# 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, June 12, 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 | ☐ | ☐ | ☐ | |
| Councilperson Diane Huddleston | ☐ | ☐ | ☐ | |
| Councilperson Dennis Beasley | ☐ | ☐ | ☐ | |
| Councilperson Frank Jordan | ☐ | ☐ | ☐ | |
| Councilperson Louie Potetz | ☐ | ☐ | ☐ | |
| Councilperson Libby Simonson | ☐ | ☐ | ☐ | |
| Councilperson David Arnold | ☐ | ☐ | ☐ | |
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## II. INVOCATION

## III. PLEDGE OF ALLEGIANCE

## IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

## V. PRESENTATIONS / REPORTS

### A. Information Item (ID # 2409)

Various Project Updates - City Mgr. Gary Broz

### B. Information Item (ID # 2410)

Recycling Report - Councilperson Huddleston

### C. Information Item (ID # 2411)

Liberty County Project on Aging Update - City Mgr. Gary Broz

## 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, May 08, 2012

**2.** Wednesday, May 16, 2012

**3. Council Action (ID # 2418)**

Consider Approval of March 22 and 23 as Dates for the 2013 Liberty Jubilee.

## VII. REGULAR AGENDA

### *A. Regular Session*

**1. Council Action (ID # 2412)**

Consider Ratifying the Liberty Community Development Corporation's Award of Contract Proposal for T-Hangars at the Liberty Municipal Airport, and Take Any Action Deemed Necessary.

- Airport Hangar Matrix June 2012 (PDF)

**2. Council Action (ID # 2413)**

Consider Approval of Liberty County EMS Life Care Membership, and Take Any Action Deemed Necessary.

- Koen - City Council Request (PDF)

**3. Council Action (ID # 2414)**

Consider Approval of a Change Order in the Amount of $1924.62, for Installation of Isolation Switches in Front of Electrical Meters at the Washington and Wallisville Lift Stations, to Comply with City Electrical Department Requirements.

- Change Order W & W June 2012 (PDF)

**4. Council Action (ID # 2415)**

Consider Approval of Intent to Proceed with Phase I of the Street Extension Project, and Take Any Action Deemed Necessary.

**5. Council Action (ID # 2416)**

Consider Approval of an Interlocal Agreement with Liberty County Hospital District No. 1 for Maintenance of the Parking Lots, and Take Any Action Deemed Necessary.

### *B. Executive Session*

Deliberation Regarding Economic Development. Gov. Code §551.087
Consultation with Attorney. Gov. Code §551.071

1. Receive advice from Council's legal counsel regarding status of acquisition of real property as it relates to rail spur acquisition and service.
2. Receive legal advice as to construction bidding issue.

### *C. Reconvene into Regular Session*

**1. Council Action (ID # 2417)**

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

## VIII. ADJOURNMENT

**A. Motion To:** Adjourn

## CERTIFICATION

*I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 8th day of June, 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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Reports

## INFORMATION ITEM (ID # 2409)

DOC ID: 2409

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

Meeting: 06/12/12 06:00 PM
Department: Administration
Category: Reports

## INFORMATION ITEM (ID # 2410)

DOC ID: 2410

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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Reports

## INFORMATION ITEM (ID # 2411)

DOC ID: 2411

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# The City of Liberty
## City Council

## Regular Meeting

## ~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

**Tuesday, May 8, 2012** **6:00 PM** **City Hall - Liberty Center**

## I. CALL TO ORDER

The Meeting was called to order on May 8, 2012 at the City Hall - Liberty Center, 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 | |
| Brandon Davis | City Counsel | Present | |

## II. INVOCATION

The Invocation was given by Mr. Chris Contreras, Asst. City Manager, City of Dayton and Liberty County Project on Aging Board Member.

## III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty Police Officers Rolando Aguilar and Wes O'Hanlon.

## IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

City Manager Gary Broz reported that the Council Meeting was being held in the Liberty Center due to early voting taking place in the Council Chambers. Mayor Pickett stated that this day was the last opportunity to vote early and that Election Day is on Saturday, May 12th. Mayor Pickett encouraged everyone to express their interest in City government by exercising their right to vote.

Numerous members of the Liberty Police Department were present, with spokesperson Sgt. Ewing making a special presentation, on behalf of the Department, to City Manager Gary Broz. Sgt Ewing stated that this presentation is in appreciation for Mr. Broz's support, encouragement, and instrumental role in helping the Department to achieve the Texas Police Chiefs Best Practices Certification. Sgt. Ewing expressed the department’s gratitude and presented Mr. Broz with a copy of the official certification, framed and signed by each of the Liberty Police

Department employees.

Councilperson Jordan reported on Houston-Galveston Area Council activities, being a member of theRegional Review Committee for the Texas Community Development Block Grant Program. Councilperson Jordan reported that the City has a 99% chance of receiving a grant this year, even though the city was in receipt of $250,000 in grant funds within the previous year. Councilperson Jordan stated that the new grant is in the amount of $350,000 for sewer system infrastructure improvements, which would be a total of $700,000 received in the last two years. This committee also awarded $2.6 million dollars in the preceding two years to various entities in the County, including funds awarded to Liberty County.

# V. PRESENTATIONS / REPORTS

## A. Information Item (ID # 2386)

Proclamation - Motorcycle Awareness Month

**COMMENTS - Current Meeting:**

Mayor Pickett read, in its entirety, the proclamation for Motorcycle Safety Awareness Month. Members of various motorcycle clubs were present and expressed their appreciation to the Council for their time and attention to the initiative aimed at getting motorists and motorcycles to "share the road" with one another.

**ATTACHMENTS:**

- Motorcycle Safety Month 2012 (DOC)

## B. Information Item (ID # 2387)

Various Project Updates - City Mgr. Gary Broz

**COMMENTS - Current Meeting:**

City Manager Gary Broz reviewed a printed report on the status of various city projects. Mr. Broz reviewed the following projects:

1) Airport T-hangars RFPs are now out again, with a scoring matrix to be used in regard to vendor compliance,

2) water and electric meters completely installed, working on related reports,

3) AV fuel tank will be out of service at the Airport, in order to prime and repaint (approx. 10 days),

4) lift station and generator projects moving along,

5) working on options to keep Senior Citizen Center functional,

6) Council budget work sessions scheduled for July 11, 12, and 13,

7) early voting for the City's General Election concludes today, and

8) comments regarding other city related projects.

## C. Information Item (ID # 2388)

Recycling Report - Councilperson Huddleston

**COMMENTS - Current Meeting:**

Councilperson Huddleston stated that the recent recycling event, sponsored by the City, and held on Saturday, April 21 was a tremendous success. "Shred It" was present with two commercial shredding trucks and approximately 10,500 pounds of material was collected. Councilperson Huddleston thanked those that participated, reported that the next event would be held in six months, and stated that the City is proud to offer these events that promote a green environment in our community.

### D. Information Item (ID # 2389)

Planning and Zoning Commission Appointments

**COMMENTS - Current Meeting:**

City Secretary Dianne Tidwell reported that appointments to the Planning and Zoning Commission are scheduled for the Council Meeting of May 16, 2012. Ms. Tidwell further reported that the Commission is comprised of five members who serve three-year terms. Those members whose terms expire are Bill Takach and Kim Anderson, and each is willing to serve again, if re-appointed.

### E. Information Item (ID # 2390)

Liberty Community Development Corporation Appointments

**COMMENTS - Current Meeting:**

City Secretary Dianne Tidwell reported that appointments to the Liberty Community Development Corporation Board of Directors are also scheduled for the Council Meeting of May 16, 2012. Ms. Tidwell further reported that the Commission is comprised of seven members who serve two-year terms. Those members whose terms expire are Dennis Beasley, Louie Potetz, Barbara Norwood, and Billy Page. Ms. Norwood and Councilpersons Beasley and Potetz are willing to serve again. Mr. Page is unavailable for re-appointment.

## 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:** | Mike McCarty, Mayor Pro-Tem |
| **SECONDER:** | Dennis Beasley, Councilperson |
| **AYES:** | Pickett, McCarty, Beasley, Huddleston, Jordan, Potetz, Simonson |

### *A. Minutes Approval*

**1.** Tuesday, April 10, 2012

**2.** Tuesday, April 24, 2012

## VII. REGULAR AGENDA

### *A. Regular Session*

**1. Council Action 2012-39**

Minutes Acceptance: Minutes of May 8, 2012 6:00 PM (Minutes Approval)

Consider and Take Action, If Any, on Providing Assistance to the Liberty County Project on Aging/Liberty Senior Activity Center.

**COMMENTS - Current Meeting:**

Mr. Broz reported that he had attended a meeting of the Senior Citizen Board in which discussion was held regarding the Center's financial situation and its future service to the community. The Center has a minimum amount of cash, the mortgage on their facility is past due several months, and money is owed to various vendors. Mr. Broz further discussed that the options were to let the Center permanently close or to find an alternative way in which to conduct business. Mr. Broz related that the Center's overhead was too high and he was attempting to locate another facility. He also spoke with Mr. Cooper, HGAC Director of Aging and a representative from the Texas Department of Health.

Mr. Chris Contreras, President of the Senior Citizen Board addressed Council regarding his concerns and expressed his appreciation for the City's assistance in attempting to find a solution. Ms. Barbara Read also addressed Council regarding her concerns and the need for the Center to continue its work in providing meals and a place for seniors to gather and socialize.

Lengthy discussion was held regarding keeping the program intact for 90 days until reorganization could take place, by providing meals to the homebound (approximately 116) in the County with reimbursement costs of $4.95 per meal, use of volunteers, assistance from City of Liberty, City of Dayton and Liberty County, 50-70 meals provided at the Center per day, recent one-time allotment from the County to the Center of $15,000 to be used to pay vendors, transportation services, and other related issues. The goal is to find a long-term sustainable solution.

Council directed the City Manager to pursue a solution so that the community may continue to have a viable Senior Citizen Center. The Center will close if no solution is found by May 31, 2012.

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| **RESULT:** | **NO ACTION TAKEN** |

**2. Council Action 2012-40**

Consider and Take Action, If Any on an Engineering Contract Proposal with Freese & Nichols, Inc. for a Long-Range Water Plan.

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported that previous a work session had been held to discuss the City's future water usage and related issues. Mr. Broz presented a contract proposal, with Freese & Nichols, Inc., for a Long Range Water Plan. This various components of this plan include water demand projections, a water supply assessment, a wastewater reuse development feasibility study, water distribution improvements, and development of a phased long term capital improvement plan. After brief discussion of the project completion time of 180 days, and the project cost of $65,000, a motion was made to approve the contract proposal with Freese & Nichols, Inc.

**ATTACHMENTS:**

- Freese & Nichols Proposal Water Plan (PDF)

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

### 3. Public Hearing (ID # 2382)

Public Hearing on the Condemnation of the Structure Located on Sandune Road, Reece Tract, Lot Tr 21.

**COMMENTS - Current Meeting:**

At 7:36 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located on Sandune Road, Reece Tract, Lot Tr 21. After review of the Power Point presentation regarding the condition of this structure, the City's Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure Is not in compliance with the City's Code and is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Hood recommended that the property owner be given 90 days to comply with the order of demolition, as the property owner has expressed his intent to demolish the structure himself. Mr. Hood stated that at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:42 p.m.

**ATTACHMENTS:**

- PH Sandune Rd. (PDF)

### 4. Council Action 2012-42

Consider and Take Action, If Any, on an Order of Abatement for the Structure Located on Sandune Road, Reece Tract, Lot Tr 21.

**COMMENTS - Current Meeting:**

Motion was made to approve the Order of Abatement, as recommended, for the structure located on Sandune Road, Reece Tract, Lot Tr 21, allowing the property owner a 90-day period to comply with the order, and with the Council finding that this structure presents a public nuisance.

**ATTACHMENTS:**

- Order of Abatement Sandune Rd. (PDF)

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

### 5. Public Hearing (ID # 2384)

Public Hearing on the Condemnation of the Structure Located at 845 Sue Street.

**COMMENTS - Current Meeting:**

At 7:43 p.m., Mayor Pickett opened the Public Hearing on the structure located at 845 Sue Street. After review of the Power Point presentation regarding the condition of this structure, the City's Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure Is not in compliance with the City's Code, has no electricity, and is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Hood recommended that the property owner be given 90 days to comply with the order of demolition, as the property owner has expressed his intent to demolish the structure himself. Mr. Hood stated that at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:48 p.m.

**ATTACHMENTS:**

- PH 845 Sue Street (PDF)

## 6. Council Action 2012-43

Consider and Take Action, If Any, on an Order of Abatement for the Structure Located at 845 Sue Street.

**COMMENTS - Current Meeting:**

Motion was made to approve the Order of Abatement, as recommended, for the structure located at 845 Sue Street, allowing the property owner a 90-day period to comply with the Order, and with the Council finding that this structure presents a public nuisance.

**ATTACHMENTS:**

- Order of Abatement 845 Sue St. (PDF)

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

## 7. Council Action 2012-41

Consider and Take Action, If Any, on the Lease of 9 Acres of City of Liberty and Chambers-Liberty Counties Navigation District Property to Boomerang Tube, LLC.

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported that the City is part owner of 9.375 acres of real property, along with the Port of Liberty and the Chambers-Liberty Counties Navigation District. Mr. Broz stated that an easement runs alongside this property on FM 3361, however the only ingress is through Boomerang Tube's west gate. Mr. Broz further reported that the lease of this property was put out for bids, with only one bid being received, for $3000 per year, from Boomerang Tube, LLC. If approved, this item will then go before the Port and the CLCND for their acceptance, and upon final approval these funds will go directly to the Port of Liberty.

Motion was made to accept the lease agreement with Boomerang Tube, LLC, covering 9.375 acres, for $3000 per year.

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

# VIII. ADJOURNMENT

**A. Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, the Mayor adjourned the meeting at 754 p.m.

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______________________________
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

**Wednesday, May 16, 2012** | **6:00 PM** | **City Council Chambers**

# I. CALL TO ORDER

The Meeting was called to order on May 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 | |
| David Arnold | 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. Mr. Lonnie Shivers addressed Council stating that he had provided assistance to a resident whose utility bill was in arrears and requested that Council review the service fees for disconnection.

City Manager Gary Broz reported that there are Council Work Sessions scheduled for July 11 - 13, 2012 in regard to the upcoming Fiscal Year 2012-2013 Budget.

# III. REGULAR AGENDA

### *A. Regular Session*

### 1. Resolution 2012-6

Canvass Returns of the City of Liberty General Election Held on May 12, 2012 and Take Action on Resolution for Same.

**COMMENTS - Current Meeting:**

Canvass of the May 12, 2012 General Election results were as follows:

| | | |
|---|---|---|
| Carl Pickett - | Mayor | 405 |
| Louie Potetz | Council Member | 306 |
| Gary "Skeet" Raggio | Council Member | 184 |
| Frank M. Jordan | Council Member | 239 |
| David W. Arnold | Council Member | 360 |

A motion was made to approve the Resolution canvassing the election and declaring the following individuals elected to office:

Carl Pickett

Louie Potetz

Frank M. Jordan

David W. Arnold

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

### 2. Information Item (ID # 2395)

Oath of Office to be Issued to Newly Elected Officials.

**COMMENTS - Current Meeting:**

Municipal Court Judge Bobby Rader issued the Oath of Office to the newly elected officials. Councilperson McCarty stepped down as the newly elected officials took their places at the Council table.

**ATTACHMENTS:**

- Oath of Office Form (DOC)

### 3. Council Action 2012-44

Elect a Mayor Pro Tem.

**COMMENTS - Current Meeting:**

Mayor Pickett opened nominations for the position of Mayor Pro Tem, stating that outgoing Council Member Mike McCarty has served as Mayor Pro Tem for eight years. After offering appreciation for Councilperson McCarty's service, the following nominations were made:

Councilperson Simonson nominated Councilperson Huddleston for Mayor Pro Tem and Councilperson Beasley expressed his interest in serving in that position also. Nominations were closed. After a vote, by a show of hands, the result was as follows:

Councilperson Huddleston - 5

Councilperson Beasley - 2

Councilperson Huddleston will serve as the Mayor Pro Tem and perform all duties of the Mayor in his absence or disability.

| | |
|---|---|
| **RESULT:** | **ADOPTED BY SHOW OF HANDS** |

### 4. Council Action 2012-45

Consider and Take Action, If Any, on Appointments to the Planning and Zoning Commission.

**COMMENTS - Current Meeting:**

Individuals are appointed to the Planning and Zoning Commission on or after May 1 of each year. This Commission is comprised of five members who are appointed to serve three-year terms. Those members whose terms expire are Bill Takach and Kim Anderson. Both of these individuals are willing to serve again, if reappointed.

Motion was made to reappoint Bill Takach and Kim Anderson to the Planning and Zoning Commission.

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|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Libby Simonson, Councilperson |
| **SECONDER:** | Diane Huddleston, Councilperson |
| **AYES:** | Pickett, Beasley, Huddleston, Jordan, Potetz, Simonson, Arnold |

### 5. Council Action 2012-46

Consider and Take Action, If Any, on Filling the Vacancy Created by Councilperson McCarty's Resignation from the Liberty Community Development Corporation Board of Directors.

**COMMENTS - Current Meeting:**

Prior to this meeting, Mike McCarty whose Council term has expired, resigned his Council position as a member of the Liberty Community Development Corporation. This leaves a vacancy of one year on an unexpired term on the LCDC Board of Directors.

Mayor Pickett opened nominations. Councilperson Beasley nominated Councilperson Jordan and Councilperson Potetz nominated newly elected Councilperson Arnold. Nominations were closed.

After a vote, by a show of hands, the result was as follows:

Councilperson Jordan- 2

Councilperson Arnold - 5

Councilperson Arnold will serve as a Councilperson on the LCDC Board of Directors for the unexpired term of one year.

| | |
|---|---|
| **RESULT:** | **ADOPTED BY SHOW OF HANDS** |

### 6. Council Action 2012-47

Consider and Take Action, If Any on Appointments to the Liberty Community Development Corporation Board of Directors.

**COMMENTS - Current Meeting:**

The Liberty Community Development Corporation Board of Directors is comprised of seven members who serve two-year terms. Four of the seven members shall be persons who are not employees, officers of the City, or members of City Council. Those members whose terms expire are Councilperson Beasley, Councilperson Potetz, Barbara Norwood, and Billy Page. All are willing to serve again, however, Mr. Page is unavailable for appointment.

Councilperson Beasley nominated Mike McCarty to serve as a citizen member on the LCDC Board. Councilperson Simonson made a motion to appoint, by acclimation, those board members that are willing to serve again, and Mike McCarty to the LCDC Board of Directors. The following newly appointed Board Members will serve a two-year term:

Councilperson Beasely, Councilperson Potetz, Barbara Norwood, and Mike McCarty.

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|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Libby Simonson, Councilperson |
| **SECONDER:** | Diane Huddleston, Councilperson |
| **AYES:** | Pickett, Beasley, Huddleston, Jordan, Potetz, Simonson, Arnold |

### 7. Council Action 2012-48

Consider and Take Action, If Any, on Providing Assistance to the Liberty County Project on Aging/Liberty Senior Activity Center.

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported that at the previous Council Meeting, discussion was held regarding the financial difficulties of the Liberty County Project on Aging. Mr. Broz continued that he was instructed to investigate solutions for sustainability. Meetings have been held with the local Ministerial Alliance and the Houston-Galveston Area Council. Mr. Broz proposed that the main priority is to see that homebound seniors continue to receive meals. Mr. Broz has visited with Valley Foods, Houston, Tx, regarding obtaining nutritional meals, volunteers to deliver these meals, and has met with representatives from various entities (hospital, school, churches) regarding the heating of these frozen meals in their kitchens.

Mr. Broz remarked that his proposal is to feed the homebound for a period of 90 days, use City Staff to handle the paperwork as in-kind, expending no cash funds, reorganize the Center's Board, outsource the bookkeeping, and locate additional volunteers and funds for gas. Mr. Broz stated that the Senior Citizen Center will close on May 31. He is working on a short-term solution but would like to help find a long-term solution in order for the seniors to have a new facility in which to gather for meals and socialize.

After lengthy discussion, a motion was made that in order to comply with the Houston-Galveston Area Council requirements that the City provide matching funds, that those matching funds be in the form of administrative work being provided by City employees for a period of 90 days.

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

### 8. Council Action 2012-49

Consider and Take Action, If Any, on Compensation to the Election Officials for the May 12, 2012 General Election.

**COMMENTS - Current Meeting:**

Motion was made to approve payment to the election workers for the May 12, 2012 General Election, in the amount of $1117.50.

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|---|---|
| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Frank Jordan, Councilperson |
| **SECONDER:** | Libby Simonson, Councilperson |
| **AYES:** | Pickett, Beasley, Huddleston, Jordan, Potetz, Simonson, Arnold |

## IV. ADJOURNMENT

**Motion To:** Adjourn

**COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 6:42 p.m.

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______________________________
Carl Pickett, Mayor

ATTEST:

______________________________
Dianne Tidwell, City Secretary

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

Meeting: 06/12/12 06:00 PM
Department: Administration
Category: Jubilee

## COUNCIL ACTION (ID # 2418)

DOC ID: 2418

.

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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Proposals

## COUNCIL ACTION (ID # 2412)

DOC ID: 2412

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**LIBERTY MUNICIPAL AIRPORT**
**T-HANGAR EVALUATION MATRIX**
**May 24, 2012**

| Firm Name | Firm Information & Qualifications [Max 5 Points] | Design Approach & Methodology [Max 5 Points] | Contractor T-Hangar Construction Experience [Max 10 Points] | Manufacturer T-Hangar Experience [Max 10 Points] | Delivery Time (days) [Max 10 Points] | Price [Max 60 Points] | Total Points [100 Max Points] |
|---|---|---|---|---|---|---|---|
| Arnold Consruction Co., Inc | 5 | 5 | 8 | 10 | 9 | 60 | 97 |
| 508 North Main | | | | | | | |
| Dayton, TX 77535 | 5 | 4 | 3 | 10 | 8 | 55 | 85 |
| | 5 | 4 | 6 | 10 | 7 | 58 | 90 |
| | | | | | | | **91** |
| Pelco Construction | 5 | 4 | 8 | 10 | 7 | 56 | 90 |
| 2720 Beaumont Ave. | | | | | | | |
| Liberty, TX 77575 | 4 | 4 | 3 | 10 | 6 | 55 | 82 |
| | 4 | 4 | 6 | 10 | 5 | 57 | 86 |
| | | | | | | | **86** |
| Bruce's General Construction, Inc. | 5 | 4 | 8 | 10 | 10 | 55 | 92 |
| 1175 Reynolds Rd. | | | | | | | |
| Beaumont, TX 77707 | 5 | 4 | 4 | 10 | 10 | 55 | 88 |
| | 5 | 4 | 7 | 10 | 9 | 56 | 91 |
| | | | | | | | **90** |
| Wendell Kelley Construction Co. | 3 | 3 | 10 | 10 | 6 | 50 | 82 |
| 400 Belcher St. Suite 4 | | | | | | | |
| Cleveland, TX 77328 | 2 | 3 | 3 | 10 | 4 | 45 | 67 |
| | 2 | 2 | 2 | 10 | 5 | 40 | 61 |
| | | | | | | | **70** |
| Civil Concepts Construction, LLC | 5 | 5 | 7 | 10 | 8 | 45 | 80 |
| 3425 Federal | | | | | | | |
| Pasadena, TX 77504 | 5 | 3 | 3 | 10 | 8 | 30 | 59 |
| | 5 | 3 | 5 | 10 | 8 | 25 | 56 |
| | | | | | | | **65** |

**LIBERTY MUNICIPAL AIRPORT**
**T-HANGAR EVALUATION MATRIX**
**May 24, 2012**

| Firm Name | Firm Information & Qualifications [Max 5 Points] | Design Approach & Methodology [Max 5 Points] | Contractor T-Hangar Construction Experience [Max 10 Points] | Manufacturer T-Hangar Experience [Max 10 Points] | Delivery Time (days) [Max 10 Points] | Price [Max 60 Points] | Total Points [100 Max Points] |
|---|---|---|---|---|---|---|---|
| Arnold Consruction Co., Inc<br>508 North Main<br>Dayton, TX 77535 | Key Personnel<br>References<br>Bonding | Subcontractors<br>Specifications<br>Drawings | 4 - Large Hangars<br>No T-Hangars<br>Large Metal Bldg. Exp. | OSI | 105 to 126 Days | $559,873 | |
| Pelco Construction<br>2720 Beaumont Ave.<br>Liberty, TX 77575 | Key Personnel<br>References<br>Bonding | Subcontractors<br>Drawings | 3 - Large Hangars<br>No T-Hangars<br>Large Metal Bldg. Exp. | OSI | 170 Days | $563,950<br>Add $29,051.45 for Erect-a-Tube | |
| Bruce's General Construction, Inc.<br>1175 Reynolds Rd.<br>Beaumont, TX 77707 | Key Personnel<br>References<br>Bonding | Subcontractors<br>Drawings<br>Scope of work | 2 - Large Hangars<br>No T-Hangars<br>Large Metal Bldg. Exp. | Erect-A-Tube | 75 Days | $565,000 | |
| Wendell Kelley Construction Co.<br>400 Belcher St. Suite 4<br>Cleveland, TX 77328 | | Drawings | 3 - Large Hangars<br>1- 8 Unit T-Hangar<br>Large Metal Bldg. Exp. | Erect-A-Tube | 180 Days | $595,433 | |
| Civil Concepts Construction, LLC<br>3425 Federal<br>Pasadena, TX 77504 | Key Personnel<br>References<br>Bonding | Subcontractors<br>Specifications<br>Drawings | No Hangar Exp.<br>Large Metal Bldg. Exp. | Erect-A-Tube | 120 Days | $697,416.64 | |

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

Meeting: 06/12/12 06:00 PM
Department: Administration
Category: Misc.

## COUNCIL ACTION (ID # 2413)

DOC ID: 2413

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## REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

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

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

Date of Submission of Request May 24th 2012

Date of Council Meeting June 12th 2012

****************************************************************************************************

Name
Mike Koen Executive Director Liberty County Emergency Medical Services, Inc. (EMS)

Street Address
114 North Main

| City | State | Zip Code |
|---|---|---|
| Daisetta | TX | 77533 |

| Telephone No. | Fax No. |
|---|---|
| (936) 536-3080 | (936) 536-6519 |

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

Liberty County EMS Life Care Membership Program A proposal has been presented to City Mayor Carl Pickett that has the necessary changes that follow the guidelines of the current City of Liberty EMS ordinance that governs EMS Services. It is a requirement of the Texas Department of State Health Services that the Mayor of an incorporated City sign off and support a membership program before it can be offered to the City residents. Liberty County EMS is asking that their Life Care Membership be approved. with the necessary changes made.

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

****************************************************************************************************

**For City Use Only**
Date this form given to the City Manager 5/25/12
Date requestor was notified
Comments

Brett Hart Central Group Manager
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

The Board of Directors and Executive Director for Liberty County EMS (LCEMS), a 501 c-(3) community non-profit EMS and Ambulance provider have requested my support of their proposed ambulance membership program. I understand that Texas Administrative Code (Rule 157.11 (I) requires ambulance and Emergency Medical Services (EMS) providers to request written approval from the County Judge and Mayors of jurisdictions that they serve when proposing to offer a subscription (membership) program for citizens of those areas.

LCEMS proposes to provide a low-cost alternative to the high cost of EMS and ambulance transportation. For an annual membership fee of $75 per household, citizens with Medicare and private insurance will receive two initial transports with no additional fee and transports thereafter are a minimal cost of $75.00 each. For those members without insurance coverage they receive one transport at no cost and $75.00 thereafter. LCEMS will bill insurance or Medicare for whatever coverage is provided with above benefits being applied for members. This program saves members substantially on out of pocket expenses.

Liberty County EMS is proposing to the citizens that reside within the incorporated city limits of Liberty that their membership will not cover any transports within the city limits of Liberty and or 911 transports going out of town unless specifically requested by the City of Liberty. The membership program will cover those non 911 transports that are specifically done by Liberty County EMS going out of town. All transports outside the City of Liberty that are within Liberty County EMS jurisdiction that are done by Liberty County EMS will be covered.

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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Change Orders

## COUNCIL ACTION (ID # 2414)

DOC ID: 2414

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# CHAPTER 9
## CONTRACT AMENDMENTS

### Form 9-4 Construction Contract Change Order Approval Request

| | | |
|---|---|---|
| Owner (Contractor Locality):<br>City of Liberty<br>1829 Sam Houston Street<br>Liberty, TX 77575<br>Phone #:936-339-3684 | Contract For (project description):<br>Water & Wastewater Generators<br>Water & Wastewater SCADA | Date<br><br>Project No. DRS 010098 |
| Contractor:<br>A&A Electric Company<br>PO Box 22966<br>Beaumont, Texas 77720<br><br>Agreement Date: March 8, 2011<br><br>Phone #:(409)842-4437 | Engineer:<br>Schaumburg & Polk, Inc.<br>320 S. Broadway Street<br>Tyler, TX 75702<br><br>Phone #:(903)595-3913<br><br>Engineer's Project No. WO 14207-1 | DR Contract No. 010098<br><br>Change Order No. 4 |

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

| Item No. | Description of Changes-Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc. | Decrease in Contract Price | Increase in Contract Price |
|---|---|---|---|
| 17 | Install isolation switches in front of electrical meters, at the Washington Street and Wallisville Lift Stations, to comply with City of Liberty Electrical Department requirements for new service. | | $1,924.62 |
| | | | |

# CHAPTER 9
## CONTRACT AMENDMENTS

| Change in Contract Price | | Change in Contract Time | | |
|---|---|---|---|---|
| Original Contract Price: | $1,099,763.00 | Original Contract Time: | 180 | days |
| Previous Change Order(s) No. One | $ 249,365.83 | Net Change From Previous Change Orders | 245 | days |
| Contract Price Prior to this Change Order | $1,349,128.83 | Contract Time Prior to this Change Order | 425 | days |
| Net Increase/Decrease of this Change Order | $ 1,924.62 | Net Increase/Decrease of this Change Order | 0 | days |
| Contract Price With all Approved Change Orders | $1,351,053.45 | Contract Time With all Approved Change Orders | 425 | days |
| Cumulative % Change in Contract Price: 22.8% | | | | |

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

**RECOMMENDED:**

By: Randy J Bay

ENGINEER(Authorized Signature)

Date: 5·21·12

**APPROVED:**

By: ______________________

OWNER (Authorized Signature)

Date: ______________________

**ACCEPTED:**

By: ______________________

CONTRACTOR(Authorized Signature)

Date: ______________________

# CHAPTER 9
## CONTRACT AMENDMENTS

| JUSTIFICATION FOR CHANGE | Grantee:City of Liberty |
|---|---|
| | DRS Contract No.:010098 |
| | Change Order No.4 |

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

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

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

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

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

   If "No", explain: Equipment added by electrical utility owner

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

   If "No", expected completion date:

   (completion date)

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

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

7. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid? ✓ Yes ☐ No

8. Is the TCEQ permit approval still valid? (sewer projects only) ☐ Yes ☐ No

9. Are the handicapped access requirements/approval still valid (if applicable)? ☐ Yes ☐ No

10. Are other Disaster Recovery contractual special condition clearance still valid? ✓ Yes ☐ No

(If no, specify):

**NOTE:**

* Generally, a cumulative change in the contract price in excess of 25% cannot be approved.

* Generally, items not included or identifying unit costs in the original bid documents cannot be approved as change order items.

# The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Street Issues

## COUNCIL ACTION (ID # 2415)

DOC ID: 2415

.

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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Agreements

## COUNCIL ACTION (ID # 2416)

DOC ID: 2416

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

Meeting: 06/12/12 06:00 PM

Department: Administration
Category: Executive Session Items

## COUNCIL ACTION (ID # 2417)

DOC ID: 2417

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