



The City of Liberty City Council

Regular Meeting

~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, December 10, 2013

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	☐	☐	☐	

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 regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

V. PRESENTATIONS / REPORTS

1. Information Item (ID # 2877)

Project Updates - City Mgr. Gary Broz

2. Information Item (ID # 2878)

Blackout for Boomerang Substation Connection - 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, November 12, 2013
2. Thursday, November 14, 2013

B. Council Action 2013-110

Consider acceptance of the 2014 Routine Airport Maintenance Program (RAMP) Grant Agreement.

- RAMP Grant 2014 (PDF)

VII. REGULAR AGENDA**A. Regular Session****1. Council Action (ID # 2880)**

Eliza Mae Guidry, President of the Spirit of Sharing, to address Council regarding sewer issues at 2521 Beaumont Avenue and 415 Texas Street, and take any action deemed necessary.

- SOS Request (PDF)

2. Council Action (ID # 2881)

Discussion of late hours permits for the sale of alcoholic beverages, and take any action deemed necessary.

3. Ordinance (ID # 2882)

Consider adoption of an Ordinance amending Article 4.02 of the Code of Ordinances regarding alcoholic beverages.

4. Ordinance 2013-17

Consider adoption of an Ordinance amending Article 4.02 of the Code of Ordinances regarding alcoholic beverages, to include late hours permits.

5. Council Action 2013-121

Discussion of fees for rental of the ball fields at the Liberty Municipal Park, and take any action deemed necessary.

6. Ordinance 2013-18

Consider adoption of an Ordinance amending the Master Fee Schedule to include alcoholic beverage fees and fees for use of the ball fields at the Liberty Municipal Park.

7. Council Action 2013-111

Consider extending the term of the Community Development Advisory Board, and take any action deemed necessary.

- CDAB Term 2013 (DOCX)

8. Council Action 2013-112

Consider appointments to the Community Development Advisory Board.

- CDAB Appt. Form 2013 (DOCX)

9. Council Action 2013-113

Consider extending the term of the Airport Advisory Board, and take any action deemed necessary.

- AAB Agenda Form 2013 (DOCX)

10. Council Action 2013-114

Consider appointments to the Airport Advisory Board.

- AAB Appts 2013 (DOCX)

11. Council Action 2013-116

Consider ratifying the Liberty Community Development Corporation's proposal award for a commercial hangar at the Liberty Municipal Airport.

- Commercial Hangar Dec 2013 (DOCX)
- Commercial Hangar Matrix (PDF)
- Commercial Hangar-Mechanic Ltr (PDF)

12. Council Action 2013-115

Discuss rules for habitability, and take any action deemed necessary.

13. Council Action 2013-117

Consider expenditure for furniture purchase for the new police department facility, from BuyBoard, and take any action deemed necessary.

- PD Furniture Purchase 2013 (DOCX)
- PD Furniture Costs (PDF)

14. Council Action 2013-118

Consider award of bid for a pickup truck for the Parks Department and a patch truck for the Street Department.

15. Council Action 2013-119

Consider approval of quote for AC rehabilitation, and other improvements, at the Liberty Fire Station, and take any action deemed necessary.

- FD Repair Form 2013 (DOCX)

16. Council Action 2013-120

Consider quote for electric work to be performed on Lakeland Drive and on Hwy. 563 at Hwy. 90.

- Electric Upgrades Form 2013 (DOCX)

VIII. ADJOURNMENT**1. 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 6th day of December, 2013 at 5:00 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 _____, 2013.



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, November 12, 2013

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Councilperson	Present	
Dennis Beasley	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. INVOCATION

The Invocation was given by Fr. Ted Smith, St. Stephen's Episcopal Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School Seniors, Jason Locke and Davisha Papillion.

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 regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

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.

Mayor Pickett reported on the following items:

- thanked Councilperson Huddleston for coordinating the recent "Shred-It" Event,
- a special called Council Meeting will be held at Noon on November 14th to canvass the Local Option Election held on November 5th,
- please keep in your thoughts and prayers those affected by the recent hurricane event in the Phillipines,
- No "Coffee with the Mayor" will take place during the months of November and December, due to the holidays, and
- and read notes received from two citizens complimenting the City; 1) on being walker-

Minutes Acceptance: Minutes of Nov 12, 2013 6:00 PM (Minutes Approval)

friendly and 2) appreciation for the great job done by the new street sweeper.

City Manager Gary Broz reported that:

- the Country Christmas celebration sponsored by the Chamber of Commerce will be held on Tuesday, December 3rd,
- drilling rig in the South Liberty Oilfield, for which a permit was recently issued, is rigging up and will be ready to spud on Friday, and
- still having issues with hogs in the City.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2851)

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed a handout of current City projects:

- working on drainage at Sam Houston and San Jacinto streets,
- Boomerang Substation switchover to take place on December 14th for approximately 5 hours,
- dirt being moved on the new Police Dept. site, project completion date is mid-July, 2014,
- met with Boomerang Tube, LLC regarding water re-use plan,
- street project on schedule to be bid in early January, 2014,
- new street sweeper is working fine and a sweeping schedule will soon be published,
- annual employee Christmas Dinner scheduled for Thursday, December 12 at 6:00 p.m., and
- discussion of other City projects.

B. Information Item (ID # 2852)

Airport Advisory Board

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that the current authority of the Airport Advisory Board will expire on December 31, 2013. Ms. Tidwell referred to a document reflecting the current members and mission of this Board. Ms. Tidwell stated that the December 10 City Council agenda will include items to extend the term of the Airport Advisory Board and appointment of its members.

C. Information Item (ID # 2853)

Community Development Advisory Board

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell also reported that the current authority of the Community Development Advisory Board will expire on December 31, 2013. Ms. Tidwell referred to a document reflecting the current members and mission of this Board. Ms. Tidwell stated that the December 10 City Council agenda will include items to extend the term of the Community Development Advisory Board and appointment of its members.

Minutes Acceptance: Minutes of Nov 12, 2013 6:00 PM (Minutes Approval)

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, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval

1. Tuesday, October 08, 2013

VII. REGULAR AGENDA**A. Regular Session****1. Resolution 2013-15**

Consider a Resolution casting the City's voting entitlement for a position/positions on the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

Motion was made to cast the City's entire voting entitlement of 177 votes for Mr. John Hebert, Jr., for a position on the Liberty County Central Appraisal District Board of Directors.

ATTACHMENTS:

- CAD Voting Info Board of Dir 2013 (PDF)

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

2. Council Action (ID # 2855)

Consider award of bid for two (2) Utility Police Interceptors for the Liberty Police Department.

COMMENTS - Current Meeting:

Mr. Broz reported that bids were let for two Utility Police Interceptors for the Liberty Police Department, however, no bids were received. Mr. Broz requested permission to purchase these vehicles through BuyBoard, with the vehicles being provided by Philpott Ford. BuyBoard (customized electronic purchasing system) is a part of the Local Government Purchasing Cooperative. Mr. Broz explained that there was \$70,000 budgeted in the fixed asset fund, with a total cost for the two vehicles being \$65,399.56.

After brief discussion of the cooperative purchasing program, the vehicles and various equipment, a motion was made to purchase the vehicles through the BuyBoard, at a cost of \$65,399.56.

3. Council Action 2013-103

Consider award of lease for City property located on Hwy. 90, formerly known as Key Energy Services, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz stated that there were some individuals that may be interested in a short term lease of this facility, but he has no commitments at this time.

RESULT: NO ACTION TAKEN

4. Council Action 2013-102

Consider an Interlocal Agreement with Liberty County Precincts 1 & 2 for the maintenance of streets, roads, ditches and recreational areas, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that this Interlocal Agreement is the same one that has been executed in prior years. Last year this agreement was changed to include not only County Precinct #1, but also Precinct #2. This agreement promotes working together for the completion of projects, by sharing/exchanging resources.

Motion was made to approve the Interlocal Agreement with Liberty County Precincts 1 and 2.

ATTACHMENTS:

- Interlocal with County Prec 1&2 Nov 2013 (PDF)

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

5. Council Action 2013-104

Consider E.P. Breaux Change Order No. 4 and No. 5 for additional wire and cable for the Boomerang Substation Project, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz presented E.P. Breaux Change Order Nos. 4 and 5 for the Boomerang Substation Project, in the amounts of \$12,815.00 and \$4,475.00, respectively. Change Order No. 4 is due to ground wire that was short because the existing grid was not in the areas expected. The contractor could not verify lengths until digging began. Change Order No. 5 is due to conduit and control wires being rerouted to avoid underground concrete barriers.

Mr. Broz stated that there is \$17,255.00 cash in hand for the project, while deducting the expense for the two change orders leaves a negative balance of \$35.00. After brief discussion, a motion was made to approve Change Orders No. 4 and 5.

ATTACHMENTS:

- Breaux CO Nos. 4 & 5 Info (PDF)
- Boomerang Sub Const Est Nov. 2013 (PDF)

RESULT: **APPROVED [6 TO 1]**
MOVER: Dennis Beasley, Councilperson
SECONDER: Diane Huddleston, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Potetz, Arnold
NAYS: Libby Simonson

6. Council Action 2013-105

Consider approval of an Interlocal Agreement with the Region VIII Education Service Center regarding participation in "The Interlocal Purchasing System Program" (TIPS/TAPS), and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz requested approval of an Interlocal Agreement with the Region VIII Education Service Center. Mr. Broz explained that The Interlocal Purchasing System Program (TIPS/TAPS) is a purchasing cooperative serving school districts, colleges and federal, state, county and city entities. Their purpose is to provide substantial savings and best value for participating members through cooperative purchasing practices. Mr. Broz further stated there is no cost to the City to participate and the cooperative would be a reliable place to purchase playground equipment for the Municipal Park, at an effective cost savings.

Motion was made to approve the Interlocal Agreement.

ATTACHMENTS:

- Interlocal with Educ Svs Ctr Nov. 2013 (PDF)

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

7. Council Action 2013-106

Consider approval of proposed projects to be funded with monies previously distributed to member cities by the Sam Rayburn Municipal Power Agency.

COMMENTS - Current Meeting:

Mr. Broz reported on money distributed to member cities by the Sam Rayburn Municipal Power Agency. The City received undesignated funds in the amount of \$488,677.00. Mr. Broz presented a list of proposed projects, ranked by Staff, with related costs. Lengthy discussion was held regarding the list of projects and their ranking. A portion of these funds, in the amount of \$80,000, will be used for new Police Station construction:

- | | | |
|----|--|-----------|
| 1) | AC Upgrades at Fire Station | \$ 45,000 |
| 2) | Electric Upgrades at - FM 563/Feeder on Lakeland | \$ 40,000 |
| 3) | New Restrooms at the Municipal Park | \$170,000 |
| 4) | New playground equipment at the Municipal Park | \$ 50,000 |
| 5) | New Park Entrance Signage | \$ 50,000 |
| 6) | Welcome Monument Upgrades - Hwy. 90 | \$ 30,000 |

- 7) New City Organization Signs

\$ 9,000

After lengthy discussion, consensus of Council was that the first five projects should seriously be considered at this time. Management was directed to develop a revised plan and cost estimate for the Park restroom upgrades, possibly working with the various softball associations and leagues. These projects will be re-presented at the Council Meeting of December 10th.

RESULT: NO ACTION TAKEN

8. Ordinance (ID # 2865)

Consider adoption of an Ordinance amending the Master Fee Schedule to include rental fees for use of the ball fields at the Liberty Municipal Park.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF ORDINANCE 2013-13, AMENDING THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HEREWITH ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Public Works Director Tom Warner recommended that fees be assessed for rental of the ball fields at the Liberty Municipal Park. Mr. Warner explained that all the utility accounts for these fields are currently in the City's name. As each entity reserves the fields, utility accounts must be changed to the renter's name and deposits made. At the end of usage, the account must be changed back into the City's name and deposits refunded. These events take place on a re-occurring basis. Charging a fee for rental and leaving the accounts in the City's name, would help to alleviate a tremendous amount of time and paperwork.

After lengthy discussion of this topic and related issues, Councilperson Potetz, as a Board Member of the Liberty Youth Baseball Association, requested additional time to get feedback from the Association. This item will be placed on the Council agenda for December 10th.

RESULT: NO ACTION TAKEN

B. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087
Consultation with Attorney - Closed Session. Gov. Code §551.071

1. Discussion regarding an economic development prospect/negotiations, and/or to deliberate the offer of a financial incentive.

Minutes Acceptance: Minutes of Nov 12, 2013 6:00 PM (Minutes Approval)

At 7:05 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:36 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2013-107

Consider and take action, if any, on the items as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:37 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 12, 2013 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

Thursday, November 14, 2013

12:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Councilperson	Present	
Dennis Beasley	Councilperson	Absent	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Absent	
Gary Broz	City Manager	Present	
Brandon Davis	Legal Counsel	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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III. REGULAR AGENDA

A. Regular Session

1. Ordinance 2013-16

Consider adoption of an Ordinance canvassing the returns and declaring the results of the Special Election held on November 5, 2013, to legalize the sale of alcoholic beverages including mixed beverages.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON NOVEMBER 5, 2013; FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE (1) PROPOSITION, "THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES, INCLUDING MIXED BEVERAGES; 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."

Minutes Acceptance: Minutes of Nov 14, 2013 12:00 PM (Minutes Approval)

After brief discussion of the election, tabulation sheet, and related topics, Mayor Pickett announced that the official results of the Special (Local Option) Election were as follows:

FOR - 381

AGAINST - 203

Motion was made to adopt the Ordinance canvassing the returns and declaring the results of the Special Election held on November 5, 2013.

ATTACHMENTS:

- Unofficial Tab with Nos. (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Huddleston, Jordan, Potetz, Simonson
ABSENT:	Dennis Beasley, David Arnold

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:07 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 14, 2013 12:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Grants

COUNCIL ACTION 2013-110

DOC ID: 2879

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

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

(State Assisted Airport Routine Maintenance)

TxDOT Project No.: AM 2014LBRT
TxDOT CSJ No.: M1420LBRT

Part I - Identification of the Project

TO: The City of Liberty, Texas

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

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

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

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

Part II - Offer of Financial Assistance

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

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

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

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

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

Work shall be accomplished by August 31, 2014, unless otherwise approved by the State.

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

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

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

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

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

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

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.
5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

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

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

Part III - Sponsor Responsibilities

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

treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

- j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
 - k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.
 - l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.
2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.
 3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

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

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

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
 - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
 - b. enter into contracts as necessary for execution of scope of services;
 - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an

irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

- d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
- e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.
2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
 - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or

orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

- b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances**Sponsor**

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

Executed this _____ day of _____, 20____.

The City of Liberty, Texas

Sponsor

Witness Signature

Sponsor Signature

Witness Title

Sponsor Title

Certificate of Attorney

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

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

Witness Signature

Attorney's Signature

Witness Title

Attachment: RAMP Grant 2014 (CA-2013-110 : 2014 RAMP Grant Agreement)

Acceptance of the State

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

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By: _____

Date: _____

Attachment: RAMP Grant 2014 (CA-2013-110 : 2014 RAMP Grant Agreement)

Attachment A
Scope of Services
TxDOT CSJ No.: M1420LBRT

Eligible Scope Items:	Estimated Costs	State Share	Sponsor Share
	Amount A	Amount B	Amount C
GENERAL MAINTENANCE	\$100,000.00	\$50,000.00	\$50,000.00
MISCELLANEOUS	\$0.00	\$0.00	\$0.00
SPECIAL PROJECT	\$0.00	\$0.00	\$0.00
SPECIAL PROJECT	\$0.00	\$0.00	\$0.00
SPECIAL PROJECT	\$0.00	\$0.00	\$0.00
Total	\$100,000.00	\$50,000.00	\$50,000.00

Accepted by: The City of Liberty, Texas

Signature

Title: _____

Date: _____

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

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, buildings, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

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

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1420LBRT

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

The City of Liberty, Texas
(Sponsor)

By: _____

Title: _____

Date: _____

State of Texas Single Audit Requirements

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

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

Signature

Title

Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1420LBRT

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

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

The City of Liberty, Texas
 (Sponsor)

By: _____

Title: _____

Date: _____

DESIGNATED REPRESENTATIVE

Mailing Address: _____

Overnight Mailing Address: _____

Telephone/Fax Number: _____

 Email address: _____



REQUEST FOR PLACEMENT OF AN ISSUE ON A CITY COUNCIL AGENDA

Regular called meetings of the City Council are held on the second Tuesday of each month at 6:00 p.m.

Special called meetings are normally held on the fourth Tuesday of each month at 6:00 p.m., or on other dates as time allows.

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 December 4, 2013

Date of Council Meeting December 10, 2013

Name

Spirit of Sharing (Eliza Mae Guidry, President of the Board)

Street Address

2521 Beaumont Ave. & 415 Texas

City

Liberty

State

TX

Zip Code

77575

Telephone No.

Fax No.

936-336-6602 (office) 936-336-2378 (Thrift Shop)

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

When it rains the sewer runs over into the street through the manhole, then into the parking lots adjacent to the Thrift Shop and the office through the sewer drain. If it is a heavy rain the sewer backs up into the rest room in the Shop.

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

12/4/13

Date requestor was notified

12/4/13

Comments



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Alcoholic Beverages

ORDINANCE (ID # 2882)

DOC ID: 2882



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Alcoholic Beverages

7.A.4

ORDINANCE 2013-17

DOC ID: 2883 A

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 4, ARTICLE 4.02, REGARDING ALCOHOLIC BEVERAGES AND THE CREATION OF AN EXTENDED HOURS AREA; 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.

WHEREAS, by adoption of previous ordinances, The City Council of the City of Liberty, Texas approved an ordinance governing the sale and consumption of alcoholic beverages; and

WHEREAS, the City of Liberty held a local option election on November 5, 2013, where its citizens voted to allow for the legal sale of all alcoholic beverages including mixed beverages; and

WHEREAS, the City Council of the City of Liberty, Texas, finds that some sections of the ordinance need to be amended in order to better regulate the sale of alcoholic beverages after passage of the local option election.

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

Section 1: Section 4.02 of the Code of Ordinances of the City of Liberty is amended to read as follows:

ARTICLE 4.02 ALCOHOLIC BEVERAGES

Division 1. Generally

Sec. 4.02.001 Definitions

For purposes of this article, “alcoholic beverage,” “beer,” “liquor,” and other terms have the definitions contained in the Texas Alcoholic Beverage Code, as amended.

Sec. 4.02.002 Hours of consumption, possession and sale

- (a) The City is hereby designated as an “extended hours area,” and the times permitted for consumption and possession of alcoholic beverages are outlined in this article.
- (b) It shall be unlawful for any person within the corporate limits of the City to consume any Alcoholic Beverage in any public place or for any person to possess any alcoholic beverage for the purpose of consuming the same in such public place at any time on Sundays between the hours of 2:15 a.m. and 12:00 noon, and on all other days at any time between the hours of 2:15 a.m. and 7:00 a.m.

- (c) It shall be unlawful for any person who shall hold a retail dealer's on-premises late hours license or mixed beverages late hours permit issued under the provisions of the Texas Alcoholic Beverage Code to sell any Alcoholic Beverage or offer the same for sale:
 - a. On Sunday at any time between the hours of 2:00 a.m. and 12:00 noon.
 - b. On any day except Sunday at any time between the hours of 2:00 a.m. and 7:00 a.m.
- (d) It shall be unlawful for any person who shall not hold a retail dealer's on-premises late hour license or a mixed beverages late hours permit issued under the provisions of V.T.C.A., Alcoholic Beverage Code to sell any alcoholic beverage or offer the same for sale:
 - a. On Sunday at any time between the hours of 1:00 a.m. and 12:00 noon.
 - b. On any day except Sunday at any time between the hours of 12:00 midnight and 7:00 a.m.
- (e) It shall be unlawful for holders of package store permits as provided in the Texas Alcoholic Beverage Code to sell, offer for sale, or deliver any liquor:
 - a. Between 9:00 p.m. of any day and 10:00 a.m. of the following day;
 - b. On Sunday;
 - c. On New Year's Day;
 - d. On July Fourth;
 - e. On Labor Day;
 - f. On Thanksgiving Day;
 - g. On Christmas Day;
 - h. On the following Monday when Christmas Day or New Year's Day falls on a Sunday.

Sec. 4.02.003 Inspection

It is hereby made the duty of the City Manager or his designee to enter into and inspect, as often as the occasion demands, all manufacturing, distributing, and retailing establishments handling alcoholic beverages under the terms of this article in order to enforce the health and sanitary ordinances of the City.

Sec. 4.02.004 Proximity of dealer to school, church, or hospital

- (a) Except as otherwise provided by the Texas Alcoholic Beverage Code, it shall be unlawful for any person to sell or possess for the purpose of sale any alcoholic beverages where the establishment or place of business of any dealer is within three hundred (300) feet of a

church, public or private school, or public hospital, measured in accordance with the measurement calculations of V.T.C.A. Alcoholic Beverage Code.

Secs. 4.02.005 - 4.02.030 Reserved

Division 2. Permits or Licenses

Sec. 4.02.031 Required; term

- (a) No person for the purpose of sale who has not first obtained a permit from the state, of the type required for the privilege exercised, may do any of the following within the city:
 - a. Manufacture, distill, brew, sell, possess, import into this state, export from this state, transport, distribute, warehouse, or store any liquor or alcoholic beverage;
 - b. Solicit or take orders for any liquor or alcoholic beverage; or
 - c. Bottle, rectify, blend, treat, fortify, mix, or process any liquor or alcoholic beverage.
- (b) Upon payment of the applicable tax or fee described in this article to the city, a qualified applicant will be issued a permit or license to engage in business involving alcoholic beverages as authorized by the permit or license from the state held by such applicant; and the permit so issued by the city shall authorize the conduct or license of such business upon the premises described in the permit or license from the state and shall remain in force only so long as such permit or license from the state remains in force.

Sec. 4.02.032 Application; issuance

Any person desiring a permit or license under this article shall make application therefore to the city. Upon receipt of satisfactory evidence that the applicant has been duly licensed by the state and the applicant meets all other city requirements, a permit will be issued. A separate permit will be issued for each location.

Sec. 4.02.033 Fees

- (a) There are hereby prescribed and levied occupation taxes or permit fees upon persons carrying on the business of manufacturing, distributing or dealing in alcoholic beverages, as described in this article, in an amount equal to one-half of the taxes or fees levied upon such business by the state.
- (b) The holder of a state retail dealer's on-premises late hours license shall pay to the city, before exercising any privilege by virtue of such late hours license, a fee equal to one-half of the state fee for such late hours license.
- (c) All taxes or fees for each place of business shall be paid in advance in compliance with the fee schedules authorized by the Texas Alcoholic Beverage Code.
- (d) A one-time non-refundable application fee shall be paid upon initial application under this section.

Sec. 4.02.034 Expiration; renewal

All licenses issued under this division shall terminate at midnight on the date of the expiration of the respective Texas Alcoholic Beverage Control ("TABC") permit associated with the license. Each person owning a permit or license issued under the terms of this article may, by written application filed with the city not more than thirty (30) days prior to the date of the expiration of a license held by him, renew such permit or license so held by him. Such renewal, accompanied by the prescribed fee, not to exceed one-half of the state fee, shall be processed in accordance with the procedures as established by the city.

Sec. 4.02.035 Failure to display

It shall be unlawful for any person required to obtain a permit or license hereunder to fail to keep the same displayed in a conspicuous place in the establishment where such business is conducted.

Section 4.02.036 Cancellation for violation

- (a) If any manufacturer, distributor, or dealer in the city shall violate any provision of this article or of the state law applicable thereto, the city council, after due hearing, shall have the right to cancel the permit or license of such offender, after which he shall not manufacture, distribute, or sell alcoholic beverages in the city for one year after cancellation.
- (b) The cancellation of a license applies to the premises, as well as the person. No new permit or license may be issued under this article pertaining to the premises or the person(s) against whom a cancellation order is issued by the city council, for one year from the date of cancellation.

Sec. 4.02.037 Assignment; change of place of business

No license issued under this division shall be voluntarily assigned more than once, and before the assignee of such license can engage in business thereunder, he shall comply with this division as required of the original licensee. If the original licensee or his assignee desires to change the place designated in the license, he may do so by applying to the building official as in the case of the original application for license as provided in this division.

Sec. 4.02.038 Records

The City Manager or his designee shall keep a permanent record of all licenses issued under the terms of this division. Such record shall state the name and address of all persons issued licenses, the address of the place of business of the licensee, the classification of the licensee, the date the license was issued and the amount paid therefore. The City Manager or his designee shall also keep a permanent record of all transfers of licenses and of all licenses cancelled and revoked and the details thereof.

Section 2: 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 days is hereby dispensed with.

Section 3: 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 _____ day of _____, 2013.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

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



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Park Issues

COUNCIL ACTION 2013-121

DOC ID: 2884

RESULT: NO ACTION TAKEN



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Misc. Fees

ORDINANCE 2013-18

DOC ID: 2885 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF ORDINANCE 2013-13, AMENDING THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR RENTAL FEES FOR USE OF THE BALL FIELDS AT THE LIBERTY MUNICIPAL PARK; PROVIDING FOR FEES RELATED TO ALCOHOLIC BEVERAGE PERMITS; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HEREWITH ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City previously adopted a Master Fee Schedule which sets forth all rates and fees charged by the City of Liberty; and

WHEREAS, the City Council finds it more efficient to have the City's fees set in one Ordinance, which can be amended as necessary by Ordinance; and

WHEREAS, the attached "Exhibit A" represents a compilation of the rates and fees charged by the City for various licenses, permits, and services.

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

Section 1.

That all rates or schedules of rates which are in conflict herewith are to the extent of such conflict only, expressly amended, changed and repealed.

Section 2.

That the fee schedule attached hereto as "Exhibit A" amends the previous Master Fee Schedule to include rental fees for use of the balls fields at the Liberty Municipal Park and fees related to alcoholic beverage permits, and is hereby adopted as fully set forth herein.

Section 3.

That the Ordinance containing all current rates and fees charged by the City of Liberty shall take effect immediately from and after its passage as indicated below.

Section 4.

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.

PASSED AND ADOPTED this the 10th day of December, 2013.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

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



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Various Committee Issues

COUNCIL ACTION (ID # 2886)

DOC ID: 2886

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.7
Agenda Wording: Consider extending the term of the Community Development Advisory Board, and take any action deemed necessary.

Department: Administration
Subject:
The term and authority of the Community Development Advisory Board will cease on December 31, 2013.
Background:
In October, 2010, Council approved extending the term of the Community Development Advisory Board until December 31, 2013.
Fiscal Impact: None
Staff Recommendation:
Extend the term of the CDAB for an additional 2-3 years.
Purpose:
The mission of the Community Development Advisory Board is to actively promote and provide a plan of action, leadership and involvement in area economic development, tourism, beautification, enhancement and development of the public land within our community. The mission is to further encourage the City and private sector to work together towards this goal and to offer any recommendations that might improve the quality of life in our City.

Attachment: CDAB Term 2013 (CA-2013-111 : CDAB Extension)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2887)

DOC ID: 2887

EXPLANATION:

See attached Agenda Item Form

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.8
Agenda Wording: Consider appointments to the Community Development Advisory Board, and take any action deemed necessary.

Department: Administration
Subject: The term and authority of the Community Development Advisory Board will expire on December 31, 2013, along with authority of the Board, if not renewed.
Background: Membership Requirements: 1) the Board will consist of seven (7) members, 2) all members will be City of Liberty residents, 3) one member will be a Councilperson Or member of management, 4) one member will be under the age of 35, and 5) Board members will be reviewed annually. Current members are : Frank Jordan, Donny Smith, Howard Brister, Beth Takach, and Martha Goodwin.
Fiscal Impact: None
Staff Recommendation: All current members have agreed to serve again, if reappointed. Appointments are to be made at Council's discretion.
Purpose: The members of this Board assist in promoting economic development, tourism, Beautification, and development of the community.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Various Committee Issues

COUNCIL ACTION (ID # 2888)

DOC ID: 2888

EXPLANATION:

See attached Agenda Item Form

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.9
Agenda Wording: Consider extending the term of the Airport Advisory Board, and take any action deemed necessary.

Department: Administration
Subject: The term and authority of the Airport Advisory Board will cease on December 31, 2013.
Background: In November, 2011, Council approved extending the term of the Airport Advisory Board until December 31, 2013.
Fiscal Impact: None
Staff Recommendation: Extend the term of the AAB for an additional 2-3 years.
Purpose: The mission of the Airport Advisory Board is to supply technical information, suggestions, and advice concerning the operations, maintenance, and improvement of the Liberty Municipal Airport to the City of Liberty Council and Staff.

Attachment: AAB Agenda Form 2013 (CA-2013-113 : AAB Extension)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 2889)

DOC ID: 2889

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.10
Agenda Wording: Consider appointments to the Airport Advisory Board.

Department: Administration
Subject:
The term of the AAB members will expire on December 31, 2013, along with the authority of the Board, if not renewed.
Background:
Membership Requirements: 1) the Board will consist of eight (8) members,
2) membership may include two (2) non-resident members, (3) one (1) member will be a Councilperson or member of management.
Current members are: Dale Clawson, Chet Tims, Bill Sjolander, Mike McCarty, Charlie Grabein, Linda DuBois, and Darryl Taylor.
Fiscal Impact: None
Staff Recommendation:
Mr. Clawson, McCarty, Grabein and Taylor have agreed to serve again, if reappointed.
We are awaiting response from Mr. Sjolander and Mr. Tims.
Ms. DuBois has moved.
Appointments are to be made at Council's discretion.
Purpose:
The members of this Board assist in making suggestions and advice regarding improvements to the Liberty Municipal Airport.

Attachment: AAB Appts 2013 (CA-2013-114 : AAB Appointments)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Airport Improvements

COUNCIL ACTION (ID # 2890)

DOC ID: 2890

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.11
Agenda Wording: Consider ratifying the Liberty Community Development Corporation's proposal award for a Commercial Hanger at the Liberty Municipal Airport.
Department: LCDC & Airport
Subject: Construct a new 70 x 75 metal hangar building to house the onsite aircraft mechanic.
Background: In May, Phil Robinson came to the City and stated that he wanted to move his Aircraft mechanic shop to the Liberty Municipal Airport. After looking at the existing small hangar, we obtained a quote for repairs. After consulting with TxDot Aviation, we were told that upon construction of future runway expansion, the two old hangars would have to be removed.
Fiscal Impact: The LCDC will pay \$223,580 to construct the hangar and the lease paid by the mechanic will go into the airport fund.
Staff Recommendation: Construct the commercial hangar.
Purpose: To have an aircraft mechanic onsite at the Liberty Municipal Airport.

Attachment: Commercial Hangar Dec 2013 (CA-2013-116 : Airport Commercial Hangar)

**LIBERTY MUNICIPAL AIRPORT
HANGAR EVALUATION MATRIX**
November 14, 2013

Firm Name	Firm Information & Qualifications [Max 5 Points]	Design Approach & Methodology [Max 5 Points]	Contractor Hangar Construction Experience [Max 10 Points]	Manufacturer Hangar Experience [Max 10 Points]	Delivery Time (days) [Max 10 Points]	Price [Max 60 Points]	Total Points [100 Max Points]
Arnold Construction Co., Inc 508 North Main Dayton, TX 77535	4.5	4	9.5	10	9.5 9-12ks (63-84 days)	55 Base \$206,255 Alt. \$ 17,325 Tot. \$223,580	92.5
Pelco Construction 2720 Beaumont Ave. Liberty, TX 77575	4.5	4	9	10	7.5 120 days	45 Base \$236,200 Alt. \$ 9,000 Tot. \$245,200	80

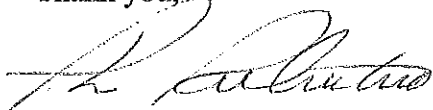
December 2, 2013

To: The City of Liberty, Texas

Please accept this as a letter of intent to base a permanent aircraft maintenance business known as Gulfstar Aviation on Liberty Municipal Airport. I have been in the aviation maintenance business for more than 40 years and have also been a part of small airport operations most of that time. I have always had a good relationship with the FAA and my customers generally become good friends. I will be providing minor and major repairs and inspections on general aviation aircraft, fixed wing and helicopters, in both single and twin engine configurations. Reciprocating and turbine engines will be included in the scope of work. At least 90% of the business will be conducted on the airport property with only occasional off airport work where the aircraft can not be flown to Liberty. I would offer ground power unit starting to customers needing that service when buying fuel and experiencing a low battery. This would be a complimentary service at no charge to the aircraft owner or the City of Liberty. When needed, I will be glad to volunteer to fill in when the airport manager is away from the airport.

I am anxiously looking forward to a mutually happy relationship with the City of Liberty. It is obvious to me that Liberty Municipal Airport has a promising future because of the foresight and goals of the City Council and I hope to be a part of the airport's long term growth and prosperity. I would like to see the move start as soon as possible.

Thank you,



Phil Robertson
A&P / IA
281-660-2337

Attachment: Commercial Hangar-Mechanic Ltr (CA-2013-116 : Airport Commercial Hangar)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION 2013-115

DOC ID: 2891

RESULT: NO ACTION TAKEN



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.13

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Misc. Projects

COUNCIL ACTION (ID # 2892)

DOC ID: 2892

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.13
Agenda Wording: Consider expenditure for furniture purchase for the new Police Department facility, from BuyBoard, and take any action deemed necessary.

Department: Police
Subject: New furniture for the new police department facility on Lakeland Dr.
Background:
When the decision was made to build a new police station, new furniture was a need. The current furniture is a mix match from over many years.
Fiscal Impact:
Special Fund – Police Station Construction. We have \$59,000 budgeted in the police station construction fund to cover this expenditure. Attached is a BuyBoard quote for the furniture.
Staff Recommendation:
Award the bid for \$56,453.03.
Purpose:
To enhance work environments and improve the productivity and quality of life for employees.

Attachment: PD Furniture Purchase 2013 (CA-2013-117 : PD Furniture)

Tom Warner

From: Christy Williams <christyw@hernandezsupply.com>
Sent: Friday, December 06, 2013 12:39 PM
To: 'Tom Warner'
Subject: RE: PD Furniture

This isn't a finalized parts list, that will take a few days to get back from Global, but I went thru and manually figured it all, here is a break down:

Admin office: 7183.00
 Break room: 2312.00
 Captain: 7718.00
 Chief: 13664.00
 Conference: 4444.00
 Dispatch: 5316.00
 Miscellaneous offices: 10202.00
 Squad room: 7775.00
 Records: 9312.00
 Training: 9321.00
 Typical offices (9): 51751.00

Total at list for all offices: 128998.00
 TXMAS Sell price: 48456.03
 Deliver/install/assembly/trash removal: 8000.00

TOTAL : \$ 56,453.03

This is all priced thru the TXMAS purchasing contract, city of Liberty is already on it, CO OP# M1460, Melody Fisher shows as the contact. It does expire Jan. 2, 2014 though.

The lead time is 4-6 weeks, and we can order as soon as you get approved, just putting a hold on the order until July. You should be ok with any more changes not affecting pricing, as you are at 4th tier. Unless you guys dropped 29K off the order, your pricing will be the same. ONE THING TO THINK OF.....with this deep of discounting, you probably won't ever hit this level again. SO, if you guys have any other departments needing something, and they can wait until JULY, now is when to order. You are at a 62.4366% discount right now, which is the deepest it goes.

Let me know if you need anything else, and have a great weekend!

Thanks so much and have a great day!

Christy Williams
 Hernandez Office Solutions
christyw@hernandezsupply.com
 409-550-6631 cell

From: Tom Warner [<mailto:twarner@cityofliberty.org>]
Sent: Thursday, December 05, 2013 5:21 PM
To: Christy Williams
Subject: PD Furniture

Christy,

Attachment: PD Furniture Costs (CA-2013-117 : PD Furniture)

We are trying to take the furniture to City Council for approval on Tuesday of next week. Would it be possible to get the final price by tomorrow afternoon or at least say it will be less than \$59,000? Also, is the purchase through Buy Board or HGAC.

Thanks.....Tom

Tom Warner, P.E.
Director of Public Works/City Engineer



CITY OF LIBERTY
1829 SAM HOUSTON
LIBERTY, TEXAS 77575

936 336 3684

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Attachment: PD Furniture Costs (CA-2013-117 : PD Furniture)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.14

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION 2013-118

DOC ID: 2893

RESULT: NO ACTION TAKEN



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.15

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 2894)

DOC ID: 2894

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.15
Agenda Wording: Consider approval of quote for AC rehabilitation and other improvements, at the Liberty Fire Station, and take any action deemed necessary.

Department: Fire
Subject:
To make building improvements: Air Conditioner improvements - \$10,855
Replacement Tiles - \$900
Repair Bay Lights - \$11,000
Replace Insulation - \$20,000
Total - \$42,755
Background:
2 years ago we had a SECO grant which did a study on the Fire Station and found the above mentioned deficiencies in the building.
Fiscal Impact:
Special SRMPA Funds - We budgeted \$45,000 out of the SRMPA funds to do this work.
Staff Recommendation:
Not to exceed the \$45,000 that was projected to do this work.
Purpose:
To address the issues for better efficiency in operations.

Attachment: FD Repair Form 2013 (CA-2013-119 : Fire Dept. Improvements)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.16

Meeting: 12/10/13 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION (ID # 2895)

DOC ID: 2895

EXPLANATION:

See attached Agenda Item Form.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.16
Agenda Wording: Consider quote for electric work to be performed on Lakeland Drive and on Hwy. 563 at Hwy. 90.

Department: Electric
Subject: Electric Distribution Upgrades: 1) Relocate pole at Hwy. 90 and Hwy. 563 by JJ's Chevron Station 2) Install 5 new gang switches on Lakeland Drive at Royal Street
Background: 1) Moving the pole at Hwy 563 and Hwy. 90 is a positive step as this pole has been hit many times by vehicles turning at that intersection. 2) Initially, the gang switch will help with reliability when moving power to different feeders if a major outage occurs.
Fiscal Impact: 1) \$9,000 for the pole relocation on Hwy. 563 and Hwy. 90. 2) \$30,000 for the Lakeland gang switch installation. Funds for these projects will come from the SRMPA Special Funds.
Staff Recommendation: Approval of these projects, with the cost of both projects not to exceed a total of \$40,000 from the SRMPA Special Funds.
Purpose: Safety and improved reliability.