



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 9, 2017

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 Louie Potetz	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	
Councilperson Paul Glazener	☐	☐	☐	

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 # 3773)

Project Updates - City Mgr. G. Broz

B. Information Item (ID # 3774)

Recycling Report - Councilperson Huddleston

C. Information Item (ID # 3775)

SRMPA Report - Mayor Pickett

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 11, 2017

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 3776)

Oath of Office to be administered to newly elected Council Members - Judge Little

2. Council Action (ID # 3777)

Council to elect a Mayor Pro Tem.

3. Resolution (ID # 3793)

Consider a Resolution declaring the intention of the City of Liberty, Texas, to annex certain territory described as .8 square miles beginning at the Southeast corner of the Baylor University Tract recorded in the Official Public Records, Liberty County, Texas having coordinates of N:9988894.72, E:40153081.60; but excluding the Baylor University Tract recorded in Volume 1041 Page 584; setting the dates, times, and places for two public hearings at which all interested parties shall have an opportunity to be heard; providing for publication of notices of such public hearings; and directing preparation of a Municipal Service Plan for the territory proposed to be annexed.

- Exhibit A - Phase IVa (PDF)

4. Public Hearing (ID # 3778)

Public Hearing on the condemnation of the structure located at 404 Texas.

- Agenda Form-404 Texas (DOCX)
- 404 Texas Info (PDF)

5. Council Action (ID # 3779)

Consider an Order of Abatement for the structure located at 404 Texas.

6. Public Hearing (ID # 3780)

Public Hearing on the condemnation of the structure located at 3020 Grand.

- Agenda Form-3020 Grand (DOCX)
- 3020 Grand Info (PDF)
- 3020 Grand-Final Pic (PDF)

7. Council Action (ID # 3781)

Consider an Order of Abatement for the structure located at 3020 Grand.

8. Resolution (ID # 3782)

Consider a Resolution supporting the Texas Department of Transportation Alternatives Set-Aside Program.

9. Resolution (ID # 3783)

Consider a Resolution in support of a proposal by Entergy Texas, Inc. regarding the application of Entergy Texas Inc. to amend its Certificate of Convenience and Necessity to construct Montgomery County Power Station in Montgomery County in Public Utility Commission of Texas Docket No. 464146

10. Ordinance (ID # 3784)

Consider adoption of an Ordinance of the City of Liberty, Texas suspending the rates proposed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") Company's Gas Reliability Infrastructure Program ("Grip") filing made with the City on March 30, 2017; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject, declaring 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.

11. Council Action (ID # 3785)

Consider award of bid for a patrol vehicle for the Liberty Police Department.

12. Council Action (ID # 3786)

Consider award of bid for the Wastewater Treatment Plant Blower purchase.

- Agenda Form-Blower Purchase Bids (DOCX)
- Bid Tab-Blower Purchase (PDF)

13. Council Action (ID # 3787)

Consider award of bid for the Wastewater Treatment Plant Blower Installation.

- Agenda Form-Blower Installation (DOCX)
- Bid Tab-Blower Installation (PDF)

14. Council Action (ID # 3792)

Consider a Right-of-Way Use Agreement for the east side of Milam Street, south of Hwy. 90.

- Agenda Form- ROW Agreement (DOCX)
- ROW Agreement Pic (PDF)

15. Council Action (ID # 3790)

Consider appointments to the Liberty Community Development Corporation.

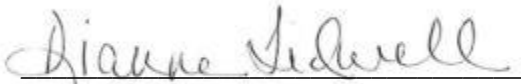
16. Council Action (ID # 3791)

Consider appointments to the Planning & Zoning Commission.

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 5th day of May,

2017 at 4:00 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 _____, 2017.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3773)

DOC ID: 3773



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3774)

DOC ID: 3774



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3775)

DOC ID: 3775



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 11, 2017

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	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

Missionary Elders Stein Paulsen and Sam Stringfellow, from the Church of Jesus Christ of Latter Day Saints were present and Elder Paulsen gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Pledge to the American flag was led by Elder Stringfellow and the Pledge to the Texas flag was led by Fire Chief Brian Hurst.

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.

Brandon Davis thanked the City and the Liberty Community Development Corporation for their support and funding of the LISD Education Foundation, Liberty Freedom Ride 2017.

Minutes Acceptance: Minutes of Apr 11, 2017 6:00 PM (Minutes Approval)

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3745)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed and updated the Council on various City projects and activities.

B. Information Item (ID # 3746)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next Shred-It and E-cycling Event would be held on Saturday, May 6, from 9 a.m. until Noon; taking place in the parking lot on the west side of the City Hall Administration Building.

C. Information Item (ID # 3747)

Planning & Zoning Commission Appointments - City Sec. D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Planning & Zoning Commission will be made at the May 6th Council Meeting. Ms. Tidwell reviewed member requirements and stated that those members whose terms expire are Shelli Ellerbe and Mark Campbell.

D. Information Item (ID # 3748)

Liberty Community Development Corporation Appointments - City Sec. D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Liberty Community Development Corporation will be made at the May 6th Council Meeting. Ms. Tidwell reviewed member requirements and stated that those members whose terms expire are David Arnold, Leslie Herndon, Mike McCarty and Mark Campbell.

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:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

A. Minutes Approval

1. Tuesday, March 14, 2017

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2017-16

Consider approval of a bid for Tax Resale Property described as Liberty Inner Blocks, Block 205, Lot PT 1 TR 1 (801 Washington).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on tax resale property located at 801 Washington. An offer of \$13,000.00 has been made, with total taxes owed to all taxing entities in the amount of \$23,851.88. If the bid is accepted, \$5,161.55 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of \$13,000.00 for the tax resale property described as Liberty Inner Blocks, Block 205, Lot PT 1 TR1.

ATTACHMENTS:

- Tax Property Info 801 Washington (PDF)
- IMG_1125 (JPG)
- IMG_1126 (JPG)
- IMG_1127 (JPG)
- IMG_1128 (JPG)

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

2. Council Action 2017-17

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements for Lots 4 and PT 5, Block 6, Cain Addition (1011 Milam Parcel 1).

COMMENTS - Current Meeting:

Public Works Director Tom Warner explained that the property owner desires to construct five Garden Apartments on property located at 1011 Milam Street (Lots 4 and PT 5, Block 6, Cain Addition). Subdivision regulations require the *corner lot* on townhouses or Garden Apartments

to be 35 feet wide and 100 feet deep, with this corner lot falling short at 34.62 ft. wide and 98.34 feet deep. The required setbacks will be maintained. After lengthy discussion, a motion was made to grant the variance request to the width and depth of 1011 Milam, *Parcel 1*, subject to the garden homes being constructed or the variance is revoked.

ATTACHMENTS:

- Agenda Form 1011 Milam Parcel 1 (DOCX)
- Variance Info - 1011 Milam (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

3. Council Action 2017-18

Consider a variance to Section 10.02.122 Table 5, Minimum Lot requirements for Lots 4 and PT 5, Block 6, Cain Addition (1011 Milam Parcel 2).

COMMENTS - Current Meeting:

Public Works Director Tom Warner explained that the property owner desires to construct five Garden Apartments on property located at 1011 Milam Street (Lots 4 and PT 5, Block 6, Cain Addition). Subdivision regulations require *lots* on townhouses or Garden Apartments to be 20 feet wide and 100 feet deep, with this lot falling short on the depth at 98.34 feet deep. The required setbacks will be maintained. After lengthy discussion, a motion was made to grant the requested variance to the depth of 1011 Milam Street, *Parcel 2*, subject to the garden homes being constructed or the variance is revoked.

ATTACHMENTS:

- Agenda Form 1011 Milam Parcel 2 (DOCX)
- Variance Info - 1011 Milam (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

4. Council Action 2017-19

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements for Lots 4 and PT 5, Block 6, Cain Addition (1011 Milam Parcel 3).

COMMENTS - Current Meeting:

Public Works Director Tom Warner explained that the property owner desires to construct five Garden Apartments on property located at 1011 Milam Street (Lots 4 and PT 5, Block 6, Cain Addition). Subdivision regulations require *lots* on townhouses or Garden Apartments to be 20 feet wide and 100 feet deep, with this lot falling short on the depth at 98.34 feet deep. The required setbacks will be maintained. After lengthy discussion, a motion was made to grant the variance request to the depth of 1011 Milam Street, *Parcel 3*, subject to the garden homes being constructed or the variance is revoked.

ATTACHMENTS:

- Agenda Form 1011 Milam Parcel 3 (DOCX)
- Variance Info - 1011 Milam (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

5. Council Action 2017-21

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements for Lots 4 and PT 5, Block 6, Cain Addition (1011 Milam Parcel 4).

COMMENTS - Current Meeting:

Public Works Director Tom Warner explained that the property owner desires to construct five Garden Apartments on property located at 1011 Milam Street (Lots 4 and PT 5, Block 6, Cain Addition). Subdivision regulations require *lots* on townhouses or Garden Apartments to be 20 feet wide and 100 feet deep, with this lot falling short on the depth at 98.34 feet deep. The required setbacks will be maintained. After lengthy discussion, a motion was made to grant the variance request to the depth of 1011 Milam Street, *Parcel 4*, subject to the garden homes being constructed or the variance is revoked.

ATTACHMENTS:

- Agenda Form 1011 Milam Parcel 4 (DOCX)
- Variance Info - 1011 Milam (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

6. Council Action 2017-20

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements for Lots 4 and PT 5, Block 6, Cain Addition (1011 Milam Parcel 5).

COMMENTS - Current Meeting:

Public Works Director Tom Warner explained that the property owner desires to construct five Garden Apartments on property located at 1011 Milam Street (Lots 4 and PT 5, Block 6, Cain Addition). Subdivision regulations require the *interior end lot* on townhouses or Garden Apartments to be 25 feet wide and 100 feet deep, with this interior end lot falling short on the depth at 98.34 feet deep. The required setbacks will be maintained. After lengthy discussion, a motion was made to grant the variance request to the depth of 1011 Milam Street, *Parcel 5*, subject to the garden homes being constructed or the variance is revoked.

ATTACHMENTS:

- Agenda form 1011 Milam Parcel 5 (DOCX)
- Variance Info - 1011 Milam (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

7. Public Hearing (ID # 3755)

Public Hearing on the condemnation of the structure located at 611 Palmer Street.

COMMENTS - Current Meeting:

At 6:35 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 611 Palmer Street. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure and whether or not the property constituted a public nuisance. The property was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 6:41 p.m.

ATTACHMENTS:

- Agenda Form - 611 Palmer (DOCX)
- PH Info - 611 Palmer (PDF)

8. Council Action 2017-22

Consider an Order of Abatement for the structure located at 611 Palmer Street.

COMMENTS - Current Meeting:

A motion was made that this structure is found to be a public nuisance and to approve the Order of Abatement for the structure located at 611 Palmer Street.

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

9. Public Hearing (ID # 3757)

Public Hearing on the condemnation of the structure located at 608 Garrett Street.

COMMENTS - Current Meeting:

At 6:43 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 608 Garrett. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure and whether or not the property constituted a public nuisance. The property was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 6:50 p.m.

ATTACHMENTS:

- Agenda Form - 608 Garrett (DOCX)
- PH Info - 608 Garrett (PDF)

10. Council Action 2017-23

Consider an Order of Abatement for the structure located at 608 Garrett Street.

COMMENTS - Current Meeting:

After brief discussion regarding the condition of the structure located at 608 Garrett Street, a motion was made to allow the property owner 90 days to repair the structure, or the City is authorized to secure the demolition.

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

11. Public Hearing (ID # 3759)

Public Hearing on the condemnation of the structure located at 503 Franklin Street.

COMMENTS - Current Meeting:

This agenda item was passed on.

ATTACHMENTS:

- Agenda Form - 503 Franklin (DOCX)
- PH Info - 503 Franklin (PDF)
- 503 Franklin-Complete (JPG)

12. Council Action 2017-24

Consider an Order of Abatement for the structure located at 503 Franklin Street.

RESULT: NO ACTION TAKEN

13. Council Action 2017-27

Consider approval of an Agreement between the City and Water Control Improvement District #5 for the maintenance and operation of Main "A" and Main "B" pump stations.

COMMENTS - Current Meeting:

Brief discussion was held regarding the terms of the contract regarding the duties and responsibilities of each entity. A motion was made to approve the agreement between the City and Liberty County Water Improvement District #5 for the maintenance and operation of storm water pumping facilities located at Main "A" (Travis Park) and Main "B" (Bowie St.).

ATTACHMENTS:

- WCID Agreement (PDF)

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

14. Council Action 2017-28

Consider designation certain vehicles and equipment as surplus property, and take any action deemed necessary.

COMMENTS - Current Meeting:

A motion was made to approve certain designated equipment and vehicles as surplus property, to be sold in an online auction.

ATTACHMENTS:

- Surplus Property List (PDF)

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

B. Executive Session

1. Government Code 551.074 - Personnel Matters - Police Department
2. Government Code 551.072 - Deliberation Regarding Real Property - Easements

At 7:16 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:05 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2017-25

Consider and take action, if any, on personnel matters regarding the Police Department.

RESULT:	NO ACTION TAKEN
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2. Council Action 2017-26

Consider and take action, if any, on the deliberation regarding real property-easements.

COMMENTS - Current Meeting:

A motion was made to move forward to pursue the described easements as discussed in the Executive Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:07 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 11, 2017 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Oaths

INFORMATION ITEM (ID # 3776)

DOC ID: 3776



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Election Issues

COUNCIL ACTION (ID # 3777)

DOC ID: 3777



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Annexation Issues

RESOLUTION (ID # 3793)

DOC ID: 3793 A

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF LIBERTY, TEXAS, TO ANNEX CERTAIN TERRITORY DESCRIBED AS .8 SQUARE MILES BEGINNING AT SOUTHEAST CORNER OF THE BAYLOR UNIVERSITY TRACT RECORDED IN THE OFFICIAL PUBLIC RECORDS, LIBERTY COUNTY, TEXAS HAVING COORDINATES OF N:9988894.72, E:40153081.60; BUT EXCLUDING THE BAYLOR UNIVERSITY TRACT RECORDED IN VOLUME 1041 PAGE 584; SETTING THE DATES, TIMES, AND PLACES FOR TWO PUBLIC HEARINGS AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICES OF SUCH PUBLIC HEARINGS; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED.

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

Section 1. The City Council of the City of Liberty, Texas (the "City") hereby declares its intention to annex to the City the territory described in **Exhibit "A"** attached hereto and made a part hereof, by the passage of an ordinance of annexation extending the general corporate limits of the City for all purposes to include such territory.

Section 2. The City Council of the City hereby calls two public hearings at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. The first public hearing shall be held in the City Council Chambers, located at 1829 Sam Houston, Liberty, Texas, 77575 at 6:00 p.m. on Tuesday, June 13, 2017, and the second public hearing shall be held in the City Council Chambers, located at 1829 Sam Houston, Liberty, Texas, 77575 at 12:00 pm on Tuesday, June 20, 2017. The annexation proceeding, of which notice of intention to

annex is given by this Resolution, shall be instituted not less than twenty (20) days nor more than forty (40) days subsequent to such public hearings.

Section 3. City Staff is hereby directed to cause notices of such public hearings to be given by publication in a newspaper having general circulation within the City and within the territory proposed to be annexed, the publication of notice of each public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

Section 4. City Staff is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearings called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the Texas Local Government Code.

PASSED AND APPROVED in Liberty, Texas this 9th day of May, 2017.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

EXHIBIT "A"

METES AND BOUNDS OF TERRITORY TO BE ANNEXED

EXHIBIT "A"
2016 ANNEXATION TRACT 4a

Field Note Description for approximately .8 square miles for annexation to incorporation of the City of Liberty

BEGINNING at the Southeast corner of 2016 Annexation Tract 3, same point being in the Baylor University tract as recorded in Volume 1041 Page 584, Deed Records, Liberty County, Texas having coordinates of N:9988894.72, E:4053081.60;

THENCE SOUTHERLY over and across the Baylor University tract recorded in Volume 1041 Page 584 to a point being in North line of the Baylor University tract referred to as Tract 1 as recorded in Volume 940 Page 662, Deed Records, Liberty County, Texas having coordinates of N:9988166.54, E:4053142.91, said point also being in the common line of the Joseph Dunman League, Abstract No. 32 and the Samuel Neatherly Survey, Abstract No. 325;

THENCE SOUTHERLY over and across the Baylor University Tract 1 to a point for corner having coordinates of N:9987522.97, E:4053381.18;

THENCE EASTERLY continuing over and across the Baylor University Tract 1 to a point being in the West line of the William Martin Daniel Trust tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9987686.65, E:4057017.54;

THENCE NORTHERLY along and with the common line of the Baylor University Tract 1 and the William Martin Daniel Trust tract to a point for the Northwest corner of the William Martin Daniel Trust tract having coordinates of N:9988489.76, E:4056981.39;

THENCE EASTERLY along and with the North line of the William Martin Daniel Trust tract, the same being the common line of the Joseph Dunman League, Abstract No. 32 and the Samuel Neatherly Survey, Abstract No. 325, to a point for the Northeast corner of the William Martin Daniel Trust tract having coordinates of N:9988527.46, E:4057429.09, said corner also being the Northwest corner the Joe Ann Root et al tract as recorded in Volume 1118 Page 711, Deed Records, Liberty County, Texas;

THENCE SOUTHERLY along and with the common line of the William Martin Daniel Trust tract and the Joe Ann Root et al tract to a point having coordinates of N:9987361.77, E:4057499.68;

THENCE SOUTHEASTERLY over and across the Joe Ann Root et al tract to a point being in the South line of the Joe Ann Root et al tract having coordinates of N:9987047.27, E:4058007.35, said point also being in the North line of West Branch Devers Canal;

THENCE EASTERLY over and across the West Branch Devers Canal, passing through a point located at the intersection of the West Branch Devers Canal and the most Southerly North line of the William Martin Daniel Trust tract, continuing along and with the most Southerly North line of the William Martin Daniel Trust tract to a point having coordinates of N:9987139.19, E:4059132.74;

Exhibit "A"

Page 1 of 2

MARK W. WHITELEY & ASSOCIATES, INC.

THENCE SOUTHERLY over and across the William Martin Daniel Trust tract, continuing along and with the most Westerly East line of said tract to a point having coordinates of N:9984778.88, E:4059206.88;

THENCE SOUTHWESTERLY over and across William Martin Daniel Trust tract to a point in the apparent centerline of the Trinity River having coordinates of N:9984273.38, E:4057545.92;

THENCE NORTHWESTERLY with the meanders of the Trinity River to a point in South line of the 2016 Annexation Tract 3 having coordinates of N:9988685.68, E:4047836.40;

THENCE EASTERLY passing through a point in the East bank of the Trinity River, continuing over and across the Baylor University tract recorded in Volume 1041 Page 584, the same being along with the South line of the said 2016 Annexation Tract 3 to the **POINT OF BEGINNING** and containing .8 square miles, more or less.

Note: All coordinates referenced to Texas State Plane Central Zone US Feet NAD83 and based on the Liberty County Appraisal District GIS data.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 3778)

DOC ID: 3778

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: May 9, 2017
Agenda Item No. VII.A.3
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 404 Texas.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 404 Texas is secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 404 Texas be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Form-404 Texas (3778 : PH-404 Texas)

Property Tax Record

[New Search](#)

Account: 003640-000013-004
APD: 45872
Location: 0000404TEXAS
Legal: DAVIDGE, BLOCK B-1, LOT 12, A
 CRES .2904, MH LABEL# NO HUD
Owner: SELLERS ALLAN J
 404 TEXAS ST
 LIBERTY TX 77575--596

Acres: 0.290
Yr Built: 0
Sq Ft: 0
Def. Start: NONE
Def. End: NONE
Roll: R
UDI: 100%

2016 Values
 Improvement 6350
 Improvement Non-Home 6760
 Site 9020
 Land 9020
2016 Exemptions
 HS001 15370
 OV003 15370

Click on the e-Payment button to make a credit card or eCheck payment
 Please enter Jurisdiction Code 5321

[Current status](#)
[Tax Estimator](#)
[e-Payment](#)
[e-Statement](#)
[All years](#)

Year	Unit	Levy Amount	Amount Paid	Levy Due	Penalty	Interest	Col Penalty	Total Due	Receipt Date
2016	CLI	74.00	74.00	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	GLI	39.13	39.13	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	HD1	6.08	6.08	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	NVS	1.22	1.22	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	SLI	94.91	94.91	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	WD5	4.04	4.04	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016 Totals		219.38	219.38	0.00	0.00	0.00	0.00	0.00	

[Read our Privacy Policy](#)

Liberty County Tax Assessor/Collector

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 Site Design by Spindlemedia

 Property Details

Account

Property ID:	45872
Legal Description:	DAVIDGE, BLOCK B-1, LOT 1 2, ACRES .2904, MH LABEL# NO HUD
Geographic ID:	003640-000013-004
Agent Code:	
Type:	Real

Location

Address:	404 TEXAS
Map ID:	DAVIDGE BLK B-1
Neighborhood CD:	LISD01

Owner

Owner ID:	45872
Name:	SELLERS ALLAN J
Mailing Address:	404 TEXAS ST LIBERTY, TX 77575-5963
% Ownership:	100.0%
Exemptions:	HS - Homestead For privacy reasons not all exemptions are shown online.

 Property Values

Improvement Homesite Value:	\$6,350
Improvement Non-Homesite Value:	\$6,760
Land Homesite Value:	\$9,020
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$22,130
Ag Use Value:	\$0
Appraised Value:	\$22,130
HS Cap:	\$0
Assessed Value:	\$22,130

April 6, 2017

Allan J. Sellers
404 Texas
Liberty, TX 77575

Allan J. Sellers
Po Box 1237
St. Francisville, LA 70775

Claudette Sellers
404 Texas
Liberty, TX 77575

Karen St. Cyr
404 Texas
Liberty, TX 77575

Kevin Brown
404 Texas
Liberty, TX 77575

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 May 9, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at 404 Texas, Liberty, Texas 77575 legal description being Davidge, Block B-1, Lots 1 and 2, acres .2904 PID#45872, 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.

March 23, 2017

Allan J. Sellers
404 Texas
Liberty, TX 77575

Allan J. Sellers
Po Box 1237
St. Francisville, LA 70775

Claudette Sellers
404 Texas
Liberty, TX 77575

Karen St. Cyr
404 Texas
Liberty, TX 77575

Kevin Brown
404 Texas
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. The property located at: **404 Texas, Legal Description: Davidge, Block B-1, Lots 1 and 2, Acres .2904 PID# 45872**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,


Samantha Johnson
Code Enforcement Officer

STATE OF TEXAS §

COUNTY OF LIBERTY §

AFFIDAVIT OF BRANDON S. DAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Brandon S. Davis, who swore on oath that the following facts are true:

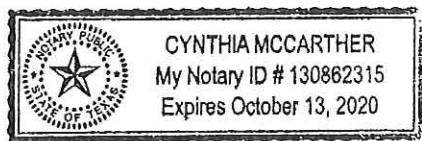
"I Brandon S. Davis, am a person over the age of eighteen (18) years, have never been convicted of a felony or crime of moral turpitude, and have personal knowledge of the facts set forth herein.

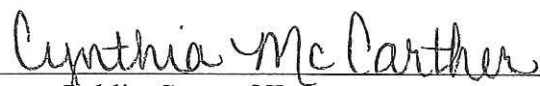
On December 2, 2016, I searched the following records to ascertain the identity and address of the current owner of the land commonly known as 404 Texas, Liberty, Texas, whose Liberty County Central Appraisal District Property ID is 45872, such land being more fully described as being approximately .2904 acres located on Davidge, Block B-1, Lots 1 and 2, Liberty, Liberty County, Texas.

- 1) County real property records of Liberty County
- 2) Appraisal district records of the Liberty County Central Appraisal District
- 3) Records of the Secretary of State
- 4) Assumed name records of Liberty County
- 5) Tax records of the City of Liberty
- 6) Utility records of the City of Liberty"


 Brandon S. Davis
 Affiant

SIGNED under oath before me on December 5, 2016.



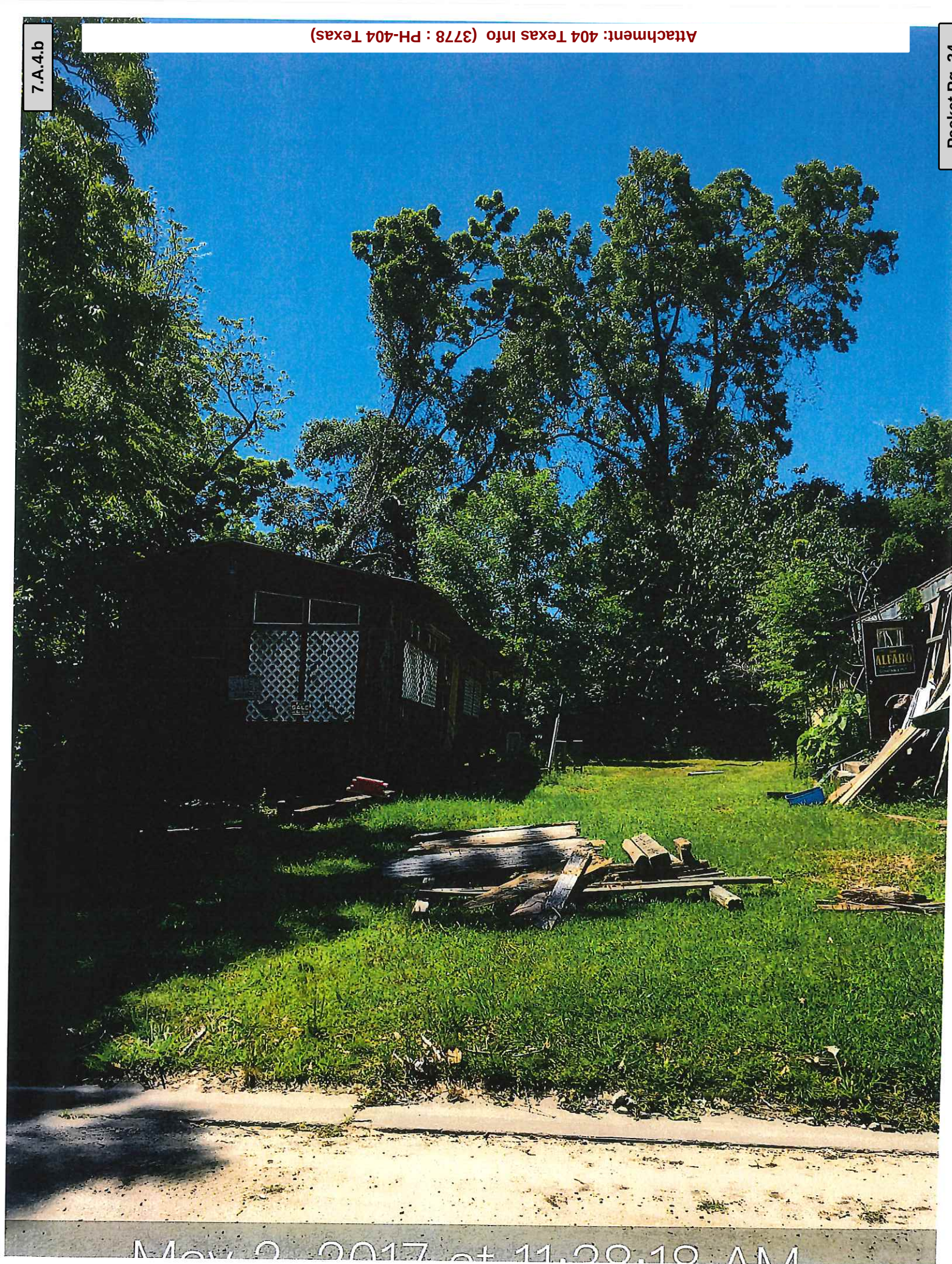

 Notary Public, State of Texas



March 23, 2017 at 3:46:59 PM



May 2, 2017 at 11:29:09 AM



May 2, 2017 at 11:28:10 AM



May 2, 2017 at 11:29:25 AM



May 2, 2017 at 11:39:50 AM



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3779)

DOC ID: 3779



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Condemnations

PUBLIC HEARING (ID # 3780)

DOC ID: 3780

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: May 9, 2017
Agenda Item No. VII.A.5
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 3020 Grand.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 3020 Grand is secured and the property is not maintained on a regular basis. The building structure or portion thereof is in such a condition that it constitutes a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If not demolished by the property owner, the City will incur the cost of demolition of the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 3020 Grand be declared a public nuisance and demolished within thirty (30) days. It is also recommended that if not demolished within the thirty (30) days, the City Manager or his designee is authorized to secure the demolition.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Form-3020 Grand (3780 : PH-3020 Grand)

Property Tax Record

[New Search](#)

Account: 003640-000013-004
APD: 45872
Location: 0000404TEXAS
Legal: DAVIDGE, BLOCK B-1, LOT 12, A
 CRES .2904, MH LABEL# NO HUD
Owner: SELLERS ALLAN J
 404 TEXAS ST
 LIBERTY TX 77575--596

Acres: 0.290
Yr Built: 0
Sq Ft: 0
Def. Start: NONE
Def. End: NONE
Roll: R
UDI: 100%

2016 Values
 Improvement 6350
 Improvement Non-Home 6760
 Site
 Land 9020
2016 Exemptions
 HS001 15370
 OV003 15370

Click on the e-Payment button to make a credit card or eCheck payment
 Please enter Jurisdiction Code 5321

[Current status](#)
[Tax Estimator](#)
[e-Payment](#)
[e-Statement](#)
[All years](#)

Year	Unit	Levy Amount	Amount Paid	Levy Due	Penalty	Interest	Col Penalty	Total Due	Receipt Date
2016	CLI	74.00	74.00	0.00	0.00	0.00	0.00	0.00	12/26/2016
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2016	HD1	6.08	6.08	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	NVS	1.22	1.22	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	SLI	94.91	94.91	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016	WD5	4.04	4.04	0.00	0.00	0.00	0.00	0.00	12/26/2016
2016 Totals		219.38	219.38	0.00	0.00	0.00	0.00	0.00	

[Read our Privacy Policy](#)

Liberty County Tax Assessor/Collector

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 Site Design by Spindlemedia

 Property Details

Account	
Property ID:	45872
Legal Description:	DAVIDGE, BLOCK B-1, LOT 1 2, ACRES .2904, MH LABEL# NO HUD
Geographic ID:	003640-000013-004
Agent Code:	
Type:	Real
Location	
Address:	404 TEXAS
Map ID:	DAVIDGE BLK B-1
Neighborhood CD:	LISD01
Owner	
Owner ID:	45872
Name:	SELLERS ALLAN J
Mailing Address:	404 TEXAS ST LIBERTY, TX 77575-5963
% Ownership:	100.0%
Exemptions:	HS - Homestead For privacy reasons not all exemptions are shown online.

 Property Values

Improvement Homesite Value:	\$6,350
Improvement Non-Homesite Value:	\$6,760
Land Homesite Value:	\$9,020
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$22,130
Ag Use Value:	\$0
Appraised Value:	\$22,130
HS Cap:	\$0
Assessed Value:	\$22,130

April 6, 2017

Allan J. Sellers
404 Texas
Liberty, TX 77575

Allan J. Sellers
Po Box 1237
St. Francisville, LA 70775

Claudette Sellers
404 Texas
Liberty, TX 77575

Karen St. Cyr
404 Texas
Liberty, TX 77575

Kevin Brown
404 Texas
Liberty, TX 77575

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 May 9, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at 404 Texas, Liberty, Texas 77575 legal description being Davidge, Block B-1, Lots 1 and 2, acres .2904 PID#45872, 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.

March 23, 2017

Allan J. Sellers
404 Texas
Liberty, TX 77575

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Liberty, TX 77575

Karen St. Cyr
404 Texas
Liberty, TX 77575

Kevin Brown
404 Texas
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. The property located at: **404 Texas, Legal Description: Davidge, Block B-1, Lots 1 and 2, Acres .2904 PID# 45872**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

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If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,


Samantha Johnson
Code Enforcement Officer

STATE OF TEXAS §

COUNTY OF LIBERTY §

AFFIDAVIT OF BRANDON S. DAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Brandon S. Davis, who swore on oath that the following facts are true:

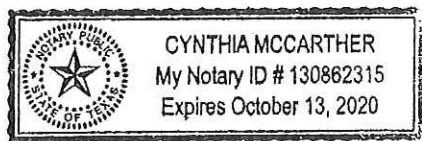
"I Brandon S. Davis, am a person over the age of eighteen (18) years, have never been convicted of a felony or crime of moral turpitude, and have personal knowledge of the facts set forth herein.

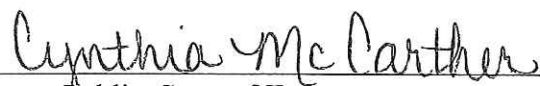
On December 2, 2016, I searched the following records to ascertain the identity and address of the current owner of the land commonly known as 404 Texas, Liberty, Texas, whose Liberty County Central Appraisal District Property ID is 45872, such land being more fully described as being approximately .2904 acres located on Davidge, Block B-1, Lots 1 and 2, Liberty, Liberty County, Texas.

- 1) County real property records of Liberty County
- 2) Appraisal district records of the Liberty County Central Appraisal District
- 3) Records of the Secretary of State
- 4) Assumed name records of Liberty County
- 5) Tax records of the City of Liberty
- 6) Utility records of the City of Liberty"


 Brandon S. Davis
 Affiant

SIGNED under oath before me on December 5, 2016.



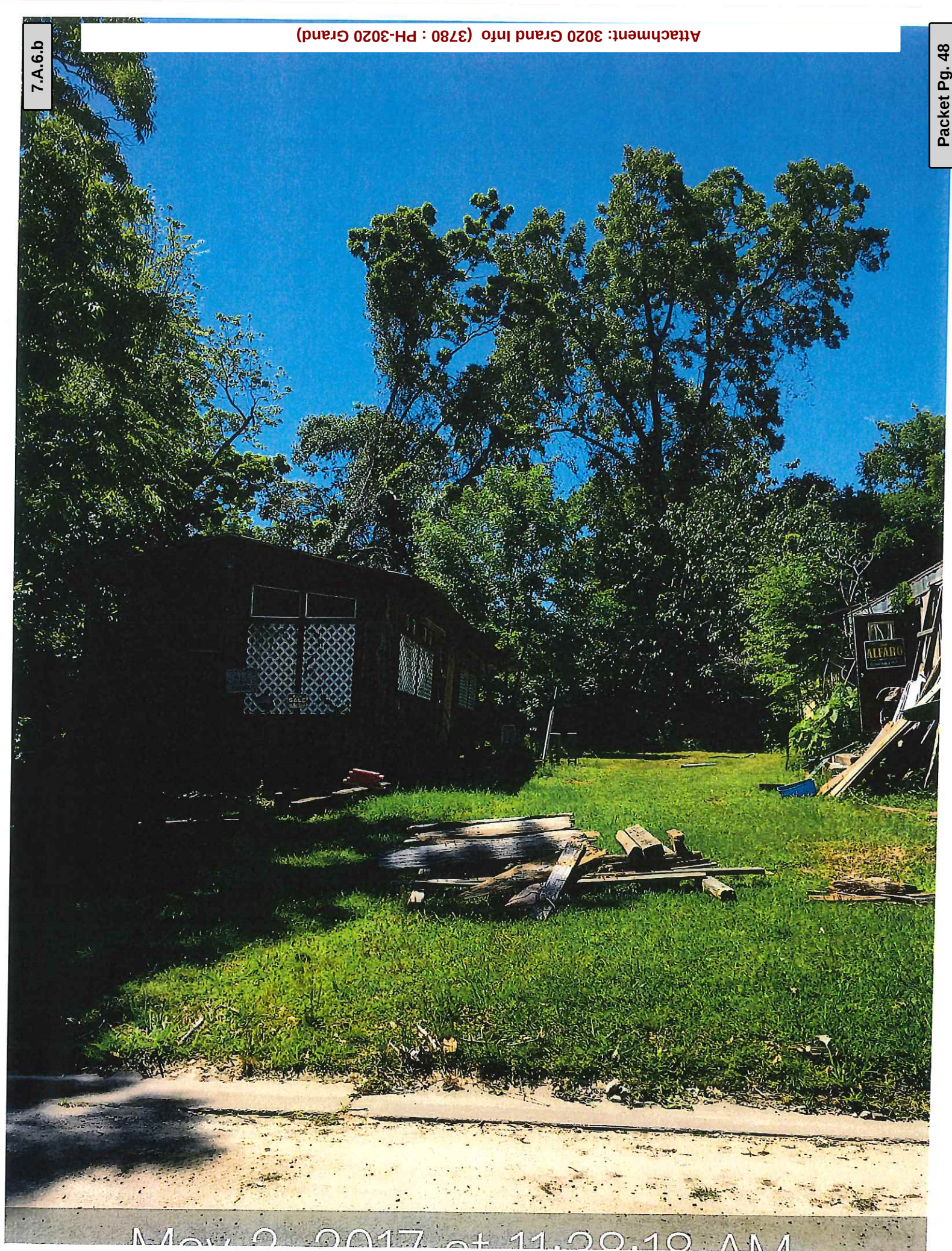

 Notary Public, State of Texas



March 23, 2017 at 3:46:59 PM



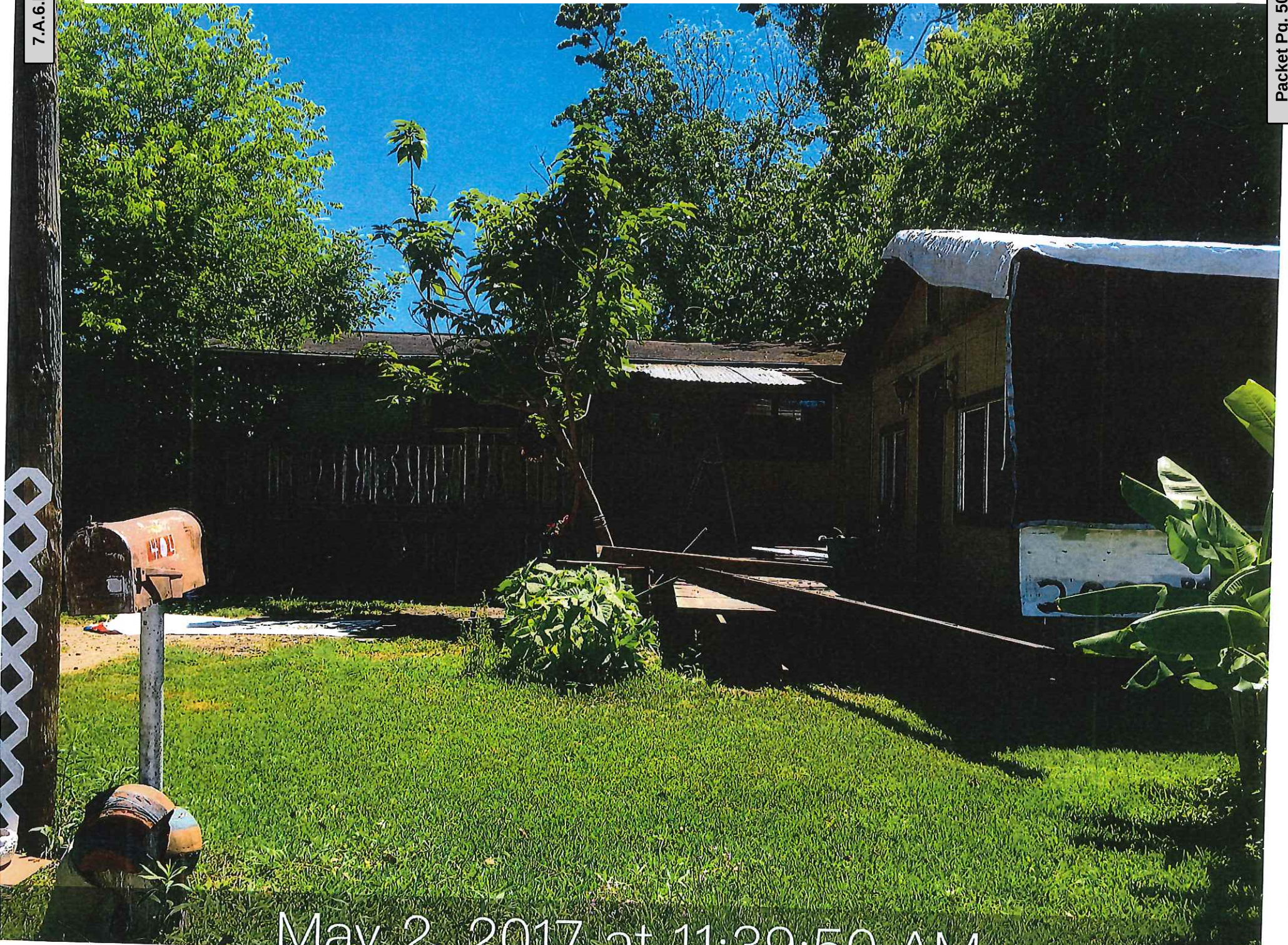
May 2, 2017 at 11:29:09 AM



May 2, 2017 at 11:28:10 AM



May 2, 2017 at 11:29:25 AM



May 2, 2017 at 11:39:50 AM



May 9, 2017 at 10:36:57 AM



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3781)

DOC ID: 3781



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: TXDOT Issues

RESOLUTION (ID # 3782)

DOC ID: 3782

A RESOLUTION OF THE CITY OF LIBERTY, TEXAS TO CERTIFY LOCAL FUNDING AND SUPPORT OF CITY OF LIBERTY SIDEWALK IMPROVEMENTS TO THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM FOR FUNDING COMPETITION IN THE TEXAS DEPARTMENT OF TRANSPORTATION 2017 PROGRAM CALL FOR PROJECTS

Whereas, the Texas Department of Transportation issued a call for nominations in January 2017 for communities to apply for federal highway funding assistance made available through the Transportation Alternatives Program; and

Whereas, the City of Liberty Downtown Sidewalk Improvements Project will provide access and safety for pedestrians to access schools, business and governmental offices in the downtown area of the City of Liberty; and the City of Liberty proposes to submit a nomination requesting funding.

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

Section 1. The City of Liberty supports funding this project as described in the TASA 2017 Nomination Form (including the construction budget, the department's 15% administrative costs, and the required local match) and is willing to commit to the project's development, implementation, construction, maintenance, management and financing.

Section 2. That the City of Liberty adopts this resolution approving the submission of the project nomination; and the support and funding of the project should it receive federal funds.

Section 3. That the Mayor of the City of Liberty is hereby authorized to act on behalf of the City of Liberty in all matters relating to this funding nomination and to execute all necessary applications, assurances, certifications, and other documents, relative to the submission, later acceptance, and administration of such funds.

Section 4. That it is hereby officially found and determined that this meeting at which this resolution is passed is open to the public as required by the law, and that public notice of the time, place and purpose of said meeting was given as required. The meeting of the City Council was called to order at _____p.m. on May 9, 2017 in the City Council Chambers by Mayor Carl Pickett.

PASSED AND APPROVED this the 9th day of May, 2017.

Resolution (ID # 3782)
Page 2

City Council Meeting

May 9, 2017

ATTEST:

Carl Pickett, Mayor

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Miscellaneous Issues

RESOLUTION (ID # 3783)

DOC ID: 3783

A RESOLUTION OF THE CITY COUNCIL OF LIBERTY, TEXAS, IN SUPPORT OF A PROPOSAL BY ENTERGY TEXAS, INC. REGARDING THE APPLICATION OF ENTERGY TEXAS, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO CONSTRUCT MONTGOMERY COUNTY POWER STATION IN MONTGOMERY COUNTY IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 46416

WHEREAS, on October 7, 2016, Entergy Texas, Inc. ("Entergy") filed an Application to Amend its Certificate of Convenience and Necessity to Construct Montgomery County Power Station, a new gas-fired generation facility to be located near Willis, Texas with the Public Utility Commission of Texas ("Commission"); and

WHEREAS, Entergy's economic analyses estimate that the Montgomery County Power Station will provide a \$1.7 billion net benefit to customers over 30 years.

WHEREAS, additional analyses indicate the construction of the Montgomery County Power Station will provide significant economic impact to the State of Texas through the creation of new jobs and \$1 billion in economic activity across the state.

WHEREAS, City intervened at the Commission as part of the Entergy Service Area Cities; Steering Committee in Docket No. 46414 to review ETI's proposal; and

WHEREAS, the City of Liberty is supportive of Entergy's application and finds that the construction of the Montgomery County Power Station is in the public interest; and

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

Section 1. The statement and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City of Liberty hereby reaffirms its support for the construction of the Montgomery County Power Station.

Section 3. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 4. This resolution shall become effective from and after its passage.

Resolution (ID # 3783)

City Council Meeting

May 9, 2017

Page 2

PASSED AND APPROVED this 9th day of May, 2017.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 3784)

DOC ID: 3784

ORDINANCE OF THE CITY OF LIBERTY, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 30, 2017; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, DECLARING 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, on or about March 30, 2017, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") filed an Annual GRIP adjustment for the Beaumont/East Texas Service Area with the City of Liberty ("City") to increase gas rates in the Beaumont/East Texas Service Area pursuant to *Gas Utility Regulatory Act*, TEX. UTIL. CODE ("Gas Utility Regulatory Act") § 104.301; and

WHEREAS, the Company proposed an effective date of May 29, 2017, for the rate increase; and

WHEREAS, City has exclusive original jurisdiction over the rates, operations and services of a gas utility in areas in the municipality pursuant to Gas Utility Regulatory Act § 103.001; and

WHEREAS, Gas Utility Regulatory Act § 104.301 requires a streamlined process for the recovery of the costs of incremental investment by a gas utility; and

WHEREAS, the City's reasonable cost for regulatory expenses in ratemaking proceedings shall be reimbursed by the gas utility under Gas Utility Regulatory Act § 103.022; and

WHEREAS, the City will join with other municipalities in a steering committee in order to coordinate the hiring and direction of counsel and/or consultants working on behalf of the steering committee and the City; and

WHEREAS, the City finds the need to suspend the effective date of CenterPoint's proposed rate increase for 45 days beyond the Company's proposed effective date until July 13, 2017 in order to review the Company's filing for compliance with Gas Utility Regulatory Act § 104.301; and

WHEREAS, the City's review of CenterPoint's GRIP filing is limited to a ministerial review of the filing for compliance with the statute; and

WHEREAS, the reasonableness of the Company's investment will be reviewed in CenterPoint's subsequent base rate case where all costs included in CenterPoint's GRIP filing will be subject to refund.

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

Section 1. The statement and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The effective date of the Company's proposed GRIP rate increase, and the proposed tariffs related thereto, are hereby suspended until July 13, 2017.

Section 3. To the extent the City finds that the rates proposed by CenterPoint's filing comply with Gas Utility Regulatory Act § 104.301, then the rates will become effective by operation of law on July 13, 2017.

Section 4. The City is authorized to join with other municipalities as part of the Beaumont/East Texas Division Steering Committee with the understanding that the Steering Committee will provide direction and guidance to the lawyers who are representing said municipalities.

Section 5. The City employs The Lawton Law Firm, P.C. to represent the City with regard to the proposed rate increase of CenterPoint before local and state regulatory authorities and any court of law and authorizes counsel to employ such rate experts as are recommended by the Steering Committee.

Section 6. The Steering Committee shall review the invoices of the lawyers and/or rate experts for reasonableness before submitting the invoices to CenterPoint for reimbursement.

Section 7. CenterPoint shall reimburse the City, through the designated representative of the Steering Committee, for the reasonable costs of attorneys and consultant fees and expenses related thereto, upon the presentation of invoices reviewed by the Steering Committee.

Section 8. The meeting at which the ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. This Ordinance shall become effective from and after its passage.

Section 10. 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 APPROVED this 9th day of MAY, 2017.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3785)

DOC ID: 3785



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3786)

DOC ID: 3786

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: May 9, 2017
Agenda Item No. VII.A.11
Agenda Wording: City Council award the bid for the Wastewater Treatment Plant Blower Purchase.
Department: Public Works
Subject: Wastewater Treatment Plant Blower Purchase Bids
Background: On April 27, 2017, the City received one bid for the purchase of a Wastewater Treatment Plant (WWTP) Blower. The blower is an aeration device to transfer air and with that oxygen into sewage wastewater. Oxygen is required by microorganisms/bacteria in the water to break down the pollutants. The bid also included an alternate bid for the purchase of a second blower. The low and only bid was submitted by Gardner Denver Nash. The base bid for one blower and the alternate bid for the second blower were \$99,950.00 and \$95,290.00, respectively. The estimated cost to purchase the blowers was \$90,000.00 each.
Fiscal Impact: The purchase of the blowers will be from the \$244,245.60 remaining in the 2007 Texas Water Development Bond proceeds.
Staff Recommendation: It is recommended that the bid for the WWTP Blower Purchase be awarded to Gardner Denver Nash in the total amount of \$195,240.00
Purpose: The blowers are required to properly treat wastewater and to comply with Texas Commission on Environmental Regulations.

Attachment: Agenda Form-Blower Purchase Bids (3786 : Bid Award-WWTP Blower Equipment)

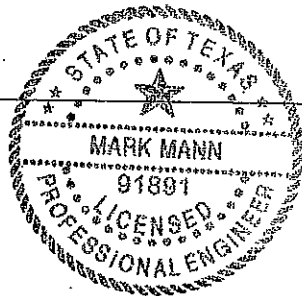
**BID TABULATION
CITY OF LIBERTY
LIBERTY, TEXAS
WASTEWATER TREATMENT PLANT BLOWER EQUIPMENT - INSTALLATION**

BID OPENING DATE: THURSDAY, APRIL 27TH, 2:00 PM

Item	Qty	Unit	Description	C3 Constructors		Gilleland Smith Construction, Inc.		Panorama	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1.	1	LS	Mobilization costs, including payment bond, performance bond, insurance, moving equipment to project, and demobilization, all in strict accordance with plans & specifications; NOT TO EXCEED 3% OF BASE PROJECT BID for	\$1,900.00	\$1,900.00	\$1,200.00	\$1,200.00	\$1,000.00	\$1,000.00
2.	1	EA	INSTALL one (1) Owner supplied Centrifugal Blower Unit (POSITION No. 2), complete in place, including offload of proposed equipment and handling, all equipment and labor, connections, anchor bolts, and all appurtenances, all in accordance with the plans and specifications for.	\$5,600.00	\$5,600.00	\$2,500.00	\$2,500.00	\$28,000.00	\$28,000.00
3.	1	LS	Modify existing Air Piping for proposed blower (POSITION No. 2), including all labor and equipment, pipe, fittings, connections, pipe modifications, all in accordance with the plans and specifications for.	\$13,000.00	\$13,000.00	\$28,000.00	\$28,000.00	\$4,050.00	\$4,050.00
4.	1	LS	Electrical and Controls for proposed blower (POSITION No. 2), including all labor and equipment, modifications to existing wiring, conduits, connections to existing MCC, connections to proposed control panel and blower components, all in strict accordance with the plans and specifications for.	\$12,600.00	\$12,600.00	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00
ADDITIVE BID ITEMS									
5.	1	EA	Remove existing Blower and INSTALL one (1) Owner supplied Centrifugal Blower Unit (Position No. 3), complete in place, including offload of proposed equipment and handling, all equipment and labor, connections, anchor bolts, and all appurtenances, all in accordance with the plans and specifications for.	\$6,300.00	\$6,300.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
6.	1	LS	Modify existing Air Piping for proposed blower (POSITION No. 3), including all labor and equipment, pipe, fittings, connections, pipe modifications, all in accordance with the plans and specifications for.	\$13,500.00	\$13,500.00	\$23,000.00	\$23,000.00	\$3,700.00	\$3,700.00
7.	1	LS	Electrical and Controls for proposed blower (POSITION No. 3), including all labor and equipment, modifications to existing wiring, conduits, connections to existing MCC, connections to proposed control panel and blower components, all in strict accordance with the plans and specifications for.	\$12,600.00	\$12,600.00	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00
BASE BID TOTAL				\$33,100.00		\$41,700.00		\$47,050.00	
ADDITIVE ITEMS TOTAL				\$32,400.00		\$35,500.00		\$19,700.00	
Bonding Company Information				Y		Y		Y	
Bid Bond				Y		Y		Y	
Bid Schedule				Y		Y		Y	
Non-Collusion Affidavit of Prime Contractor				Y		Y		Y	
Vendor Compliance Statement				Y		Y		Y	
Qualification Statement/Financial Statement				Y		Y		Y	

The Bid Proposals submitted have been reviewed, and to the best of my knowledge this is an accurate tabulation of the Bids received.

Signature



Date

5/2/17



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.13

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3787)

DOC ID: 3787

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: May 9, 2017
Agenda Item No. VII.A.12
Agenda Wording: City Council award the bid for the Wastewater Treatment Plant Blower Installation.
Department: Public Works
Subject: Wastewater Treatment Plant Blower Installation Bids
Background: On April 27, 2017, the City received three bids for the installation of a Wastewater Treatment Plant (WWTP) Blower. The blower is an aeration device to transfer air and with that oxygen into sewage wastewater. Oxygen is required by microorganisms/bacteria in the water to break down the pollutants. The bid also included an alternate bid for the installation of a second blower. The low bid was submitted by C3 Constructors of Houston. The base bid for the installation one blower and the alternate bid for the second blower were \$33,100.00 and \$32,400.00, respectively. The estimated cost to install the blowers was \$30,000.00 each.
Fiscal Impact: The purchase of the blowers will be from the \$244,245.60 remaining in the 2007 Texas Water Development Bond proceeds and from the Water/Wastewater Budget.
Staff Recommendation: It is recommended that the bid for the WWTP Blower Purchase be awarded to C3 Constructors in the total amount of \$65,500.00
Purpose: The blowers are required to properly treat wastewater and to comply with Texas Commission on Environmental Regulations.

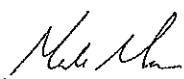
Attachment: Agenda Form-Blower Installation (3787 : Bid Award-WWTP Blower Installation)

**BID TABULATION
CITY OF LIBERTY
LIBERTY, TEXAS
WASTEWATER TREATMENT PLANT BLOWER EQUIPMENT**

BID OPENING DATE: THURSDAY, APRIL 27TH, 2:00 PM

Item	Qty	Unit	Description	Gardner Denver Nash	
				Unit Price	Item Total
1.	1	EA	FURNISH one (1) Centrifugal Blower Unit (POSITION No. 2), complete in place, including all shipping to job site, freight, equipment, motors, frames, connections, valves, control panel, anchor bolts, and all appurtenances, all in accordance with the plans and specifications for,	\$99,950.00	\$99,950.00
ADDITIVE BID ITEM					
2.	1	EA	FURNISH one (1) Centrifugal Blower Unit (POSITION No. 3), complete in place, including all shipping to job site, freight, equipment, motors, frames, connections, valves, control panel, anchor bolts, and all appurtenances, all in accordance with the plans and specifications for,	\$95,290.00	\$95,290.00
BASE BID TOTAL				\$99,950.00	
ADDITIVE ITEMS TOTAL				\$95,290.00	
Bonding Company Information				Y	
Bid Bond				Y	
Bid Schedule				Y	
Non-Collusion Affidavit of Prime Contractor				Y	
Vendor Compliance Statement				Y	
Qualification Statement/Financial Statement				Y	

The Bid Proposals submitted have been reviewed, and to the best of my knowledge this is an accurate tabulation of the Bids received.


Signature



5/2/17
Date



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.14

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 3792)

DOC ID: 3792

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: May 9, 2017
Agenda Item No. V11.A.13
Agenda Wording: Right-of-Way Use Agreement for the east side of Milam Street south of Hwy 90.
Department: Public Works
Subject: The property owner at 1826 Hwy 90 (Transmission Exchange) is requesting the use of the east side of the Milam Street right-of-way for customer parking.
Background: The Public Works Department was contacted by the owner of Transmission Exchange, Mr. Rob Jones, regarding the need for additional customer parking. Currently, customer parking is limited to a small area in the front of the building with the remaining open area used for the parking of cars being serviced or waiting to be serviced. Mr. Jones is requesting permission to pipe the ditch on the east side of Milam from Hwy 90 to approximately 135 feet south of Hwy 90 and cover the pipe with limestone. The existing utilities will remain in place and should not be impacted by the use of the right-of way.
Fiscal Impact: All cost associated with the installation of the pipe and limestone driveway will be the responsibility of the property owner. Additionally, once piped, the City will no longer have to clean this section of the ditch.
Staff Recommendation: Staff recommends approval of the right-of-way use agreement with the stipulation the right-of-way will be used for customer parking and not for the parking of cars being serviced. Also, plans will need to be submitted and approved prior to the start of construction.
Purpose: To provide assistance to an existing business.

Attachment: Agenda Form- ROW Agreement (3792 : ROW Use Agreement)



Google Earth

feet 200
meters 60





The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.15

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 3790)

DOC ID: 3790 A

EXPLANATION:

The LCDC is managed by a Board of seven members, who serve 2-year terms. Four of the seven members shall not be persons who are employees, officers of the City, or members of the City Council.

Those members whose terms expire: David Arnold, Leslie Herndon, Mike McCarty and Mark Campbell.

Other Board Members: Dennis Beasley, Louie Potetz, and Barbara Norwood.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.16

Meeting: 05/09/17 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 3791)

DOC ID: 3791

EXPLANATION:

The P&Z Commission is comprised of 5 members, who serve 3-year terms. these appointments are made on or after May 1st of each year.

Those members whose terms expire: Shelli Ellerbe and Mark Campbell

Other Board Members: Bill Takach, Kim, Anderson, Larry Wagnon

Alternates: Mike Page and Ryan Daniel