



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, May 13, 2014

6:00 PM

City Council Chambers

THE City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrival
Mayor Carl Pickett	☐	☐	☐	
Mayor Pro Tem 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

A. Information Item (ID # 2996)

Project Updates - City Manager G. Broz

B. Information Item (ID # 2997)

Recycling Report - Councilperson Huddleston

C. Information Item (ID # 2998)

Sam Rayburn Municipal Power Agency - Mayor Pickett

D. Information Item (ID # 2999)

Proclamation-Motorcycle Safety Awareness Month

- Motorcycle Safety Month 2014 (DOC)

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, April 08, 2014

B. Council Action (ID # 3003)

Consider approval of March 27 & 28 as dates for the 2015 Liberty Jubilee.

VII. REGULAR AGENDA**A. Regular Session****1. Information Item (ID # 3000)**

Oath of Office to be administered to newly elected officials.

- Agenda Form-Oath (DOCX)
- Oath of Office Form (DOC)

2. Council Action (ID # 3001)

Election of a Mayor Pro Tem.

- Agenda Form-Mayor Pro Tem (DOCX)

3. Public Hearing (ID # 3008)

Public Hearing on the designation of the Liberty Municipal Airport as a Commercial/Industrial Reinvestment Zone and establishing boundaries of said zone.

- Agenda Form-PH Reinvestment Zone (DOCX)

4. Ordinance (ID # 2982)

Consider adoption of an Ordinance creating a Commercial/Industrial Reinvestment Zone at the Liberty Municipal Airport.

- Agenda Item Form Reinv Zone Ord (DOCX)

5. Public Hearing (ID # 3009)

Public Hearing on the institution of annexation proceedings to enlarge and extend the boundary limits of the City of Liberty; De Loach property at FM 160 and FM 1909.

- Agenda Item Form PH Annex (DOCX)

6. Ordinance (ID # 3010)

Consider adoption of an Ordinance, pursuant to a voluntary request by the property owner, annexing 355.063 acres of additional Territory To Extend The Boundary Limits Of The City of Liberty to include said property.

- Agenda Item Form Annex Ord (DOCX)

7. Council Action (ID # 3002)

Consider appointments to the Liberty Community Development Corporation Board of Directors.

- Agenda Form LCDC Appts (DOCX)

8. Council Action (ID # 3004)

Consider appointments to the Planning and Zoning Commission.

- Agenda Item Form P&Z Appts. (DOCX)

9. Council Action (ID # 3005)

Consider approval of Change Order No. 1 for the Ridgewood Subdivision Waterline Improvement Project, to include additional six inch water line pipe.

- Agenda Form-Ridgewood CO #1 (DOCX)

10. Council Action (ID # 3007)

Consider proposal award for the installation of network cable in the new Police Department facility.

- Agenda Item Form PD Cable (DOCX)

11. Council Action (ID # 3006)

Consider award of bid for construction of a new restroom facility at the Liberty Municipal Park.

VIII. ADJOURNMENT

A. Motion To: Adjourn

CERTIFICATION

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 9th day of May, 2014 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 _____, 2014.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2996)

DOC ID: 2996



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2997)

DOC ID: 2997



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 2998)

DOC ID: 2998



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Proclamations

INFORMATION ITEM (ID # 2999)

DOC ID: 2999



P R O C L A M A T I O N

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

WHEREAS, the City of Liberty is urging everyone in our community to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road that they deserve.

NOW, THEREFORE, BE IT KNOWN, that I, Carl Pickett, Mayor of the City of Liberty do hereby proclaim the month of May, 2014 as:

“MOTORCYCLE SAFETY AWARENESS MONTH”

in the City of Liberty, encouraging all motor vehicle operators to join in the effort to keep our roadways safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Liberty, Texas to be affixed on this 13th day of May, 2014.

Carl Pickett, Mayor
City of Liberty

ATTEST:

Dianne Tidwell, City Secretary
City of Liberty



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, April 8, 2014

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	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 Mr. Glen Cupit, Liberty Masonic Lodge.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett led the pledges to the American and Texas flags.

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. However, comments were made by the following individuals:

- 1) City Mgr. Gary Broz commented on a Police Department memo regarding a theft in the 600 Block of Milam Street and related press conference that took place,
- 2) Councilperson Jordan reported that he would like to delay annexation proceedings until all gas storage business owners can be contacted,
- 3) Councilperson Simonson stated that she would like to see the April Council Meeting moved each year as it conflicts with Liberty County's Candlelight Vigil in recognition of Child Abuse and Crime Victims' Rights, and
- 4) Mayor Pickett reported on the Texas Municipal League Leadership Academy and asked that Council be aware of a Special Called Meeting to be held on April 22nd.

V. PRESENTATIONS / REPORTS**A. Information Item (ID # 2965)**

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the numerous City projects to include:

- 1) Transformer to be installed at the Liberty Substation, following repairs,
- 2) New Police Station facility is moving along; current move-in date is early August,
- 3) AT&T contractors are installing underground fiber lines in several areas in the City,
- 4) Centerpoint Energy is also replacing underground gas line round the City,
- 5) Park restroom's will go to bid in late April,
- 6) Working with Boomerang Tube to complete last four connections to the new substation,
- 7) Continuing to work with Lee College to get classes started in Liberty, and
- 8) Budget time is fast approaching.

Mr. Broz also also commented and answered questions regarding various other projects.

B. Information Item (ID # 2966)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next Shred-It Event will be held on Saturday, May 3rd from 9:00 a.m. until Noon, in the City Hall parking lot. Ms. Huddleston reported that these events are well attended and a perfect time to dispose of sensitive documents.

C. Information Item (ID # 2967)

Liberty Jubilee Report - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on a handout regarding the 2014 Liberty Jubilee and its success. Mr. Broz reported Staff will soon hold a follow-up meeting to review the event.

D. Information Item (ID # 2968)

Sam Rayburn Municipal Power Agency & Buydown Info - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that once a year the Sam Rayburn Municipal Power Agency votes to refund certain funds to its member cities. The City of Liberty received \$843,000 for fiscal year ending September 30, 2013. Mayor Pickett stated that on a yearly basis, these funds subsidize the utility rates that are paid by citizens, which allows our electric rates to remain competitive. The Mayor further reported that the Agency has been able to purchase power at a very stable rate for its customers, as a result of current contractual arrangements.

E. Information Item (ID # 2969)

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)

Houston-Galveston Area Council Report - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan, as a member of the H-GAC Gulf Coast Economic Development District, reported that under this District is a loan committee charged with placing \$7 million within a 13-County area. Councilperson Jordan stated that the LCDC has been approved for a 100% Economic Development Assistance Loan, in the amount of \$492,000, for a tanker truck for the Liberty Fire Department. This loan application was the first of its type for EDA Funds to finance essential equipment for the safety and economic development of the community. Councilperson Jordan further stated that this is a twenty year loan at 4% simple interest, with a monthly payment of \$2,987.

Councilperson Jordan reported that currently the Fire Department does not have a tanker truck, which would increase the available water supply to fight fires. It was further reported that H-GAC previously had a tanker truck with the proper specifications, however it has been sold, so the Fire Department will be attempting to locate a truck.

F. Information Item (ID # 2970)

Planning & Zoning Appointments - City Secretary-D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Planning and Zoning Commission will be made at the May Council Meeting. Ms. Tidwell briefly reported on the Commission and its members. Those individuals whose terms expire are Shelli Ellerbe and Mark Campbell, both of which are willing to serve again if reappointed.

G. Information Item (ID # 2971)

Liberty Community Development Corporation Appointments - City Secretary D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Liberty Community Development Corporation Board of Directors will be made at the May Council Meeting. Ms. Tidwell briefly reported on the Board and its members. Those individuals whose terms expire are Dennis Beasley, Mike McCarty, Barbara Norwood and Louie Potetz, all of which are willing to serve again if reappointed.

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:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval**1. Tuesday, March 11, 2014**

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2014-7

Consider adoption of an amendment to the Amusement Machine Ordinance restricting membership to game rooms.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING ARTICLE 4.11 OF THE CODE OF ORDINANCES, CREATING ARTICLE 4.11.015, FOUND IN CHAPTER 4, REGARDING AMUSEMENT MACHINES; PROHIBITING GAME ROOM MEMBERSHIPS; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

Mr. Broz reported that this Ordinance prohibits membership to game room facilities. Lt. Chip Fairchild, Liberty Police Department, explained that these facilities typically like to have membership requirements, which keep undercover officers from entering the business to observe activities.

Motion was made to adopt the Ordinance.

Councilperson Arnold left the meeting at 6:50 p.m.

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

2. Council Action 2014-15

Consider approval of JTR Constructors, Inc. Change Order No. 1 regarding fencing for the Wastewater Treatment Plant Improvements, Texas Water Development Board Project CWSRF #72124, Phase 3.

COMMENTS - Current Meeting:

Public Works Director Tom Warner and Mr. Rick Bourque, Schaumburg & Polk, reported on Change Order No. 1 for the Wastewater Treatment Plant Improvements, Texas Water Development Board Project. Mr. Warner reported that the original plans included limited fence repair. During construction, it was noticed that there were still areas of fencing, along the north and east fence, that may not conform to the 6 ft. TCEQ requirements. This fencing has also been the subject of past TCEQ inspection notices.

Change Order No. 1 increases the scope of fence replacement from rehabilitation of limited portions to replacement of all fence, posts and wires, including a motor operated gate and a 20X20 foot concrete slab for installation of the sensors. Cost to replace this additional 1870 feet

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)

of fencing is \$39,982.00, with funds available in the grant. Replacing this fence will improve the security at the Treatment Plant and meet TCEQ requirements.

Motion was made to approve Change Order No. 1.

ATTACHMENTS:

- WWTP Fencing Agenda Form (DOCX)
- TWDB Project CO #1 Info (PDF)
- TWDB Project CO #1 Drawing (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson
ABSENT:	David Arnold

3. Council Action 2014-16

Consider approval of N&T Construction Change Order No. 3 regarding a concreted slab for the generator and AC units at the new Police Department facility.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported that plans for the mechanical yard at the new Police Station facility specified housekeeping pads under eight air conditioning units and the generator. Change Order No. 3 provides for a concrete slab, in lieu of the housekeeping pads, in the mechanical yard at a cost of \$4,500.00.

After brief discussion, a motion was made to approve Change Order No. 3.

ATTACHMENTS:

- PD Change Order Agenda Form (DOCX)
- PD Change Order Info(PDF)

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

4. Council Action (ID # 2975)

Consider the Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz reviewed the increase to the Consumer Price Index adjustment for Telecommunications Right-of-Way Access Line Rates. Mr. Broz recommended that the current rates not be adjusted for inflation, as this cost is passed directly to the customer.

A motion was made to deny the increase and leave the right-of-way access line rates at the 2013 rate.

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)

ATTACHMENTS:

- PUC 2014 Consumer Price Index (PDF)

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

5. Ordinance 2014-8

Consider adoption of an Ordinance authorizing a partnership with other Entergy service area cities in matters concerning Entergy Texas, Inc. At The Public Utility Commission of Texas and the Federal Energy Regulatory Commission in 2014.

COMMENTS - Current Meeting:

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

"A ORDINANCE OF THE CITY COUNCIL OF LIBERTY, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND THE FEDERAL ENERGY REGULATORY COMMISSION IN 2014; DECLARING 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."

City Manager Broz reported that this is an annual ordinance authorizes the City to join with other Entergy Service area cities in Southeast Texas, in matters relating to Entergy and energy issues. A motion was made to adopt the Ordinance as presented.

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

6. Resolution 2014-6

Consider a Resolution requesting that Congress not remove exemptions from tax-exempt bonds.

COMMENTS - Current Meeting:

City Attorney Randy Gunter reported that this Resolution comes as a recommendation of the National League of Cities. Mr. Gunter stated that there is discussion in Washington, D.C. of eliminating the tax free status of municipal bonds. Infrastructure projects funded by debt issued by municipal bonds would become more expensive if the tax exemption was taken away, as the current rates would expect to include a two-point increase. This Resolution, if approved, gives management the opportunity to send this document on to Congressional representatives that the City of Liberty does not approve.

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)

A motion was made to approve the Resolution.

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

7. Council Action 2014-18

Discussion of a city-wide wireless network and telephone system linking all City facilities together, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	NO ACTION TAKEN
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8. Council Action 2014-17

Consider ratifying the Liberty Community Development Corporation's action regarding a loan from the Gulf Coast Economic Development District for a Fire Department tanker truck.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	NO ACTION TAKEN
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9. Council Action 2014-19

Consider approval of an administrative services contract for Texas Water Development Board loan programs.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that management was working with the Texas Water Development Board and had received four invitations to approach the Board for funding. Proposed projects for funding include a new water tower, various sewer work, rehabilitation of the north water plant and a new water well. The City must now complete a lengthy and time-consuming pre-application and application process to be approved for this funding from the Water Development Board. The City sought proposals for project management services, sending out six packets and received only one response, from Public Management, Inc.

Public Management, Inc., if approved, will assist with the entire process, following through to the end. Mr. Broz stated that the funds would be received in increments over four years, in which to complete planning, design and construction for these long-term projects. This project would also include seeking proposals for engineer, bond counsel, and financial advisor. All fees to be paid to Public Management will come from funds received from the Water Development Board.

After brief discussion of the projects, water rate adjustments, interest rate, and other related issues, a motion was made to approve the Financial and Project Management Contract with Public Management, Inc.

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)

ATTACHMENTS:

- TWDB Programs-Rice 2014 (PDF)

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

10. Public Hearing (ID # 2981)

Public Hearing regarding the adoption of an Ordinance creating a Reinvestment Zone/Tax Abatement Zone at the Liberty Municipal Airport.

COMMENTS - Current Meeting:

At 7:18 p.m., Mayor Pickett opened the Public Hearing on the adoption of an Ordinance creating a Reinvestment Zone/Tax Abatement Zone at the Liberty Municipal Airport. City Attorney Randy Gunter explained the this item is in regard to the City's ability to grant tax abatements for new structures at the Airport. Mr. Gunter continued by stating that there is an increased interest/activity in private structures on Airport property and the vehicle by which to further assist business is by designating a Reinvestment Zone.

Mr. Gunter further explained that parameters must be created for the new zone, in which all businesses are treated the same; i.e. how many years taxes are to be abated, type of zone (manufactured, industrial, etc.), amount of minimum investment. This zone would encompass only the Airport property.

Mr. Gunter requested Council's guidance on minimum requirements prior to any requests for abatement, with discussion being held regarding research of reinvestment zones at other airports, tiered structures, and related issues.

Mayor Pickett closed the Public Hearing at 7:29 p.m.

11. Ordinance (ID # 2982)

Consider adoption of an Ordinance creating a Commercial/Industrial Reinvestment Zone at the Liberty Municipal Airport.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	NO ACTION TAKEN
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VIII. ADJOURNMENT**A. Motion To:** Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:30 p.m.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 8, 2014 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Jubilee

COUNCIL ACTION (ID # 3003)

DOC ID: 3003



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Election Information

INFORMATION ITEM (ID # 3000)

DOC ID: 3000

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.1
Agenda Wording: Oath of Office to be administered to newly elected officials.

Department: City Secretary
Subject: Oath of Office
Background: Article XVI of the Texas Constitution prescribes a written statement and an oath that all officers must take before they enter upon the duties of their office.
Fiscal Impact: None
Staff Recommendation: Municipal Court Judge Mike Little will issue the Oath.
Purpose: To ensure that the City's elected officials comply with State law; a formal declaration of the faithful performance of the officer's duties.

Attachment: Agenda Form-Oath (3000 : Oath of Office)

In the name and by the authority of

The City of Liberty
and
The State of Texas

OATH OF OFFICE

I, Libby Simonson, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member for the City of Liberty, Texas and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

SWORN TO and subscribed before me by affiant on this 13th
day of May, 2014.

Signature of Notary Public or Other
Officer Administering Oath

Michael Little

Printed Name

(seal)

Municipal Court Judge

Title



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION (ID # 3001)

DOC ID: 3001

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.2
Agenda Wording: Election of a Mayor Pro Tem.

Department: City Secretary
Subject: Mayor Pro Tem – to be elected annually.
Background: City Charter Section 3.04 states that the City Council, at its first meeting after election of Council Members, shall elect one of its' members as Mayor Pro Tem, and he/she shall perform all duties of the Mayor in the absence or disability of the Mayor.
Fiscal Impact: None
Staff Recommendation: None
Purpose: To ensure the orderly conduct of City Council Meeting and the completion of other duties in the Mayor's absence.

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.3
Agenda Wording: Public Hearing on the designation of the Liberty Municipal Airport as a Commercial/Industrial Reinvestment Zone and establishing
Boundaries of said zone.
Department: Administration
Subject: Designation of a Commercial/Industrial Reinvestment Zone
Background: Texas Tax Code Section 312.210 states that a governing body may not adopt an ordinance designating an area as a reinvestment zone until the governing body has held a public hearing on the designation, notice has been published in the newspaper, and notice has been delivered to those taxing entities who have real property to be included in the proposed zone.
Fiscal Impact: Publication costs and legal fees.
Staff Recommendation: Review any citizen's comments regarding this designation.
Purpose: To hear citizen's comments and concerns regarding the designation of the proposed area as a Reinvestment Zone.

Attachment: Agenda Form-PH Reinvestment Zone (3008 : PH - Reinvestment Zone)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Tax Issues

ORDINANCE (ID # 2982)

DOC ID: 2982 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, DESIGNATING A CERTAIN AREA AS A COMMERCIAL/INDUSTRIAL REINVESTMENT ZONE, CITY OF LIBERTY, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE; PROVIDING AN OPEN MEETINGS CLAUSE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City Council of the City of Liberty, Texas, (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a Reinvestment Zone, as codified in Chapter 312 of the Texas Tax Code (the "Act"); and

WHEREAS, a hearing before the City Council was set for _____ p.m. on the _____ day of _____ 2014, such date being at least seven (7) days after the date of publication of the notice of such public hearing in a newspaper of general circulation in the City of Liberty; and

WHEREAS, the City has called a public hearing and published notice of such public hearing, and has properly notified the proper officials of Liberty County, Liberty Independent School District, and other taxing authorities with jurisdiction in the reinvestment zone as required by the Act; and

WHEREAS, upon such hearing being convened there was presented proper proof and evidence that notices of such hearing had been published and mailed as described above; and

WHEREAS, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the Reinvestment Zone. The boundaries of the proposed Reinvestment Zone, whether all or part of the territory, which is described by a metes and bounds description attached hereto as Exhibit A and depicted in the drawing attached hereto as Exhibit B, should be included in such proposed Reinvestment Zone; and

WHEREAS, all owners of property located within the proposed Reinvestment Zone and all other taxing units and other interested persons were given the opportunity at such public hearing to protest the creation of the proposed Reinvestment Zone or the inclusion of their property in such Reinvestment Zone; and

WHEREAS, the proponents of the Reinvestment Zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the Reinvestment zone; and

WHEREAS, after considering all testimony and evidence offered at the public hearing, the City Council finds that improvements in the Reinvestment Zone will enhance significantly the value of all taxable real property in the Zone, that it will be of general benefit to the City of Liberty and that it will be in the public interest to pass this Ordinance creating a Reinvestment zone;

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

SECTION 1: That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 2: The City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law.
- (b) That the City has jurisdiction to hold and conduct this public hearing on the creation of the proposed Reinvestment Zone pursuant to the Act; and
- (c) That creation of the proposed Zone with boundaries as described herein will result in benefits to the City, its residents and property owners and to the property, residents and property owners in the Reinvestment Zone.
- (d) That the Reinvestment Zone, as defined herein in Exhibits A and B, meets the criteria for the creation of a Reinvestment Zone as set forth in Chapter 312.202 of the Act in that:
 - (1) It is a contiguous geographic area located wholly within the corporate limits of the City.
 - (2) The area will reasonably be likely, as a result of the designation, to contribute to the retention or expansion of primary employment, or to attract major investment in the Zone that would be a benefit to the property and that would contribute to the economic development of the City.
 - (3) No part of the property in the Reinvestment Zone is owned or leased by a member of the governing body of the City or town or by a member of zoning or planning board or commission of the City.

- (4) Improvements in the Reinvestment Zone will enhance significantly the value of all taxable property in the Reinvestment Zone.

SECTION 3: That the City hereby creates a Reinvestment Zone over the area described by the description attached hereto and depicted in a drawing attached hereto and such Reinvestment Zone shall hereafter be identified as the Commercial/Industrial Reinvestment Zone, Number _____, _____, City of Liberty, Texas, (the "Zone").

SECTION 4: That operation of the Zone shall commence on _____, 2014, for a period of five years, may be renewed for an additional five years or may terminate sooner by subsequent ordinance.

SECTION 5: That a written agreement as provided in the Act, with the owners of the property located within the Reinvestment Zone is hereby authorized according to the schedule and terms outlined in Exhibit C, and the written agreement shall provide an exemption from taxation the increased value of the real and/or personal property according to that schedule.

SECTION 6: That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 7: That it is hereby officially found, determined, and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

SECTION 8: That the contents of the notice of public hearing, which hearing was held before the City Council on _____, and the publication of said notices, are hereby ratified, approved and confirmed.

SECTION 9: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

SECTION 10: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED, APPROVED AND ADOPTED on the _____ day of _____,
20____.

CITY OF LIBERTY

Carl Pickett
Mayor

ATTEST:

Dianne Tidwell
City Secretary

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.4
Agenda Wording: Consider adoption of an Ordinance creating a Commercial/Industrial Reinvestment Zone at the Liberty Municipal Airport.
Department: Administration
Subject: Designation of a Reinvestment Zone at the Liberty Municipal Airport.
Background: Through designation of a Reinvestment Zone, the City is able to offer incentives for new business to locate at the Liberty Municipal Airport.
Fiscal Impact: None
Staff Recommendation: Adopt ordinance designating the Reinvestment Zone.
Purpose: To enhance and promote business at the Liberty Municipal Airport.

Attachment: Agenda Item Form Reinv Zone Ord (2982 : Reinvestment Zone-Airport)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3009)

DOC ID: 3009

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.5
Agenda Wording: Public Hearing on the institution of annexation proceedings to enlarge and extend the boundary limits of the City of Liberty; DeLoach property at FM 160 and FM 1909.
Department: Administration
Subject: Public Hearing on including additional territory to extend the boundary limits of the City of Liberty.
Background: This voluntary annexation came before Council and was accepted and approved on July 9, 2013. This public hearing and subsequent ordinance will complete the process, if approved.
Fiscal Impact: Legal fees.
Staff Recommendation: Listen to citizen's comments and concerns.
Purpose: To provide an avenue for citizen's to express their opinion regarding Issues relating to annexation.

Attachment: Agenda Item Form PH Annex (3009 : PH - DeLoach Annexation)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Annexation

ORDINANCE (ID # 3010)

DOC ID: 3010 A

AN ORDINANCE, PURSUANT TO A VOLUNTARY REQUEST BY THE PROPERTY OWNER, ANNEXING THE HEREINAFTER DESCRIBED 355.063 ACRE TRACT OF ADDITIONAL TERRITORY TO THE CITY OF LIBERTY, LIBERTY COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITH SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; 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, the owner of a 355.063 acre tract of land located in the WM Phelps survey of Liberty County, Texas has submitted a written request for the City of Liberty to annex that tract; and

WHEREAS, the Texas Local Government Code and/or Section 1.03 of the Charter of the City of Liberty, Texas, an incorporated home rule municipality, authorizes the annexation of territory subject to the laws of this state; and

WHEREAS, the procedures prescribed by Section 1.03 of the Charter of the City of Liberty, Texas and the laws of this state have been duly followed with respect to the following described territory to wit:

000330 WM Phelps, Tract 1, Acres 355.063, CAD Prop ID: 26889 and CAD Geo ID: 000330-000000-011

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

Section 1: That the heretofore described property is hereby annexed to the City of Liberty, Liberty County, Texas, and that the boundary limits of the City of Liberty be and the same are hereby extended to include above described territory within the city limits of the City of Liberty, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Liberty and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

The City Secretary is hereby directed to file with the County Clerk of Liberty County, Texas, a certified copy of this ordinance.

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 May, 2014.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.6
Agenda Wording: Consider adoption of an Ordinance, pursuant to a voluntary request by the property owner, annexing 355.063 acres of additional territory to extend the boundary limits of the City of Liberty to include said property.
Department: Administration
Subject: Voluntary annexation at the request of the property owner.
Background: At the Council Meeting of July 9, 2013, Council voted to approve the annexation of this property. Adoption of this ordinance will complete the formal process, if approved.
Fiscal Impact:
Staff Recommendation: Adopt the proposed ordinance for annexation.
Purpose: To incorporate additional territory into the City limits, to provide for sustainable growth.

Attachment: Agenda Item Form Annex Ord (3010 : Annexation-DeLoach Property)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 3002)

DOC ID: 3002

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.7
Agenda Wording: Consider appointments to the Liberty Community Development Corporation Board of Directors.
Department: Administration
Subject: Appointments to fill expired terms on the Board.
Background: The LCDC is managed by a Board of seven members. All members are appointed by the City Council for 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: Dennis Beasley, Mike McCarty, Barbara Norwood, and Louie Potetz.
These individuals are willing to serve again, if reappointed.
Other Board Members are: David Arnold, Leslie Herndon, and Mark Campbell.
Fiscal Impact: None
Staff Recommendation: Appointments to be made at Council's discretion.
Purpose: The Corporation is a non-profit corporation governed by the Texas Development Corporation Act of 1979, as amended. The purpose of the LCDC is to promote, assist, and enhance economic development in our community.

Attachment: Agenda Form LCDC Appts (3002 : LCDC Appointments)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 3004)

DOC ID: 3004

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.8
Agenda Wording: Consider appointments to the Planning and Zoning Comm.
Department: Administration
Subject: Appointments to fill expired terms on the Commission.
Background: The Planning and Zoning Commission is comprised of five
members who are qualified voters of the City, and are appointed by the City
Council to serve three-year terms. Appointments are made on or after May 1st of
each year. Those members whose terms expire are: Shelli Ellerbe and Mark
Campbell.
These individuals are willing to serve again, if reappointed.
Other P&Z members are: Bill Takach, Kim Anderson, Larry Wagnon, and Alternate
Mike Page.
Fiscal Impact: None
Staff Recommendation: Appointments are to be made at Council's discretion.
Purpose: The Planning and Zoning Commission is responsible for making
recommendations to the City Council on platting and subdivision matters.

Attachment: Agenda Item Form P&Z Appts. (3004 : P&Z Appointments)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Water Issues

COUNCIL ACTION (ID # 3005)

DOC ID: 3005

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.9
Agenda Wording: Consider approval of Change Order No. 1 for the Ridgewood Subdivision Waterline Improvement Project to include additional six inch water line pipe.

Department: Public Works
Subject: Ridgewood Subdivision Waterline Improvement Project - Change Order No. 1
Background: The design of the Ridgewood Subdivision Waterline Project included the Installation of a six inch water line on all the streets except Briar Grove. A six inch line had previously been installed on Briar Grove and was considered to be in good condition. During construction, it was determined that the integrity of the six inch line on Briar Grove is not in good condition and needs to be replaced.
Fiscal Impact: The installation of the water line on Briar Grove will require the installation of an additional 700 feet of six inch water line pipe. The total cost, based on bid prices, would increase the contract by \$10,500.
Staff Recommendation: City Council approve authorizing the City Manager to execute Change Order No. 1 for the Ridgewood Subdivision Waterline Project
Purpose: The Ridgewood Subdivision Waterline Improvement Project will improve the integrity of the water infrastructure within the subdivision.

Attachment: Agenda Form-Ridgewood CO #1 (3005 : Ridgewood Waterline Imp. CO #1)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Proposals

COUNCIL ACTION (ID # 3007)

DOC ID: 3007

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.10
Agenda Wording: Consider proposal award for the installation of network cable at the new Police Department facility.
Department: Police
Subject: Installation of network cable at the new Police Station facility at 1906 Lakeland Drive.
Background: This data cabling is for all areas of the new building, except for 911, as this equipment belongs to the Houston-Galveston Area Council.
The City sought proposals for this installation of this cable and received three responses.
Fiscal Impact: Cost for this service is included in the Police Department construction budget. Proposals are still being evaluated at this time.
Staff Recommendation: No recommendation until conclusion of the evaluation.
Purpose: To install network cable for the proper transfer of all electronic data.

Attachment: Agenda Item Form PD Cable (3007 : Proposal Award-PD Network Cable)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 05/13/14 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3006)

DOC ID: 3006

EXPLANATION:

Bids were opened for this facility on Friday, May 9th at 2:00 p.m. Three bids were received and are being evaluated at this time. A bid tabulation will be available prior to the meeting.