



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, February 14, 2012

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 # 2302)

Various Project Updates

B. Information Item (ID # 2303)

Recycling Report

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, January 10, 2012
2. Monday, January 16, 2012
3. Tuesday, January 24, 2012

B. Resolution 2012-1

Consider a Resolution Authorizing the City Manager to Enter into an Agreement with the Texas Department of Transportation for the Temporary Closure of Main Street During the Liberty Jubilee.

- TxDOT Temporary Rd. Closure Agreement (DOC)

C. Council Action 2012-9

Consider Acceptance of the Annual Audit Report for Fiscal Year 2010-2011 as Presented by Swaim, Hanagriff & Associates on January 24, 2012.

VII. REGULAR AGENDA**A. Regular Session****1. Resolution 2012-2**

Consider Approval of a Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation.

2. Public Hearing (ID # 2306)

Public Hearing on the City of Liberty's Fair Housing Activity Statement - Texas (FHA) Form.

- 2012 PH Fair Housing (DOC)

3. Resolution 2012-3

Consider a Resolution Approving the City's Fair Housing Activity Statement-Texas (FHA).

4. Public Hearing (ID # 2310)

Public Hearing on the Condemnation of the Structure Located at 1611 Cypress Street.

- PH 1611 Cypress (PDF)

5. Council Action (ID # 2311)

Consider an Order of Abatement for the Structure Located at 1611 Cypress Street.

- Order of Abatement 1611 Cypress (DOC)

6. Public Hearing (ID # 2312)

Public Hearing on the Condemnation of the Structure Located at 1715 Cypress Street.

- PH 1715 Cypress (PDF)

7. Council Action (ID # 2313)

Consider an Order of Abatement for the Structure Located at 1715 Cypress Street.

- Order of Abatement 1715 Cypress (DOC)

8. Public Hearing (ID # 2314)

Public Hearing on the Condemnation of the Structure Located at 1715 ½ Cypress Street.

- PH 1715 .5 Cypress (PDF)

9. Council Action (ID # 2315)

Consider an Order of Abatement for the Structure Located at 1715 ½ Cypress Street.

- Order of Abatement 1715.5 Cypress (DOC)

10. Ordinance 2012-1

Consider Adoption of an Ordinance Ordering a General Election to be Held in the City of Liberty on Saturday, May 12, 2012. Considere Una Aceptación a La Ordenanza Que Manda a Una Elección General Que Tendrá Lugar En La Ciudad De Liberty, El Sábado 12 De Mayo Del 2012.

- Ordinance General Election Spanish Translation 2012 (DOC)

11. Council Action (ID # 2309)

Consider an Interlocal Agreement with Liberty County for Use of the County's Electronic Voting Equipment, for the City's May 12, 2012 General Election.

- Interlocal Agreement w Liberty Co for Equipment (DOC)

12. Council Action (ID # 2316)

Consider Award of Bid for Meter Vault and Piping Changes at Boomerang Tube LLC.

- Bid Award Boomerang Tube Feb.2012 (PDF)

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 10th day of February, 2012 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 _____, 2012.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2302)

DOC ID: 2302



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2303)

DOC ID: 2303



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, January 10, 2012

6:00 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on January 10, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

The Invocation was given by Liberty County District Attorney Mike Little.

III. PLEDGE OF ALLEGIANCE

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

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.

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 introduced Marlies Meeker, Strategic Enterprise Account Executive for Comcast Cable. Ms. Meeker was present to observe the meeting, stating that any assistance she could provide to Council and Staff regarding cable issues, to please contact her.

Mayor Pickett reported the following:

- 1) the Annual Fire Department Banquet will be held January 28th,
- 2) the Liberty Jubilee will be held March 23rd and 24th,
- 3) a Special Called Council Meeting will be held Tuesday, January 17th at 6:00 p.m., for

discussion of a legal issue, and

4) the monthly "Coffee with the Mayor" will be held Thursday, January 26th.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2289)

Various Project Updates

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the status of various City projects stating that the smart meter installation is nearly complete, that the Fire Department Substation is substantially complete except for the installation of six doors, final comments on the codification has been sent to Franklin Legal, that trees in the Hwy. 90 median have been fertilized and mulched, and landscaping for the Public Works Service Center is in the planning stages.

Mr. Broz also reviewed the Airport project, Wastewater Treatment Plant upgrade and lift station generators installation, and the fuel farm for the Airport, previously approved by Council, has been sold prior to the City extending an offer. Further discussion included brief discussion of other city related projects and that the annual audit will be presented at the Council Meeting of January 24th.

B. Information Item (ID # 2288)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that she continues to receive positive feedback on recycling issues and is planning a large recycling event to be held in April.

C. Information Item (ID # 2290)

H-GAC Report - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported on three Houston-Galveston Area Council committees of which he is a member; the CDBG Infrastructure Board, the Gulf Coast Economic Development Board, and the Revolving Loan Committee. Councilperson Jordan reported on the activities of each committee, their purpose and importance to H-GAC member cities.

VI. CONSENT AGENDA

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

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

A. Minutes Approval

1. Tuesday, December 13, 2011
2. Tuesday, December 27, 2011

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 2286)

Public Hearing on the Condemnation of the Structure Located at 409 Kentucky.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that this agenda item would need to be passed on.

ATTACHMENTS:

- PH 409 Kentucky (PDF)

2. Council Action 2012-1

Consider an Order of Abatement for the Structure Located at 409 Kentucky.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that this agenda item would need to be passed on.

ATTACHMENTS:

- Order of Abatement 409 Kentucky (DOC)

RESULT:	NO ACTION TAKEN
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3. Council Action 2012-2

Consider Approval of the Preliminary Plat of Lazy Acres Located on McGuire Road.

COMMENTS - Current Meeting:

Candice Motschman, Inspection Department reported on the preliminary plat of Lazy Acres, located on McGuire Road. Ms. Motschman stated that the property consisted of 5 acres which were being subdivided into three separate tracts, with one tract having a home on the property. Ms. Motschmann stated that the Planning and Zoning Commission recommends approval of the plat subject to corrected setback lines, and deed restrictions if so desired by the property owner.

Motion was made to approve the preliminary plat subject to the two issues as discussed.

ATTACHMENTS:

- Preliminary Plat - Lazy Acres (PDF)

RESULT:	APPROVED [6 TO 0]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, McCarty, Beasley, Huddleston, Potetz, Simonson
ABSTAIN:	Frank Jordan

4. Council Action 2012-3

Consider Approval of the Final Plat of the Robert Ford Addition Located at Navigation and Santa Anna.

COMMENTS - Current Meeting:

Ms. Motschman reported that the property owner of the Robert Ford Addition is a recipient of a Home Grant Program. The surveyor is currently working on the topographical information, setback lines, lot numbers, and making the lot lines bold. The owner obtained additional property to accommodate encroachment of the setback lines. Ms. Motschman stated that the Planning and Zoning Commission recommends approval of the plat, with changes to be made prior to final filing at the courthouse. This action will accommodate his deadlines so as not to disqualify him from the program.

Motion was made to approve the plat subject to changes being made prior to final filing at the courthouse.

ATTACHMENTS:

- Final Plat Robert Ford Addition (PDF)

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

5. Council Action 2012-4

Consider Acceptance of the Tax Abatement Certification from Boomerang Tube, LLC.

COMMENTS - Current Meeting:

Mr. Broz reported that as a condition of the Tax Abatement Agreement with Boomerang Tube, LLC, Boomerang must annually, on or before February 15th of each year, certify to the City Council that it is in compliance with the terms of the Agreement.

Mr. Broz reported on a certified copy from independent auditor, Cummings Westlake LLC, that Boomerang has met the terms of the Tax Abatement Agreement. Motion was made to accept the certification.

ATTACHMENTS:

- Boomerang Tube Tax Abatement Compliance 2012 (PDF)

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

6. Council Action 2012-5

Discussion and Possible Action on the Proposed Sale of City Owned Real Estate.

COMMENTS - Current Meeting:

Mr. Broz reported that bid packets were prepared for the sale of four city-owned properties located at Bowie/Edgewood, FM 1909, Trinity Street Complex, and Beaumont Avenue Complex. There is no minimum bid for these properties and the sale will be advertised in Liberty, Dayton, Baytown, and Beaumont. Bids will be due February 23rd at 2:00 p.m., and taken to Council for award on February 28th.

After brief discussion of the properties and related issues, a motion was made to authorize the City Manager to proceed with the sale of the four properties as discussed.

ATTACHMENTS:

- City Property for Sale 2012 (PDF)

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

7. Council Action 2012-6

Consider Approval of, and Financing Options for, the Proposed Purchase of Three Vehicles for the Liberty Police Department.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Police Department has an aging fleet and three new 2011 Ford Crown Victorias have been found at Philpott Ford, in Beaumont. Purchase price is \$ 22,417.65 each for a total cost of \$67,252.11. The Police Department will be able to use all equipment from the current vehicles to equip the new vehicles. After research into various financing options, First Liberty National Bank will structure a loan with semi-annual payment for a three-year term at 3.25%, with no penalty for early payoff.

Motion was made to approve the purchase of the three new vehicles through the H-GAC Cooperative Purchasing Program.

ATTACHMENTS:

- PD Vehicle Purchase 2012 (PDF)

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

8. Work Session (ID # 2283)

Discussion of Project Options for 2012 Certificates of Obligation.

COMMENTS - Current Meeting:

City Manager Gary Broz requested direction from the Council regarding proposed projects for 2012 Certificates of Obligation. Various options discussed were funding a new police station, new HVAC for the Humphreys Cultural Center, and an awning for the Public Works Service Center under which to park equipment. Additional projects discussed were a new bell tower, sidewalks, skate park, swimming pool, and a tanker truck for the Fire Department. After lengthy discussion, Mr. Broz stated that an additional work session to discuss the options and related costs would be held in the near future, as publication of a Notice of Intent to Issue Certificates of Obligation is planned for February.

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:08 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



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

Monday, January 16, 2012

6:00 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on January 16, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
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. Executive Session

Consultation with Attorney; Closed Session. Gov. Code §551.071

Personnel Matters. Gov. Code §551.074

1. *Brad Wayne Keaton v. Phillip Fairchild, et al*; Civil Action No. 1;11-CV-410, U.S. District Court for the Eastern Division of Texas, Beaumont Division.

2. *Gordon Bean v. The Liberty County District Attorney's Office, et al*; Civil Action No. 1;12-CV-00005, U.S. District Court for the Eastern Division of Texas, Beaumont Division.

3. Civil Appeal of Administrative Ruling regarding Texas Public Information Act request from Valdez.

At 6:02 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

Minutes Acceptance: Minutes of Jan 16, 2012 6:00 PM (Minutes Approval)

B. Reconvene into Regular Session

At 6:40 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2012-7

Consider Authorization of Civil Appeal of Administrative Ruling in Public Information Act Request from Valdez.

COMMENTS - Current Meeting:

Motion was made that the Council authorize the City Attorney to file suit to appeal an Attorney General open records determination and authorize the Mayor to sign a resolution memorializing this action.

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

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 6:50 p.m.

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

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jan 16, 2012 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, January 24, 2012

6:00 PM

City Council Chambers

I. CALL TO ORDER

The Meeting was called to order on January 24, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	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

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.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the public.

Councilperson Jordan reported that Community Ambassador Training was being conducted, this same evening, at the Liberty Municipal Library. Councilperson Jordan explained that this committee works through the Houston-Galveston Area Council and will ultimately present a strategy plan to the Economic Development Agency in Washington D.C. In turn, based on information garnered and compilation of a 35-page report, the agency will allocate funds for grants for the next 2-3 years.

Mayor Pickett reported that the Fire & EMS Department Annual Banquet would be held on Saturday, January 28th.

City Manager Gary Broz reported that the annual Houston-Galveston Area Council General Assembly will be held on Friday, January 27th. Mr. Broz stated that the City had one seat left available if anyone was interested in attending.

Minutes Acceptance: Minutes of Jan 24, 2012 6:00 PM (Minutes Approval)

III. PRESENTATIONS / REPORTS

A. Information Item (ID # 2292)

Financial Report

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the financials for the month of December were not yet closed and the monthly financial report would be passed on, and that the 2010-2011 Fiscal Year Audit is being presented later in the meeting.

Finance Director Naomi Herrington reported on five project worksheets (PW) resulting from Hurricane Ike (2008) that went to State audit for reimbursement. Debris cleanup, being the largest project, has been closed out at 100%, with the City receiving a final payment of \$299,102. Ms. Herrington reported on the remainder of the PWs to include a payment for the electrical distribution system, with possible reimbursement of approximately \$200,000, and three smaller projects, with an approximate total reimbursement of \$60,000.

Ms. Herrington further stated that two additional project worksheets have not yet been to State audit; the Public Works Service Center (old GM Bldg.) with possible reimbursement of \$200,000 and airport hangars with possible reimbursement of approximately \$264,000.

Ms. Herrington completed her report by stating that property tax revenues were on the increase.

B. Information Item (ID # 2293)

2012 General Election Report

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported the City's general election for officers would be held on Saturday, May 12, 2012. Ms. Tidwell stated that the period for filing an application for a place on the ballot is February 4 - March 5th, with Early Voting by Personal Appearance being held from April 30th through May 8th. Two twelve-hour days of early voting will be held on the last two days of that period, Monday and Tuesday, May 7th and 8th, from 7 a.m. until 7 p.m.

IV. REGULAR AGENDA

A. Regular Session

1. Council Action 2012-8

Presentation of the Annual Audit Report for Fiscal Year 2010-2011 by Swaim, Brents & Associates, and Consider Acceptance of Same.

COMMENTS - Current Meeting:

Ms. LeAnn Brents, Swaim, Hanagriff & Associates presented the Audit Report for Fiscal Year 2010-2011. Ms. Brents stated that the audit is prepared on a full accrual basis and is subject to government auditing standards due to the receipt of federal funds. Ms. Brent further stated that the City was also subject to Single Audit Act requirements due to receiving over \$500,000 in federal grant funds, an even higher level audit. After review of various sections of the Audit Report and discussion of related issues, Ms. Brents reported that the City received a unqualified opinion audit, with no significant deficiencies and a major increase in net assets.

RESULT: NO ACTION TAKEN

2. Work Session (ID # 2295)

Discussion of Project Options for 2012 Certificates of Obligation.

COMMENTS - Current Meeting:

The City's Financial Advisor, Mr. Bob Henderson, was present to discuss with Council the financing of proposed projects for the issuance of 2012 Certificates of Obligation. Mr. Henderson discussed two possible options to include an issuance of \$1.2 million for three previously discussed projects or \$2.2 million to include additional projects. Additional projects discussed include the following:

Bell Tower - \$250,000

Skate Park - \$100,000

Cultural Ctr. Landscaping & Irrigation - \$100,000.

Mr. Broz recommended the issuance of \$1.8 million, plus issuance costs, for the three projects previously discussed to include \$1.5 million to assist with construction of a new Police Department facility, \$200,000 for HVAC at the Humphreys Cultural Center, and \$50,000 for an equipment awning at the Public Works Service Center. Mr. Broz further reported that he recommends the smaller issuance as it can be accomplished without raising taxes. Mr. Broz stated that hopefully other projects may be considered at a later date, on a cash basis, without the need for financing.

After further discussion of the I&S Rate, grants, community enhancement and quality of life issues, the Council consensus was that the \$1.8 million issuance is the option of choice.

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:20 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:

Minutes Acceptance: Minutes of Jan 24, 2012 6:00 PM (Minutes Approval)

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jan 24, 2012 6:00 PM (Minutes Approval)

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Jubilee

RESOLUTION (ID # 2304)

DOC ID: 2304 A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ESTABLISHING THAT THE LIBERTY JUBILEE SERVES A PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF LIBERTY, TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF A PORTION OF STATE RIGHT-OF-WAY DURING SAID LIBERTY JUBILEE.

WHEREAS, on March 23 and 24, 2012, the City of Liberty, Texas, will sponsor, promote, and conduct the Liberty Jubilee; and

WHEREAS, the Liberty Jubilee is an annual festival-type event offering a variety of entertainment and events in a family-oriented atmosphere for the citizens of Liberty and surrounding areas; and

WHEREAS, it is necessary to close certain street right-of-ways in the downtown area of the City of Liberty, Texas, during the Liberty Jubilee for the safety and convenience of those attending the event; now therefore,

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

Section 1. That City Council of the City of Liberty hereby finds that the Liberty Jubilee serves a public purpose.

Section 2. The City Council of the City of Liberty hereby authorizes the City of Liberty to enter into an agreement with the Texas Department of Transportation for the temporary closure of a portion of state right-of-way during the 2011 Liberty Jubilee.

Section 3. The City Council of the City of Liberty hereby further consents to and authorizes its City Manager to negotiate and execute an agreement with the Texas Department of Transportation for the temporary closure of a portion of state right-of-way during the 2012 Liberty Jubilee on behalf of the City of Liberty.

PASSED, APPROVED, AND RESOLVED this the 14th day of February, 2012.

Resolution (ID # 2304)
Page 2

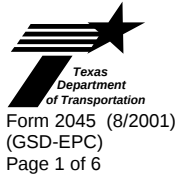
City Council Meeting

February 14, 2012

Carl Pickett, Mayor
City of Liberty, Texas

ATTEST:

Dianne Tidwell, City Secretary
City of Liberty, Texas



THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

Agreement for the Temporary Closure of State Right of Way

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of Liberty, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, the State owns and operates a system of highways for public use and benefit, including Loop 227, in Liberty County; and

WHEREAS, the City has requested the temporary closure of Loop 227 (Main St.) between Martin Luther King Drive and Trinity Street,
For the purposes of holding festivities during the 2012 Liberty Jubilee,
as described in the attached "Exhibit A", hereinafter identified as the "Event"; and

WHEREAS, the Event will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 14th day of February
2012 the Liberty City Council passed Resolution/Ordinance
No. -2012, attached hereto and identified as "Exhibit B", establishing that the Event serves a public purpose and authorizing the City to enter into this agreement with the State; and

WHEREAS, 43 Texas Administrative Code, § 22.12, establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 Texas Administrative Code, § 22.12;

AGREEMENT

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

1. CONTRACT PERIOD

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

2. EVENT DESCRIPTION

The description of the Event, including the proposed schedule of start and stop times; approximate number of people attending the Event; and equipment involved, shall be attached hereto and identified as "Exhibit C".

3. OPERATIONS OF THE EVENT

- A. The City shall assume all costs for the operations associated with the Event, to include but not limited to plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.
- B. The City shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required; the traffic control and signing plans; traffic enforcement plans; and all other plans deemed necessary by the State.
- C. The City will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

- D. The City will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The City will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the City shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.
- E. The City hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the City's traffic control plan.
- F. The City will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practical, restore the natural environment, including landscape features.

4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the City will remain the property of the City. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

5. TERMINATION

- A. This agreement may be terminated by any of the following condition:
 - (1) By mutual written agreement and consent of both parties.
 - (2) By the State upon determination that uses of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
 - (3) By either party, upon the failure of the other party to fulfill the obligation as set forth herein.
 - (4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligation and liabilities of the State and City under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein; the State will notify the City that possible breach of contract has occurred. The City must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the City does not remedy the breach to the satisfaction of the State, the City shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

6. DISPUTES

Should disputes arise as to the party's responsibilities or additional work under this agreement, the State's decision shall be final and binding.

7. INDEMNIFICATION

To the extent permitted by law, the City shall indemnify and save harmless the State, its officers, employees, agents and contractors from all claims and liabilities due to the activities of the City, its officers, employees, agents and contractors performed under this agreement and which result from an error, omission or negligent act of the City, its officers, employees, agents or contractors. Additionally, to the extent permitted by law, the City shall save harmless the State, its officers, employees, agents and contractors from any and all expenses, including attorneys fees and court costs which may be incurred by the State in litigation or otherwise resisting said claim or liabilities which might be imposed on the State as the result of such activities by the City, their officers, employees, agents or contractors.

8. INSURANCE

- A. Prior to beginning any work upon the State's right of way, the City and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the City and/or its contractors are encroaching upon the State right of way.
- B. In the event the City is a self-insured entity, the City shall provide the State proof of its self-insurance. Additionally, the City shall include the State as an additional insured under its self-insurance policy.

9. AMENDMENTS

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

10. COMPLIANCE WITH LAWS

The City shall comply with all applicable federal, state and local environmental laws, regulations, ordinances, and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

11. LEGAL CONSTRUCTION

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

12. NOTICES

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

State: Texas Department of Transportation

City:

Gary Broz, City Manager

1829 Sam Houston Street

Liberty, Texas 77575

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

13. SOLE AGREEMENT

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

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

THE CITY OF LIBERTY, TEXAS

February 15, 2012

Date

Gary Broz

Name of Requestor

City Manager

Title

Signature

(936) 336 - 3684

Area Code Telephone Number

Address

1829 Sam Houston

Liberty

City,

Texas 77575

State Zip

ATTEST:

BY:

City Secretary

THE STATE OF TEXAS

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

Randy Redmond, P.E.

Typed, Printed or Stamped Name of District Engineer

Beaumont

District

Signature of District Engineer

By TxDOT Representative

Cory Taylor, Area Engineer

Name and Title of TxDOT Representative

Date

209 Layl Drive

Address

Liberty

City,

TX 77575

State Zip

(936) 336 - 2244

Area Code Telephone Number



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.C

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Fiscal Year Audit

COUNCIL ACTION (ID # 2305)

DOC ID: 2305

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Certificates

RESOLUTION 2012-2

DOC ID: 2317 B

**RESOLUTION AUTHORIZING PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION**

**THE STATE OF TEXAS
COUNTY OF LIBERTY
CITY OF LIBERTY**

WHEREAS, the City Council of the **CITY OF LIBERTY, TEXAS** (the "**City**") hereby determines that it is necessary and desirable to (i) construct, improve and equip municipal buildings, to wit: construction and equipment of a police station and replacement of an HVAC system at the cultural center; (ii) acquire and construct an awning to be used primarily by the Public Works Department; and (iii) pay for professional services rendered by engineers, attorneys, and financial advisors in connection with the above projects (collectively, the "**Projects**"); and

WHEREAS, the City Council of the City intends to finance the Projects from proceeds derived from the sale of a series of *Combination Tax and Revenue Certificates of Obligation* issued by the City pursuant to Sections 271.041 - 271.063, Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 271.049, Texas Local Government Code, the City Council deems it advisable to give notice of intention to issue certificates of obligation in an amount not to exceed an aggregate of \$1,825,000 for the purpose of paying, in whole or in part, the Projects, to pay all or a portion of the legal, fiscal and engineering fees in connection with the Projects, and to pay the costs of issuance related to the certificates of obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

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

SECTION 1. APPROVAL OF NOTICE OF INTENTION. Attached hereto is a form of the "*Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation*", the form and substance of which is hereby adopted and approved.

SECTION 2. AUTHORIZATION TO PUBLISH NOTICE OF INTENTION. The City Secretary shall cause said notice to be published in substantially the form attached hereto in a newspaper, as defined in Section 2051.044, Texas Government Code, that is of general circulation in the area

of the City, on the same day in each of two consecutive weeks, the date of the first publication thereof to be at least 31 days before the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in said notice. The City Manager and the Finance Director are each authorized to make changes to said Notice as necessary prior to its publication.

SECTION 3. INCORPORATION OF RECITALS. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

[The remainder of this page intentionally left blank]

***ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LIBERTY, TEXAS AT A REGULAR MEETING ON THE 14th DAY OF FEBRUARY, 2012.***

By _____
Mayor, City of Liberty, Texas

ATTEST:

City Secretary, City of Liberty, Texas

(SEAL)

** **

[SIGNATURE PAGE TO NOTICE OF INTENTION RESOLUTION]

**CITY OF LIBERTY, TEXAS
NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION**

The City Council of the City of Liberty, Texas (the "City") does hereby give notice of intention to issue one or more series of *City of Liberty, Texas Combination Tax and Revenue Certificates of Obligation* in the maximum aggregate principal amount not to exceed \$1,825,000 for the purpose of paying, in whole or in part, contractual obligations incurred to (i) construct, improve and equip municipal buildings, to wit: construction and equipment of a police station and replacement of an HVAC system at the cultural center; (ii) acquire and construct an awning to be used primarily by the Public Works Department; and (iii) pay for professional services rendered by engineers, attorneys, and financial advisors in connection with the above projects and Certificates of Obligation. The City proposes to provide for the payment of such Certificates of Obligation from the levy and collection of ad valorem taxes in the City as provided by law and from a lien on and pledge of "Surplus Revenues", if any, received by the City from the ownership and operation of the City's waterworks and sewer system. The City Council proposes to authorize the issuance of such Certificates of Obligation at 6:00 p.m. on Tuesday, March 27, 2012, at a Special Meeting, at the City Hall, Liberty, Texas.

/s/ Dianne Tidwell
City Secretary, City of Liberty, Texas

CERTIFICATE FOR RESOLUTION

**STATE OF TEXAS
COUNTY OF LIBERTY
CITY OF LIBERTY**

I, the undersigned City Secretary of **CITY OF LIBERTY, TEXAS** (the "**City**"), hereby certify as follows:

1. The City Council of the City convened in REGULAR MEETING ON THE 14th DAY OF FEBRUARY, 2012, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Carl Pickett, Mayor
Mike McCarty, Mayor Pro-Tem
Dennis Beasley, Council Member
Diane Huddleston, Council Member
Frank Jordan, Council Member
Louie Potetz, Council Member
Libby Simonson, Council Member

and all of said persons were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

**RESOLUTION AUTHORIZING PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION**

was duly read. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES:_____ NOES: ABSTENTIONS:_____

2. A true, full, and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in said City Council's minutes of said Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said City Council as indicated therein; each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting; and said Meeting was open to the public, and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED the 14th day of February, 2012.

(SEAL)

City Secretary, City of Liberty, Texas



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 2306)

DOC ID: 2306

PUBLIC NOTICE

As a requirement for the Disaster Recovery Round 2, Phase 2 Application, the City of Liberty will hold a Public Hearing to discuss the Fair Housing Activity Statement – Texas (FHAST) Form approved by the State’s General Land Office, which will become the basis for the City of Liberty’s Fair Housing Action Plan.

The Public Hearing will be held as follows:

Date: February 14, 2011

Time: 6:00 PM

Place: City of Liberty, City Hall
1829 Sam Houston
Liberty, Texas 77575

The public is invited to provide comments on any proposed changes to the City’s FHAST form. Public comments provided at the Hearing will be reviewed to either amend or accept the City’s FHAST Form. Upon approval, the FHAST form will become the basis of the City of Liberty’s Fair Housing Plan.

Provide input and comments by:

1. Attending the public hearing and signing up to provide comments; or
2. Mailing written comments to the following address:

April Reiss
City of Liberty
c/o Community Development Program
1829 Sam Houston
Liberty, Texas 77575

Persons with disabilities that wish to attend this meeting should contact the City Hall at 936-336-3684 to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the City at least two days before the meeting so that appropriate arrangements can be made.

The public has until 4:00 p.m. on February 14, 2012, to submit comments via mail.

The FHAST Form is posted on the City of Liberty’s website at www.cityofliberty.org
For additional information, contact City of Liberty at 936-336-3684.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Fair Housing

RESOLUTION (ID # 2307)

DOC ID: 2307

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS,
APPROVING ITS FAIR HOUSING ACTIVITY STATEMENT-TEXAS (FHAST).

WHEREAS, the City Council of the City of Liberty desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, the City Council supports and affirmatively furthers fair housing; and

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

1. That the City's Fair Housing Activity Statement-Texas (FHAST) is hereby approved by the City Council.

Passed and approved this 14th day of February, 2012.

Carl Pickett, Mayor

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 2310)

DOC ID: 2310

Date: January 13, 2012

TO: Ricardo Perez
2512 Newman
Liberty, Texas 77575

RE: Public Nuisance-Proposed Order to Demolish

Dear Sir and/or Madam:

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

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

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

Building/Structure: **Dilapidated Structure**

Street Address: **1611 Cypress**

Legal Description: **Cain Block 3, Lot 5 6**

Attachment: PH 1611 Cypress (2310 : PH Condemnation 1611 Cypress)

City of Liberty, Liberty County, Texas

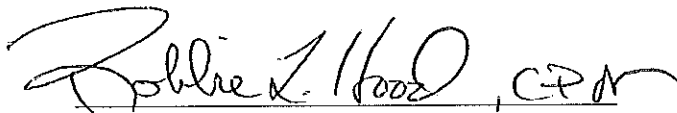
You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on February 14, 2012, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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

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

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

Sincerely,



Robbie L. Hood, CPM
Neighborhood Services Administrator
City of Liberty

Attachment: PH 1611 Cypress (2310 : PH Condemnation 1611 Cypress)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2311)

DOC ID: 2311

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 1611 Cypress Street of the Town of Liberty with Liberty County Central Appraisal District Property ID # 36375, Cain, Block 3, Lot 5 6 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 14th day of February, 2012.

By: _____

Carl Pickett,
Mayor,
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Demolitions

PUBLIC HEARING (ID # 2312)

DOC ID: 2312

Date: January 13, 2012

TO: Raul Cortez
PO Box 638
Raywood, Texas 77582

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: **1715 Cypress St**
Legal Description: **Cain Block 2, Lot 1 2 3**

Attachment: PH 1715 Cypress (2312 : PH Condemnation 1715 Cypress)

City of Liberty, Liberty County, Texas

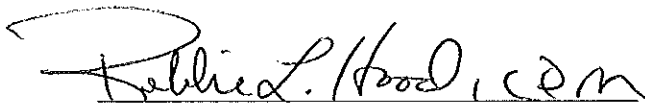
You are hereby given notice that a hearing will be held before the Liberty City Council at 6:00 o'clock p.m. on February 14, 2012, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575 to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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

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

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

Sincerely,



Robbie L. Hood, CPM
Neighborhood Services Administrator
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2313)

DOC ID: 2313

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 1715 Cypress Street of the Town of Liberty with Liberty County Central Appraisal District Property ID # 36366, Cain, Block 2, Lot 1 2 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 14th day of February, 2012.

By: _____

Carl Pickett,
Mayor,
City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 2314)

DOC ID: 2314

Date: January 13, 2012

TO: Raul Cortez
PO Box 638
Raywood, Texas 77582

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: **1715 ½ Cypress St**

Legal Description: **Cain Block 2, Lot 1 2 3**

Attachment: PH 1715 .5 Cypress (2314 : PH Condemnation 1715 1/2 Cypress)

City of Liberty, Liberty County, Texas

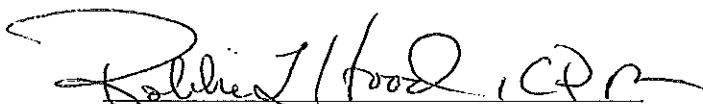
You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on February 14, 2012, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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

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

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

Sincerely,



Robbie L. Hood, CPM
Neighborhood Services Administrator
City of Liberty

Attachment: PH 1715 .5 Cypress (2314 : PH Condemnation 1715 1/2 Cypress)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 2315)

DOC ID: 2315

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 1715 1/2 Cypress Street of the Town of Liberty with Liberty County Central Appraisal District Property ID # 36366, Cain, Block 2, Lot 1 2 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 14th day of February, 2012.

By: _____

Carl Pickett,
Mayor,
City of Liberty

Attachment: Order of Abatement 1715.5 Cypress (2315 : Order of Abatement 1715 1/2 Cypress)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Electric Issues

ORDINANCE (ID # 2308)

DOC ID: 2308

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 12TH DAY OF MAY, 2012; AUTHORIZING A JOINT ELECTION WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND LIBERTY COUNTY HOSPITAL DISTRICT NUMBER 1; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING PAY RATES FOR ELECTION OFFICIALS; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR THE NOTICE OF ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

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

Section 1.

It is hereby ordered that a General Election be held in the City of Liberty, Texas on the second Saturday in May, the 12th day of May, 2012, at which election the qualified voters of the City will elect a Mayor and three (3) Council Members, which are all at-large positions.

Section 2.

That the election be held jointly with the election of the Liberty Independent School District and the Liberty County Hospital District Number 1 per the terms of the Interlocal Agreement dated February 3, 2010 and the Interlocal Agreement dated January 25, 2010, respectively.

Section 3.

The present boundaries of the City constitute one election precinct, and the polls shall be open for voting from 7:00 a.m. until 7:00 p.m. at the following polling place, and the following are hereby appointed officers to conduct the election at said polling place:

POLLING PLACE:

City Hall
Liberty Center

Ordinance (ID # 2308)
Page 2
1829 Sam Houston Street
Liberty, Texas 77575

City Council Meeting

February 14, 2012

ELECTION OFFICERS:

Sammy Sackett, Presiding Judge
124 Tanner Street
Liberty, Texas 77575

Barbara Van Deventer, Alternate Presiding Judge
1410 Webster Street
Liberty, Texas 77575

The City Secretary is hereby authorized and directed to provide a copy of the Ordinance to the judge as written notice of their appointment as required by Section 32.009 of the Texas Election Code.

The Presiding Judge shall have the authority to appoint no more than three (3) clerks, one of which is the Alternate Judge, to assist in the holding of such election, but in no event shall the Presiding Judge appoint less than two clerks. Said election officers are hereby designated to also serve as the Early Voting Ballot Board for the purpose of canvassing the early votes by mail and by personal appearance. The Presiding Judge of such election shall also serve as the Presiding Officer of the Early Voting Ballot Board.

The Election Judge and clerks shall be compensated at an hourly rate of \$10.00 as provided by Title 3, Section 32.091(A) of the Texas Election Code. The Election Judge shall be compensated in the amount of \$25.00 for the delivery of election equipment and supplies as provided by Title 3, Section 32.901(a) of the Texas Election Code, if such delivery is necessary.

Section 4.

The City Secretary is designated the Early Voting Clerk and the appointment of a deputy clerk or clerks for early voting, by the City Secretary, shall be in accordance with Section 83.001 et seq. of the Texas Election Code. The location for early voting for such election is hereby designated as:

City Hall/ Council Chambers
City of Liberty
1829 Sam Houston Street
Liberty, Texas 77575

Early Voting by Personal Appearance shall begin on April 30, 2012 and end on May 8, 2012. Early voting by personal appearance shall be conducted during the regular business hours of the City Secretary's Office which are Monday through Friday, from

8:00 a.m. until 5:00 p.m. As required under Section 85.005(d), Texas Election Code, early voting by personal appearance, at the early voting polling place, shall be conducted for at least 12 hours on two weekdays, if the early voting period consists of six or more weekdays. The City of Liberty received approval from the U.S. Department of Justice, in a letter dated April 29, 2009, that the City's two 12-hour days of early voting be held on the last two days of this period, for all future elections beginning with the May 9, 2009 Election. Therefore, Early Voting by Personal Appearance shall be conducted for 12 hours on the last two days of the 2012 early voting period, which fall on Monday, May 7, 2012 and Tuesday, May 8, 2012.

The election clerk's address to which ballot applications and ballots voted by mail may be sent is: 1829 Sam Houston Street, Liberty, Texas 77575. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section 5.

All ballots shall be prepared in accordance with the Texas Election Code. Paper ballots shall be used for early voting by mail and paper ballots and the eSlate Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day. Election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling place and for early voting for said election.

All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Section 6.

The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 7.

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

Section 8.

Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

Section 9.

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

Section 10.

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this the 14th day of February, 2012.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

POR ORDENANZA DE LA CIUDAD DE LIBERTY, TEXAS, SE ORDENA A UNA ELECCIÓN GENERAL DEL MUNICIPIO QUE SE REALIZARÁ EL DÍA 12 DE MAYO DEL 2012; AUTORIZANDO UNA ELECCIÓN CONJUNTA CON EL DISTRIO ESCOLAR INDEPENDIENTE DE LIBERTY (LIBERTY INDEPENDENT SCHOOL DISTRICT) Y EL DISTRITO NÚMERO 1 DEL HOSPITAL DEL CONDADO DE LIBERTY (LIBERTY COUNTY HOSPITAL DISTRICT NUMBER 1); DESIGNANDO LOS LUGARES DE VOTACIÓN Y ASIGNANDO LOS OFICIALES PARA DICHAS ELECCIONES; PROVEYENDO LOS IMPORTES DE PAGO PARA LOS OFICIALES DE LAS ELECCIONES; PROVEYENDO UNA VOTACIÓN TEMPRANA; PROVEYENDO DOS DÍAS DE DOCE HORAS PARA LA VOTACIÓN TEMPRANA; PROPORCIONANDO EL AVISO DE ELECCIÓN; PROVEYENDO CLAUSULAS NECESARIAS; PROPORCIONANDO UNA FECHA DE ELECCIÓN; Y SIGUIENDO CON LOS REQUISITOS DE LA SECCION 3.10 DE LA REGLA DE CONTRATO DE CASA (HOME RULE CHARTER), QUE ESTA ORDENANZA DEBE SER LEÍDA EN DOS DÍAS SEPARADOS.

PARA SER DESIGNADO POR EL CONSEJO DE LA CIUDAD DE LIBERTY, TEXAS

Sección 1

Se ha ordenado a una Elección General que se realizará en la ciudad de Liberty, Texas, el segundo sábado del mes mayo, que será el día 12 de Mayo del 2012. En esta elección los votantes calificados de la ciudad de Liberty elegirán un alcalde y tres (3) miembros del consejo de la ciudad, los cuales ocuparán las posiciones disponibles.

Sección 2

Esta elección se realizará juntamente con el Distrito Escolar Independiente de Liberty y con el Distrito Número 1 del Hospital del condado de Liberty por los términos del acuerdo Interlocal fechado el 3 de febrero del 2010 y del 25 de enero del 2010, respectivamente.

Sección 3

Los límites actuales de la ciudad constituyen una elección por precinto y los lugares de votación deberán ser abiertos para la votación empezando a las 7 de la mañana y terminando a las 7 de la noche. Las siguientes personas son los oficiales designados para llevar a cabo las elecciones en los siguientes lugares:

Centro Electoral:

Ayuntamiento
Centro Libertad
1829 Sam Houston
Liberty, Texas 77575

Oficiales Electos:

Sammy Sackett, Juez Titular
124 Tanner Street
Liberty, Texas 77575

Barbara Van Deventer, Juez Alterno
1410 Webster Street
Liberty, TX 77575

A la secretaria de la Ciudad se le autoriza y se le ordena proporcionar una copia de la Ordenanza al juez por escrito con una notificación del día y lugar de las elecciones, de acuerdo con los requisitos de la Sección 32.009 del código de Elección de Texas.

El juez tendrá la autorización de seleccionar a no más de tres (3) miembros oficiales, uno de los cuales es el juez alterno, y no menos de dos (2) miembros oficiales que ayudarán en el proceso electoral. Por este mismo medio, se designa a dichos oficiales para servir en la junta de votación temprana con el propósito de sondear los votos tempranos por correo o en forma personal. El juez titular también servirá como juez de la junta de votación temprana.

Los jueces y los miembros oficiales serán compensados por su trabajo con la suma de \$10.00 por hora como está escrito en el Título 32.091 (A) del Código de Elección de Texas. El juez titular será compensado con la suma de \$25.00 por el envío de los materiales y el equipo de votación de acuerdo a lo estipulado por el Título 3, Sección 32.901 (A) del Código de Elección de Texas, si es necesario.

Sección 4

La secretaria de la Ciudad es designada como miembro oficial de votación temprana y para el nombramiento del delegado o delegados para la votación temprana de acuerdo con la Sección 83.001 et. seq. del Código de Elección de Texas. Por este medio queda designado el lugar de votación temprana en:

Ayuntamiento/Consejo de Camaras
1829 Sam Houston St.
Liberty, TX 77575

La votación temprana en forma personal comenzará el día 30 de abril y terminará el 8 de mayo del 2012. La votación temprana se llevará a cabo en los horarios de oficina de la secretaria de la Ciudad los cuales son de lunes a jueves de 8:00 de la mañana hasta las 5:00 de la tarde a viernes, como es requerido bajo la Sección 85.005 (d), del Código de Elección de Texas. La votación temprana en forma personal se realizará en los lugares designados por lo menos 12 horas durante dos días de la semana, si el periodo de votación temprana consiste de seis o más días. La ciudad de Liberty, recibió la aprobación del Departamento de Justicia de los Estados Unidos, por medio de una carta fechada el día 29 de abril del 2009, en la cual las 12-horas de votación temprana de la ciudad se llevará a cabo los dos últimos días de este periodo, para las futuras

elecciones empezando con las elecciones del día 9 de mayo del 2009 eleccion. Por lo tanto, las votaciones en forma personal se llevarán a cabo por 12 horas los dos últimos días del periodo 2012, que son el lunes 7 de mayo del 2012 y el martes 8 de mayo del 2012.

La dirección para las aplicaciones de votación temprano o para mandar las aplicaciones por correo es: 1829 Sam Houston, Liberty, Texas 77575. El oficial encargado de la votación temprana de acuerdo con el Código de Elección de Texas, debe mantener una lista con el nombre de las personas que votaron en forma personal y de las personas que enviaron sus boletas de votación por correo; la lista será mantenida en la forma aprobada por la Secretaría del Estado de Texas.

Sección 5

Todas las boletas de votación deben ser diseñadas y preparadas de acuerdo al Código de Elección de Texas. Las boletas de papel serán usadas para la votación temprana por correo, también en forma personal habrán boletas de papel y máquinas electrónicas, eSlate. Los materiales para la elección deben ser diseñados y preparados de acuerdo con la Sección 272.005, del Código de Elección de Texas. Deben ser impresas en inglés y en español para ser usados en los lugares de votación y en la votación temprana para dicha elección.

Por este medio, se aprueban y se autorizan todos los gastos relacionados con las elecciones tales como los gastos generales, de materiales, y del pago de los oficiales para el desarrollo de la elección.

Sección 6

La secretaria de la Ciudad está autorizada para dirigir y proporcionar todos los materiales necesarios de la elección.

Sección 7

El aviso de esta elección será publicado en el periódico oficial de la ciudad, no antes del día 30 o después del día 10 antes del día de las elecciones. Será publicado en el sitio, el cual es usado para anunciar todo lo que es referente a las juntas del Consejo de la Ciudad y no después del día 21 antes del día de las elecciones de acuerdo al Código de Elección de Texas.

Sección 8

Esta elección se sostendrá de acuerdo al Código de Elección de Texas y con el Acto Federal de los derechos de votantes de 1965.

Sección 9

El requisito contenido bajo la Sección 3.10 de la Regla de Contrato de Casa (Home Rule Charter) de la ciudad de Liberty, Texas, y todas las ordenanzas serán leídas en dos días separados y serán dispensados por este medio.

Sección 10

Esta ordenanza estará en efecto a partir y después de la fecha de su aprobación.

REVISADO Y APROBADO por la junta regular del Consejo de la Ciudad de Liberty, el 14 de febrero del 2012.

Carl Pickett
Alcalde de Ciudad

Certificado:

Dianne Tidwell
Secretaria de la Ciudad



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Election Issues

COUNCIL ACTION (ID # 2309)

DOC ID: 2309

INTERLOCAL AGREEMENT BETWEEN LIBERTY COUNTY AND CITY OF LIBERTY

This agreement, made and entered into, by and between Liberty County, hereinafter referred to as "County", acting herein by and through its County Judge and County Commissioners' Court, and City of Liberty, hereinafter referred to as "Entity", acting by and through its Board.

WHITNESSETH

WHEREAS, the Entity is required to conduct an Election of City of Liberty, on May 12, 2012; and

WHEREAS, section 61.012 of the Texas Election code requires that at least one accessible voting system be provided in each polling place in a Texas Election on or after January 1, 2007; and

WHEREAS, sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems; and

WHEREAS, the Entity, located in Liberty County, Texas, desires to enter into an Interlocal Agreement for the use of the County's election voting equipment, including the Escan, Disabled Access Unit (DRE) and Judge's Booth Controller (JBC) on election day, May 12, 2012; and

WHEREAS, the Commissioners' Court of Liberty County, Texas desires to give authorization for said usage.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS' COURT OF LIBERTY COUNTY, TEXAS, THAT:

Said Commissioners' Court authorizes the usage of said equipment by Entity under conduct and supervision of Paulette Williams, Liberty County Clerk; and

BE IT FURTHER RESOLVED, that the election costs incurred in the programming of said equipment for the purpose by the County's vendor, Hart Intercivic, and all other election cost ballots, election machines, kits, election workers, news paper postings. Will be the responsibility of City of Liberty and Liberty County

BE IT FURTHER RESOLVED, the purchase price for each ESCAN, DRE and JBC totals \$5,500.00 for Liberty County. The County Commissioners' Court has set a rate for rental at 3% of the actual cost of the equipment, therefore, for both the DRE, ESCAN and JBC equipment needed for each polling place shall rent for of \$165.00 per machine per day for your precincts on election day; and

BE IT FURTHER RESOLVED, that any equipment returned damaged or in lesser state of repair than received, full value of equipment to be repaired or replaced will be the responsibility of the Entity; and

BE IT FURTHER RESOLVED, that the preparation of the equipment, Logic and Accuracy testing, clearing, loading ballot and audit will be performed by the Clerk's personnel at a rate of one and a half times their regular hourly rate for work done on Election day and any day that requires a Deputy Clerk to work overtime for the Election date. The Entity will be responsible for the time and a half rate. The Entity will be responsible for the verification and accuracy of ballot information and shall participate in the proofing of said ballot from vendor; and

BE IT FURTHER RESOLVED, that the Entity will be responsible for the purchase of necessary miscellaneous supplies needed to conduct election, i.e. Flash cards for audio, audit, signature and testing, and printer pack paper; and

BE IT FURTHER RESOLVED, that the County will be responsible for the delivery of ESCAN, DRE and JBC to each of the Entity's polling places election day. The Entity will be responsible for the expense of said delivery; and

BE IT FURTHER RESOLVED, that the Entity and County agree that the estimate sheet is good faith estimate only and the Entity's obligation is the actual cost even in the event the actual cost exceeds the estimated cost; and

BE IT FURTHER RESOLVED, that the Entity retains ultimate responsibility for the election and neither the County nor any County personnel will be held responsible for any outcome of the election or any malfunction of the rented equipment for the election; and

CITY OF LIBERTY HAS REQUESTED TO RENT ELECTION EQUIPMENT FOR THE MAY 12, 2012 ELECTION

BE IT FURTHER RESOLVED, PASSED AND APPROVED, this _____ day of _____, 2012.

Craig McNair
Liberty County Judge

Paulette Williams
Liberty County Clerk

City of Liberty



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 02/14/12 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 2316)

DOC ID: 2316

Gary Broz

From: Roger Drews <rdrews@cityofliberty.org>
Sent: Friday, February 10, 2012 9:08 AM
To: 'Gary Broz'
Subject: Pricing for meter vault and piping changes at Boomerang

I have received a written quote from Williamson Construction for a turn key job that includes lowering the entire piping assembly, installing a vault, and completing tie -ins on both ends for water service improvements at the Boomerang facility entrance. The City of Liberty would be supplying the 8" meter and the 8" backflow preventer along with two 8" valves. Price quoted is \$ 29,500.00.

I have verbal pricing from Panorama Construction, quoting turn key with the City providing above listed meter, backflow preventer, and valves. Price quoted was \$ 34,750.00.

I also have verbal pricing from Mickey Services, quoting \$37,495.00.

The meter, backflow preventer, and 2 – 8" gate valves will cost an estimated \$ 15,925.00 above the low price quote of \$29,500.00 or a total of \$45,425.00.