



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, January 12, 2016

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	Arrived
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 # 3425)

Project Updates - City Mgr. G. Broz

B. Information Item (ID # 3426)

2016 Election Update - City Sec. D. Tidwell

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, December 08, 2015

VII. REGULAR AGENDA

A. Regular Session

1. **Information Item (ID # 3427)**

Mr. Mike Allison to address the Council regarding City of Liberty power issues.

2. **Council Action (ID # 3428)**

Update on the Sam Rayburn Municipal Power Agency business, and take any action deemed necessary.

3. **Public Hearing (ID # 3429)**

Public Hearing regarding hazardous building abatement for property located at 1512 Hwy. 90, also known as the Inn at Liberty.

- Agenda Item Form-Inn at Liberty (DOCX)
- Inn at Liberty Notice (PDF)

4. **Council Action (ID # 3430)**

Consider, and take action, regarding hazardous building abatement for property located at 1512 Hwy. 90, also known as the Inn at Liberty.

5. **Council Action (ID # 3436)**

Consider award of bid for transformers for the Electric Department inventory.

- Transformer Bids (PDF)

6. **Council Action (ID # 3431)**

Consider an appointment to the Liberty County Economic Development Committee.

7. **Council Action (ID # 3432)**

Discussion regarding Open Carry in the City Hall and Council Chambers, and take any action deemed necessary.

8. **Council Action (ID # 3433)**

Consider declaring various City equipment as surplus property, and take any action deemed necessary.

- Auction List (XLSX)
- PD Vest List (PDF)

9. **Ordinance (ID # 3434)**

Consider adoption of an Ordinance 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 2016.

10. Council Action (ID # 3438)

Consider granting Computer Solutions access for fiber installation in the Regency Place Subdivision right-of-way.

- Resolution & Agreement Internet Fiber (PDF)
- Regency Subd Map (PDF)

B. Executive Session

Government Code §551.087

Deliberation Regarding Economic Development Negotiation - Boomerang Tube, LLC

C. Reconvene into Regular Session

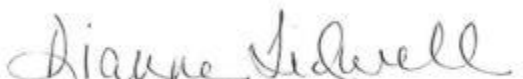
1. Council Action (ID # 3435)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 8th day of January, 2016 at 2:00 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 _____, 2016.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Project Updates

INFORMATION ITEM (ID # 3425)

DOC ID: 3425



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3426)

DOC ID: 3426



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, December 8, 2015

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	Absent	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School students Reid Williams and Charlotte Stanley.

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.

Minutes Acceptance: Minutes of Dec 8, 2015 6:00 PM (Minutes Approval)

Mayor Pickett commented on the following:

- 1) The recent Country Christmas Event and Parade were a success, and thanked all those that participated,
- 2) The Annual Employee Appreciation and Christmas Dinner will be held on Thursday, December 10th, and
- 3) invited everyone to view the beautiful Christmas scene in the display case at City Hall.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3414)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on current projects to include the following:

- 1) electric infrastructure upgrades are progressing,
- 2) Waste Management will be present on Wednesday to collect the last of the flood debris,
- 3) Texas Water Development Board Sewer Project planning and design is progressing well,
- 4) Texas Water Development Board Water Project planning and design has begun,
- 5) introduced the new municipal flag to represent the City of Liberty, and
- 5) reported on numerous other activities.

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:	Frank Jordan, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson
ABSENT:	Louie Potetz, David Arnold

A. Minutes Approval

1. Tuesday, November 10, 2015

Minutes Acceptance: Minutes of Dec 8, 2015 6:00 PM (Minutes Approval)

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 3415)

Discussion of granting easement and right-of-way usage to Computer Solutions.

COMMENTS - Current Meeting:

Randy Meche, Computer Solutions, addressed Council requesting permission for use of the City's right-of-ways to install fiber optic lines, in order to provide residential Internet service. Mr. Meche explained that he would like to use the City of Liberty as a financial model for fiber, with new products available, fiber has become much more affordable. Mr. Meche further detailed his project, which he would like to begin in the Regency Place and Travis Park Subdivisions. Consensus of the Council was favorable, with details of an agreement for use of the right-of-ways to be written.

2. Council Action 2015-102

Consider proposal award for lawn maintenance of various City properties and the Hwy. 90 median.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on proposals received for lawn maintenance of City property. Mr. Warner stated that there are twenty-three properties, each with requirements specific to each location to include trimming, edging, spraying herbicide, etc. Proposals were received from Noack Locksmith and Flying N Landscaping. After brief discussion of the proposed costs, a motion was made to award the lawn maintenance to Flying N Landscaping.

ATTACHMENTS:

- Lawn Maintenance Agenda Form Dec 8 2015 (DOCX)
- Lawn Maintenance Bid Tab Dec 2015 (DOCX)

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

3. Ordinance 2015-13

Consider an Ordinance amending Article 4.11 of the Code of Ordinances regarding amusement machines.

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, AMENDING ARTICLE 4.11.003, REGARDING TAXES CHARGED FOR AMUSEMENT MACHINES, AND AMENDING ARTICLE 4.11.011, REGARDING THE DISTANCE REQUIREMENTS FOR COIN OPERATED MACHINES; ESTABLISHING AN EFFECTIVE DATE, AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE

Minutes Acceptance: Minutes of Dec 8, 2015 6:00 PM (Minutes Approval)

BE READ ON TWO SEPARATE DAYS."

City Attorney Brandon Davis explained that this ordinance amends certain portions of the original ordinance that were not in accordance with State law. Changes included the fee portion of the ordinance and distance requirements for gaming centers and individual machines. Changes were made to be the maximum fees and requirements allowed by State Law.

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

4. Ordinance 2015-14

Consider adoption of an Ordinance providing for the amendment of the Master Fee Schedules, amending the taxes and fees charged for coin-operated machines and amusement centers.

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 MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; AMENDING THE TAXES AND FEES CHARGED FOR COIN-OPERATED MACHINES AND AMUSEMENT CENTERS; 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."

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

5. Council Action 2015-103

Consider recent electrical issues and future upgrades to the electric system, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz spoke on the current and proposed upgrades to the City's electric infrastructure. Mr. Broz reviewed a handout of funds currently obligated (\$1,137,773.00) to various improvements and proposed funds (\$2,855,142.00) for future project upgrades. After lengthy discussion of the numerous improvements on the proposed priority list, a motion was made to approve obtaining cost estimates in order to let bids for electric distribution upgrades, to be paid for with funds from the Sam Rayburn Municipal Power Agency/Cambridge Project.

Minutes Acceptance: Minutes of Dec 8, 2015 6:00 PM (Minutes Approval)

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

B. Executive Session

Government Code §551.087

Deliberation Regarding Economic Development Negotiation - Boomerang Tube, LLC.

At 7:00 p.m., Mayor Pickett closed the open meeting and convened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:30 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2015-101

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

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 7:31 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Dec 8, 2015 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Utilities

INFORMATION ITEM (ID # 3427)

DOC ID: 3427



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION (ID # 3428)

DOC ID: 3428



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3429)

DOC ID: 3429

CITY OF LIBERTY

City Council
Agenda Item Form

Agenda Item No.
Agenda Wording: Consider and take action regarding hazardous building abatement for property located at 1512 Hwy. 90, also known as the Inn at Liberty.
Department: Building / Inspections
Subject: <u>Hearing to determine if the structure should be ordered repaired, vacated and repaired, or demolished.</u>
Background: <u>In May 2014, the Inn at Liberty was evacuated and closed by the Fire Marshall for numerous health, safety and building violations. The property has been vacant and no major improvements have been undertaken since that time resulting in the continued deterioration of the building. In its current condition the property/buildings does not meet current code and is a danger to the citizens of Liberty. In June of 2014 permits were issued on the subject property to make the following repairs: reroof office and single story buildings 1 and 2. Replace all rotten wood and sheetrock. Repair and replace landings on two story building with 3/4 treated plywood and decking. Paint outside. Bring electrical to code. Install fire extinguishers, exit lights and smoke detectors. Fix all broken windows and glass. Demo pool (punch holes in bottom and fill with dirt. replace locks on doors and repair door jams. fix a/c's to office, change out 30 lavatories and water closets, and check all other plumbing. No work/repairs, to date, have been made, to the knowledge of this department. A courtesy notice went out in August 2015; a 30-day notice being sent out November 16, 2015; a notice of hearing was sent out December 21, 2015; please note that each time a notice is sent it is sent to 9 various parties/individuals having an interest in the subject property. The notices are sent via certified and regular mail making for a total of 18 mailings each time. The property was posted November 16 and December 22, 2015; and a newspaper notice was published December 31, 2015 and January 7, 2016.</u>
Fiscal Impact: <u>Urban blight, being unsightly and unsanitary premises, have a huge fiscal impact on a municipality's growth and visual appeal. With properties and substandard structures, such as the referenced property, being located on any parcel of land within the jurisdiction of the City of Liberty, let alone being on our major thoroughfare is detrimental to the quality of life for our citizens, visitors and businesses. The fiscal impact on these types of properties can be monumental to our community.</u>
Staff Recommendation: <u>With the amount of complaints, substandard conditions and detrimental impact on the surrounding properties it is recommended that the structures (s) be ordered demolished.</u>
Purpose: <u>Deter urban blight and vagrancy; improve health, safety and property values, and listen to the voice of our citizens.</u>

Attachment: Agenda Item Form-Inn at Liberty (3429 : PH-Inn at Liberty)



December 21, 2015

Yuang Ta, Inc **Certified # 7010 0780 0001 8230 6476**

Fong Chun Huang (Registered Agent)
15110 Cedar Ridge Dr.
Houston, TX 77082

New Era Life Insurance Company of the Midwest **Certified # 7010 0780 0001 8230 6483**

11720 Katy Freeway, Suite 1700
Houston, TX 77079

New Era Life Insurance Company of the Midwest **Certified # 7010 0780 0001 8230 6490**

PO Box 4884
Houston, TX 77210

New Era Life Insurance Company of the Midwest **Certified # 7010 0780 0001 8230 6506**

Bill Chen
11720 Katy Freeway, Suite 1700
Houston, TX 77079

New Era Life Insurance Company of the Midwest **Certified # 7010 0780 0001 8230 6513**

Bill Chen
PO Box 4884
Houston, TX 77210

Hanang Fong **Certified # 7010 0780 0001 8230 6520**

15110 Cedar Ridge Dr.
Houston, TX 77082

Norman Jeng **Certified # 7010 0780 0001 8230 6537**

5619 Airline Dr., Unit 4
Houston, TX 77076

Norman Jeng **Certified # 7010 0780 0001 8230 6544**

13039 Market Street Rd.
Houston, TX 77015

Attachment: Inn at Liberty Notice (3429 : PH-Inn at Liberty)

Norman Jeng **Certified # 7010 0780 0001 8230 6551**
 15110 Cedar Ridge Dr.
 Houston, TX 77082

Inn at Liberty **Posted on Property**
 1512 Highway 90
 Liberty, TX 77575

NOTICE OF HEARING

City of Liberty, Liberty County, Texas

You are hereby given notice that a hearing will be held before the Liberty City Council at 6:00 o'clock p.m. on January 12, 2016 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575 to determine if the building located at 1512 Highway 90, Liberty, Texas, 77575, legal description being Liberty Inner Blocks, Block 41, Lot 2, PT 1 3 4, Tract 1-3 ; PID #56127, and is further described in the metes and bounds description attached as Exhibit A; complies with the standards set out in Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

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

Proof and scope of work will be required to be presented at the hearing with a timeline for the proposed work, if applicable. Furthermore, IF an extension is granted by City Council, specific time schedules for the commencement and performance of the work shall be required.

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

Respectfully,

Dawnel Rodgers

Dawnel Rodgers, CFM
 Building Official / Code Enforcement Officer
 City of Liberty

Attachment: Inn at Liberty Notice (3429 : PH-Inn at Liberty)

EXHIBIT A

All that certain lot, tract or parcel of land containing 1.5465 acres or 67,365 square feet, more or less, situated in Lot Nos. One (1), Two (2), Three (3) and Four (4), Inner Block No. 41 in the CITY OF LIBERTY, Liberty County, Texas, as shown on the Map or Plat recorded in Vol. 1, Page 137 of the Map Records of Liberty County, Texas, said tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike at the point of intersection of the South right of way line of Old U.S. Highway 90 (now called Commerce Street) and the East boundary line of said Lot No. Two (2);

THENCE South along the said East boundary line of said Lot No. Two (2) and continuing South along the East boundary line of said Lot No. Three (3), a distance of 248.89 feet (called 248.83 feet) to the point of intersection of said East boundary line of said Lot No. Three (3) and the North boundary line of the present U.S. Highway 90 for the Southeast corner of the tract of land hereby described (survey found a 3" brass disc Highway right of way marker);

THENCE West along the North boundary line of the present U.S. Highway 90 a distance of 271.39 feet to a point (survey set a P.K. nail) for the Southwest corner of the tract hereby described, same being the Southwest corner of that certain tract of land described in Deed dated October 15, 1963, from Sidney Pickett et al to Del Rey Motels, Inc. recorded in Vol. 560, Page 185 of the Deed Records of Liberty County, Texas, and same being the Northwest corner of that certain tract of land described in Deed dated February 11, 1961, from Del Rey Motels, Inc. to the State of Texas, recorded in Vol. 524, Page 132 of the Deed Records of Liberty County, Texas;

THENCE North parallel to the West line of said Lot Nos. Four (4) and One (1), a distance of 133.21 feet to a point for corner;

THENCE East along a line parallel to the North line of said Lot No. Four (4) a distance of 13 feet to a point for corner (survey set a ½" iron rod);

THENCE North parallel with the West boundary line of said Lot Nos. Four (4) and One (1) a distance of 125.99 feet to the point of intersection of the South boundary line of Old U.S. Highway 90 (now called Commerce Street) (survey set a P.K. nail), same being the Northwest corner of that certain tract of land described in Deed dated October 27, 1958, from Sidney Pickett et al to Del Rey Motels, Inc., recorded in Vol. 489, Page 403 of the Deed Records of Liberty County, Texas;

THENCE South 87° 41' 00" East along the South right of way line of Old U.S. Highway 90 (now called Commerce Street) a distance of 133.50 feet to an iron pin (not found, survey set a "X" cut) marking the Northwest corner of that certain tract of land described dated March 27,



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Abatements

COUNCIL ACTION (ID # 3430)

DOC ID: 3430



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION (ID # 3436)

DOC ID: 3436

Item	Quantity	TEC	KBS	Unit Price T&R	Solomon	TEC	KBS	Extended Price T&R	Solomon
75 kVaA 120/240	10	1502.00	1554.00	895.00	1010.00	15020.00	15540.00	8950.00	10100.00
75 kVA 240/480	4	1367.00	1396.00	1000.00	1075.00	5468.00	5584.00	4000.00	4300.00
100 kVA 120/240	3	1846.00	1885.00	1210.00	1180.00	5538.00	5655.00	3630.00	3540.00
100 kVA 277/480	1	1617.00	1652.00	1450.00	1240.00	1617.00	1652.00	1450.00	1240.00
100 kVA 240/480	2	1687.00	1723.00	1450.00	1240.00	3374.00	3446.00	2900.00	2480.00
167 kVA 240/480	2	2468.00	2521.00	1895.00	1850.00	4936.00	5042.00	3790.00	3700.00
167 kVA 277/480	2	2536.00	2591.00	1895.00	1850.00	5072.00	5182.00	3790.00	3700.00
250 kVA 240/480	2	3543.00	3619.00	2650.00	2475.00	7086.00	7238.00	5300.00	4950.00
250 kVA 277/480	1	3631.00	3709.00	2650.00	2475.00	3631.00	3709.00	2650.00	2475.00
		20197.00	20,650.00	15,095.00	14,395.00	51,742.00	53,048.00	36,460.00	36,485.00

Item	Quantity	TEC	KBS	Unit Price T&R	Solomon	TEC	KBS	Extended Price T&R	Solomon
75 kVaA 120/240	10			895.00				8950.00	0.00
75 kVA 240/480	4			1000.00				4000.00	0.00
100 kVA 120/240	3				1180.00			0.00	3540.00
100 kVA 277/480	1				1240.00			0.00	1240.00
100 kVA 240/480	2				1240.00			0.00	2480.00
167 kVA 240/480	2				1850.00			0.00	3700.00
167 kVA 277/480	2				1850.00			0.00	3700.00
250 kVA 240/480	2				2475.00			0.00	4950.00
250 kVA 277/480	1				2475.00			0.00	2475.00
			-	1,895.00	12,310.00		-	12,950.00	22,085.00

F&R low bid on Item 1 & 2

Solomon low bid on Item 3-9

Attachment: Transformer Bids (3436 : Electric Transformers)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 3431)

DOC ID: 3431



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3432)

DOC ID: 3432



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Surplus Equipment

COUNCIL ACTION (ID # 3433)

DOC ID: 3433



LEMONS AUCTIONEERS dba ONLINE PROS
DESCRIPTION WORKSHEET



7.A.8.a

Lot #	Item	Qty.	Condition (Good, Fair, Poor, Unknown)	Additional Information	
1	2TON PLATE STEEL LIFTING BLOCK	1	NEW		
2	CRAFTSMAN 4" X 36" BELT SANDER 6" DISK SANDER	1			
3	TRAILER MOUNTED BBQ PIT	1	FAIR	TIRES ARE FLAT	
4	BLACK MAX AIR COMPRESSOR/MAGNA TECH AC MOTOR	1	FAIR	115V 27 GALLON 5HP 8.2 CFM @ 40 PSI / 5.6 CFM @ 90 PSI	
5	(1) GAS ENGINE STAND AND (1) PIPE JACK	1			
6	110 VOLT SPEEDAIRE PORTABLE 1HP AIR COMPRESSOR	1			
7	CRAFTSMAN, DUOFAST AND SENCO NAIL GUNS	3			
8	DEWALT 8" BENCH GRINDER	1			
9	BLACK & DECKER AND CRAFTSMAN ELECTRIC SANDERS	4			
10	SKILL AND BLACK & DECKER ELECTRIC DRILLS	3			
11	1000 gallon diesel tank with 50 gallon day tank	1		pump does not work	
12	PORTER CABLE AND MAKITA WOOD ROUTERS	2			
13	AUTOMOTIVE AIR PAINT GUNS	2			
14	BLACK & DECKER SKILL SAW	1			
15	TWO AIR COMPRESSORS	2	ONE CRAFTSMAN, ONE CAMPBELL, BOTH 20 GALLONS, FOR PARTS		
16	SKILL, BLACK & DECKER AND CRAFTSMAN JIG SAWS	3			
17	TWO WATER COOLERS	2			
18	JOHN DEERE ZERO TURN MOWER	1	POOR		
19	DITCH WITCH WITH HONDA MOTOR	1	POOR	DOES NOT WORK	
20	10,000 GALLON FUEL TANK	1		AT AIRPORT	
21	GARLAND ELECTRIC STOVE	1	GOOD	6 BURNER, DOES WORK	
22	WIRE TRAILER	1			
23	WIRE TRAILER	1			
24	GENERATOR	1			
25					

Attachment: Auction List (3433 : Surplus Property)

OLD VEST INVENTORY				
VEST BRAND	DIVISION	SERIAL NUMBER	YEARS OF SERVICE	CARRIER COLOR
PACA	PATROL	# 014630 / 014699	FIVE YEARS	BLACK
PACA	PATROL	# 012073	FIVE YEARS	WHITE
PACA	PATROL	# 013079	FIVE YEARS	BLACK
PACA	PATROL	# 014667	FIVE YEARS	BLACK
PACA	PATROL	# 586440	SIX YEARS	BLACK
PACA	PATROL	# 521887 / 521888	EIGHT YEARS	NO CARRIER
PACA	PATROL	# 012074	FIVE YEARS	BLACK
PACA	PATROL	# 012067	FIVE YEARS	NO CARRIER
PACA	PATROL	# 012068	FIVE YEARS	NO CARRIER
HALO	PATROL	# 1405018716	FIVE YEARS	BLUE
PACA	PATROL	# 110000162449 / 110000162445	FOUR YEARS	BLACK
PACA	PATROL	# 015142	FOUR YEARS	BLACK
PACA	PATROL	# 028424	FOUR YEARS	BLUE
PACA	PATROL	# 529625	FIVE YEARS	BLACK
PACA	PATROL	# 012084	FIVE YEARS	BLACK
PACA	PATROL	# 024034	FOUR YEARS	BLUE
PACA	PATROL	# 012070	FIVE YEARS	BLACK
PACA	PATROL	# 012071	FOUR YEARS	BLACK
PACA	PATROL	# 014633	FIVE YEARS	BLACK
HALO	PATROL	# 1410071707	ONE YEAR	BLUE
POINT BLANK	PATROL	# 110000109598 / 110000109590	FOUR YEARS	NO CARRIER
POINT BLANK	PATROL	# 110000109591 / 110000109599	FIVE YEARS	BLACK
PACA	PATROL	# 012422	FIVE YEARS	BLACK
PACA	PATROL	# 012397	FIVE YEARS	BLACK
TOTAL VEST COUNT:	24			
LOCATION:	STORAGE ROOM			
DATE:	1/8/2016	CREATED BY:	SGT. J DAVILA #105	

Attachment: PD Vest List (3433 : Surplus Property)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Electric Issues

ORDINANCE (ID # 3434)

DOC ID: 3434 A

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 2016; PROVIDING 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, Entergy Texas, Inc.'s ("ETI") implementation of customer choice has ceased due to Senate Bill 1492 and ETI will continue to be regulated under traditional cost-of-service regulation;

WHEREAS, changes to the Public Utility Regulatory Act addressing rates and rate proceedings will have a direct impact on ETI and customer bills during 2016 and into the future;

WHEREAS, ETI is scheduled to litigate requests in various proceedings before the Public Utility Commission of Texas, before municipalities, or before the Federal Energy Regulatory Commission in 2016 related to ETI's continued integration with the Midwest Independent System Operator ("MISO"), ETI's continuing efforts to exit the Entergy System Agreement (which exit has now been approved by all retail regulatory authorities and the FERC) to be effective August 31, 2016, various fuel cost refunds or surcharges and reconciliations, capacity cost surcharges and reconciliations; and for any type of base rate proceedings (such as a new base rate increase request, transmission cost recovery rider, a distribution cost recovery rider, energy efficiency cost recovery factor, hurricane restoration cost or offset true-ups, or a purchased power capacity cost recovery rider) or cost adjustments;

WHEREAS, ETI is scheduled to file fuel factor proceedings at the Public Utility Commission in February and August 2016, and file other fuel proceedings during 2016 to reconcile fuel, to refund or surcharge fuel charges, and to change the fuel mechanism, along with various surcharge requests impacting rates;

WHEREAS, ETI is expected to file a proceeding for a rate change and fuel change during 2016 to recover costs associated with new capacity purchases;

WHEREAS, ETI is scheduled to file a proceeding to recover costs incurred in association with its Energy Efficiency Plan as well as reconcile past costs;

WHEREAS, Cities have the statutory right to set fair and reasonable rates for both the Company and customers within Cities;

WHEREAS, Cities have exclusive original jurisdiction over rates, operations, and services of an electric utility in areas in the municipality pursuant to *Tex. Util. Code* § 33.001;

WHEREAS, Cities have standing in each case before the Public Utility Commission of Texas that relates to an electric utility providing service in the municipality pursuant to *Tex. Util. Code* § 33.025, and standing before each Federal Energy Regulatory Commission case in which the City may be affected pursuant to 18 *C.F.R.* § 385.214;

WHEREAS, Cities are entitled to reimbursement by the utility of their reasonable rate case expenses to participate in cases that are deemed rate proceedings pursuant to *Tex. Util. Code* § 33.023.

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

SECTION 1. The City of Liberty shall participate with other Cities to intervene in ETI's various rate filings related to the various fuel cost surcharges and reconciliations, capacity cost surcharges and reconciliations, the allocation and refund of rough production cost equalization payments, any interim or incremental surcharge proceedings or surcharge adjustments, and for any base rate adjustment proceedings or cost of service adjustments on file with the Public Utility Commission of Texas or with municipalities in 2016 and seek appropriate regulatory scrutiny in any case on file at the Federal Energy Regulatory Commission affecting the City and its residents.

The City of Liberty shall participate with other Cities to intervene in fuel or fuel related proceedings at the Public Utility Commission and the Federal Energy Regulatory Commission on file in 2016 concerning ETI's rates charged to Texas customers.

All such actions shall be taken pursuant to the direction of the Cities' Steering Committee. Cities' Steering Committee shall have authority to retain rate consultants and lawyers. Cities' Steering Committee shall direct the actions of Cities' representatives in the above proceedings. The Steering Committee is directed to obtain reimbursement from ETI of all reasonable expenses associated with participation in said proceedings.

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 separate days is hereby dispensed with.

SECTION 3.. This Ordinance shall be effective from and after the date of its passage.

PASSED by _____ vote of the City Council of the City of Liberty, Texas, this 12th day of January, 2016.

THE CITY OF LIBERTY, TEXAS

Ordinance (ID # 3434)
Page 3

City Council Meeting

January 12, 2016

By: _____
Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

APPROVED AS TO FORM:

Brandon Davis, City Attorney



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3438)

DOC ID: 3438 A

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT AND LICENSE TO ENCROACH UPON A PUBLIC RIGHT-OF-WAY WITH INTERNET MANAGEMENT SERVICES, INC. FOR THE INSTALLATION OF FIBER INTERNET CABLES.

WHEREAS, CITY has a public right of way, which includes the installation of utilities, on property located in the Regency Place Subdivision;

WHEREAS, Internet Management Services, Inc. wishes to install and operate fiber internet within the City's right-of-way in the Regency Place Subdivision;

WHEREAS, Internet Management Services, Inc. shall pay a yearly fee to the City for the right to use the City's rights-of-way.

WHEREAS, the installation of fiber internet will help the citizens of Liberty by allowing them access to faster and more reliable internet feeds.

NOW, THEREFORE, BE IT RESOLVED that the City's Mayor shall be authorized to sign the agreement and license to encroach upon a public right-of-way with Internet Management Services, Inc. attached hereto as Exhibit 1 on behalf of the City of Liberty.

PASSED AND APPROVED this ____ day of January, 2016.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

EXHIBIT 1

**AGREEMENT AND LICENSE TO ENCROACH
UPON A PUBLIC RIGHT-OF-WAY**

THIS AGREEMENT entered into this _____ day of January, 2016, between the CITY OF LIBERTY, TEXAS, a home-rule municipality of the State of Texas ("City"), and Internet Management Services, Inc. ("LICENSEE").

WHEREAS, CITY has a public right of way, which includes the installation of utilities, on property located in the Regency Place Subdivision, and being further described in the map attached as Exhibit A;

WHEREAS, LICENSEE wishes to install and operate fiber internet within the City's right-of-way in the Regency Place Subdivision;

WHEREAS, the installation of fiber internet will help the citizens of Liberty by allowing them access to faster and more reliable internet feeds.

NOW, THEREFORE, in consideration of the terms and conditions herein, the parties agree as follows:

1. LICENSEE acknowledges that the City has a public right-of-way in the Regency Place Subdivision and that the requested license is to install fiber internet cable within that said City right-of-way.
2. City hereby grants to LICENSEE, a revocable license to encroach upon the Regency Place Subdivision right-of-way described in Exhibit A for the sole purpose of installing, maintaining, and operating fiber internet thereon in accordance with plans and specifications to be approved in writing by the City of Liberty's City Manager or his designee.
3. Satisfactory maintenance of said fiber internet cable shall be the responsibility of LICENSEE, at its expense and LICENSEE shall leave the property in the same condition in which it was found. LICENSEE shall be responsible for repairing any damage to property.
4. LICENSEE agrees to pay a yearly fee of \$150 due by January 31st of each year to the City of Liberty for the license to encroach for each of the first five (5) years of this agreement. After the expiration of five (5) years this agreement shall be automatically renewable on one (1) year terms unless either party gives the other thirty (30) days written notice of its desire to cancel or renegotiate the terms of the agreement.
5. City specifically reserves the right to revoke the license granted LICENSEE herein. Said right of revocation may be exercised by City in its absolute discretion for any

reason whatever. LICENSEE agrees that City may exercise said right of revocation for any reason.

6. In the event City invokes its right of revocation, said revocation shall become effective sixty (60) days after written notification of revocation is mailed to LICENSEE. Within said sixty (60) day period LICENSEE shall, at its own expense, remove said fiber cable from the Regency Place Subdivision rights-of-way and restore said rights-of-way as a City road consistent with the condition of said road adjacent thereto. If LICENSEE fails to remove the fiber cable within such time, City may remove it and all reasonable costs incurred by City shall be charged to LICENSEE.
7. LICENSEE agrees to indemnify and hold City harmless from any and all claims for injury, death, loss or damages arising from the installation, maintenance, operation or placement of the fiber internet cable owned by LICENSEE and governed by this agreement.
8. The license granted LICENSEE herein shall not be permitted to extend to successors in interest of LICENSEE, without first obtaining prior approval from the CITY. Said approval shall not be unreasonably withheld.
9. Should any terms of this agreement violate state or federal law, then said terms shall be considered removed from the agreement. In the event that state or federal law requires the City to charge a different rate for this usage then this agreement shall be renegotiated by the parties in order to abide by said laws.
10. This written agreement constitutes the entire agreement between the parties and may be amended only by written agreement properly executed by the parties. No verbal instructions, understandings, etc., nor letter or documents signed by one of the parties shall be permitted to operate as an amendment to this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement and License on the date first above written.

CITY OF LIBERTY

By: _____
Carl Pickett, Mayor

LICENSEE

By: _____
Randy Meche
Internet Management Services, Inc.

STATE OF TEXAS §
COUNTY OF LIBERTY §

On this _____ day of _____, 2016, personally appeared before me Carl Pickett, who being sworn, did say that he is the Mayor of the City of Liberty, and that the foregoing instrument was signed on behalf of the CITY OF LIBERTY, by authority of law.

NOTARY PUBLIC

My Commission Expires:

STATE OF TEXAS §
COUNTY OF LIBERTY §

On this _____ day of _____, 2016, personally appeared before me and was signed by Randy Meche on behalf of Internet Management Services, Inc.

NOTARY PUBLIC

My Commission Expires:

Regency (P)

Map
of
Regency Place

GEORGE ORR LEAGUE A-91

REGENCY PLACE

subdivision of 26.49 acres out of 87 ac tr
road acreage 4.23 acs

net acreage 22.26 acs

owners: D.H.Locke and Greg E. Fourticq,Jr. managing partners of Fourlock Development

.61 lots

aerial easements

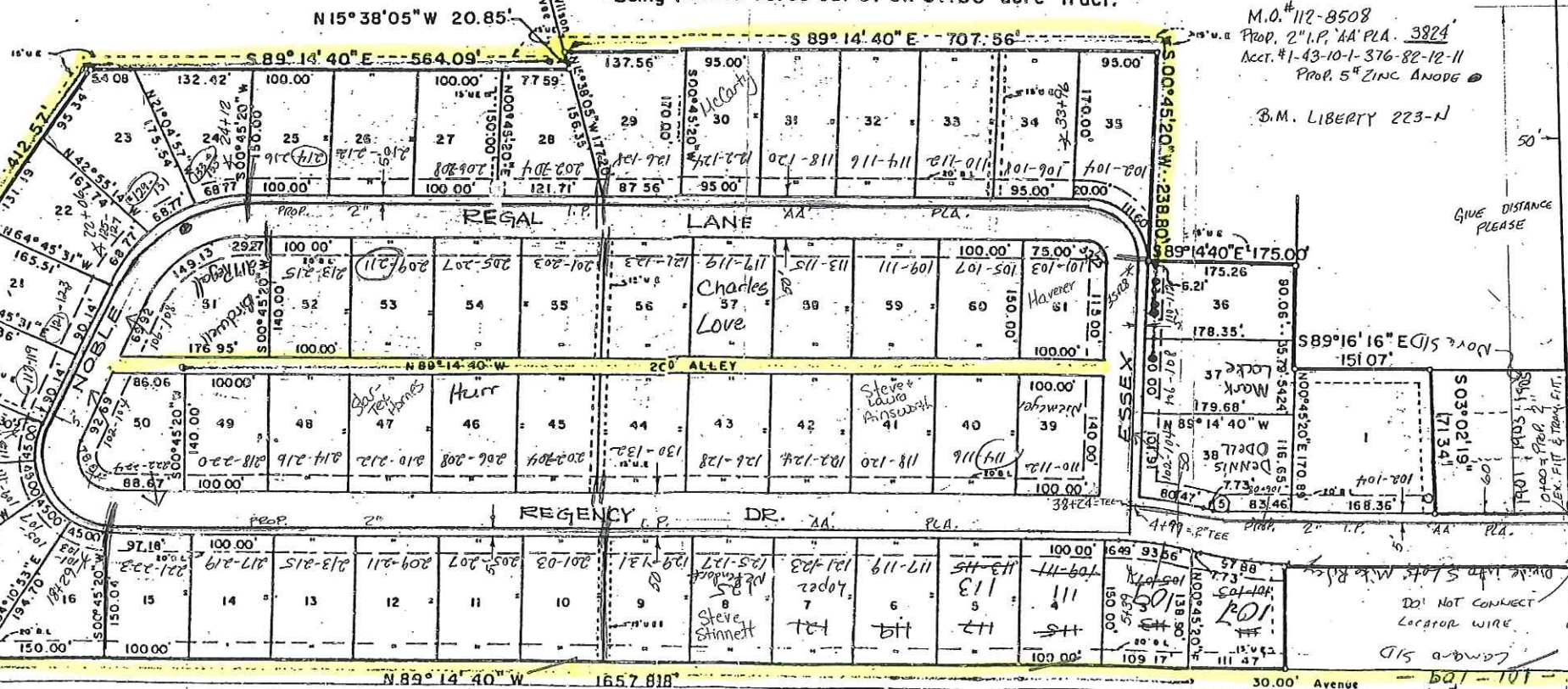
20 ft building line on all lots

15 ft utility easement on Lots 9,10,19,20,27,28,33,34,44,45,55 & 56

Reginald Wilson, Agent - lien holder subordinates lien to this map

GEORGE ORR LEAGUE ABSTRACT

- Being 126.49 acres out of an 87.00 acre tract.



M.O.# 112-8508

Prop. 2" I.P. 'A.A' PLA. 3824

Acc. # 1-43-10-1-376-82-12-11

PROP. 5th ZINC ANODE

B.M. LIBERTY 223-N

GIVE DISTANCE
PLEASE

DO NOT CONNECT
LOCATOR WIRE

7/5 9-10-17



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 01/12/16 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3435)

DOC ID: 3435