	H-GAC Board of Directors approves implementation grant selections
February – March 2012	TCEQ review
March – April 2012	Execute contracts with grant recipients

*** - Please note this is subject to change.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.24

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2275)

DOC ID: 2275



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 2267)

DOC ID: 2267



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.2

Meeting: 12/13/11 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 2268)

DOC ID: 2268