



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, November 14, 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 # 3964)

Project Updates - City Mgr. G. Broz

B. Information Item (ID # 3965)

Sam Rayburn Municipal Power Agency - Mayor Pickett

C. Information Item (ID # 3966)

Recycling Report - Councilperson Huddleston

D. Information Item (ID # 3979)

Financial Report - Finance Dir. N. Herrington

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, October 10, 2017
2. Thursday, October 19, 2017
3. Tuesday, October 24, 2017

VII. REGULAR AGENDA**A. Regular Session****1. Ordinance (ID # 3967)**

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 1.28 SQUARE MILES TRACT OF LAND, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY TO INCLUDE CERTAIN TERRITORY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID #183811 AND 19427; PROVIDING THAT ANNEXED TERRITORY BEARS PRO RATA PART OF TAXES; ADOPTING A SERVICE PLAN FOR THE ANNEXED PROPERTIES; AUTHORIZING DEVELOPMENT AGREEMENTS FOR CERTAIN PROPERTIES TO REMAIN IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY TO INCLUDE PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# 13069 AND 22986; PROVIDING A SAVINGS CLAUSE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

2. Resolution (ID # 3968)

Consider a Resolution declaring the intention of the City of Liberty, Texas to annex certain territory described as 1.66 square miles beginning at the Southeast Corner of 2017 Annexation Tract 6, said point being in the United States of America Tract recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9976419.62, E:4066479.28; 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-Resolution of Intent (PDF)

3. Council Action (ID # 3969)

Consider award of bid for the Sanitary Sewer System Improvement Project, Phase 1.

- Agenda Form - Sanitary Sewer Improvements Phase I (DOCX)

4. Council Action (ID # 3970)

Consider award of bid for Power Line Tree Trimming Services.

- Power Line Tree Trimming Tab (PDF)

5. Council Action (ID # 3971)

Discussion of the 2018 Liberty Jubilee and take any action deemed necessary.

6. Council Action (ID # 3972)

Discussion and update of post Hurricane Harvey issues, and take any action deemed necessary.

7. Council Action (ID # 3976)

Discuss and consider drainage issues and possible home development on W. Holly Street, and take any action deemed necessary.

- Holly Street Drainage Info (PDF)

8. Ordinance (ID # 3978)

Consider adoption of an Ordinance creating a variance, allowing repairs to be made to mobile homes built prior to June 15, 1976, for those citizens affected by Hurricane Harvey, providing for an effective date; and dispensing with the requirement of Section 3.10 of the Home Rule Charter that this ordinance be read on two separate days.

- Agenda Form- Mobile Home Repairs (DOCX)

B. Executive Session

Government Code §551.071- Private Consultation with Attorney - Contemplated / Pending Litigation

1. Discussion of the Branch Cemetery.

Government Code §551.074 - Personnel Matters. - To deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

2. Discussion of the City Manager's Evaluation.

Government Code §551.072 - Deliberation regarding real property.

3. Discussion of the Magnolia Ridge Golf Course.

C. Reconvene into Regular Session**1. Council Action (ID # 3973)**

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

2. Council Action (ID # 3974)

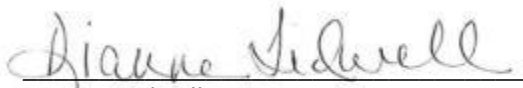
Consider and take action, if any, on the City Manager's Evaluation, as discussed in the Executive Session.

3. Council Action (ID # 3975)

Consider and take action, if any, on the Magnolia Ridge Golf Course, 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 November, 2017 at 5:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.


Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2017.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3964)

DOC ID: 3964



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3965)

DOC ID: 3965



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3966)

DOC ID: 3966



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3979)

DOC ID: 3979



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, October 10, 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

The meeting was called to order on October 10, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:03 PM by Mayor Carl Pickett.

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

An Invocation was not given.

III. PLEDGE OF ALLEGIANCE

Mayor Jeff Lambricht, City of Dayton, led the pledges to the American and Texas flags.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

- Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the audience.
- Police Chief Tom Claunch reported on the second annual Coffee With a Cop and the

Department's new Spanish Facebook page.

- Fire Chief Brian Hurst reported on the Department's Annual Turkey Fry Fundraiser.

Mayor Pickett reported that City Manager Gary Broz presented the program at Rotary on the state of the City. Mayor Pickett also asked for a moment of silence for those lost or dealing with the effects of the Las Vegas shooting.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3942)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the following:

- Continuing work on Hurricane Harvey issues,
- Park Trail Project almost complete,
- Airport Drainage Project almost complete,
- Liberty Substation transformer has been changed out,
- Work to begin this week on the Express Feeder, by E. P. Breaux, with 60 days completion time, and
- Bids will be opened on October 12 for the Sanitary Sewer Rehab, Phase I.

B. Information Item (ID # 3943)

Sam Rayburn Municipal Power Agency Report - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported the next meeting of the Sam Rayburn Municipal Power Agency will be held on October 17. He also reported that the Agency will be making a distribution of profits from the Cambridge Project to each member city, in the amount of \$1 million.

C. Information Item (ID # 3944)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next Shred-It Event will be held on Saturday, November 4 from 9:00 a.m. until Noon, in the parking lot on the west side of City Hall.

D. Information Item (ID # 3945)

City Manager Evaluation - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett passed out to the Council Members the City Manager's blank evaluation forms, to be returned to the Mayor by October 31, for placement on the November Council Agenda.

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, September 12, 2017

B. Council Action 2017-101

Consider acceptance of the 2018 Routine Airport Maintenance Program (RAMP) Grant Agreement.

ATTACHMENTS:

- RAMP Grant Info (PDF)

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2017-102

Mayor Blume, City of Hardin, will be present to discuss with Council wastewater overflow and related issues, and take any action deemed necessary. - G. Broz

COMMENTS - Current Meeting:

This agenda item was passed on as the City of Hardin representatives were not able to be present.

ATTACHMENTS:

- Hardin Request (PDF)
- City of Hardin Information (PDF)

RESULT:	NO ACTION TAKEN
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2. Resolution 2017-12

Consider a Resolution approving renovations proposed by the Liberty County Central Appraisal District to its facilities. - B. Davis/Jeff Lambright

COMMENTS - Current Meeting:

Liberty County Central Appraisal District, Asst. Chief Appraiser Jeff Lambright was present to report on the proposed remodel of the CAD Office. Mr. Lambright reviewed the upgrades

to their facility which would provide enhanced security and reorganization of current space for more efficiency. State law requires that the proposed remodel must be approved by 3/4 of the voting taxing units.

A motion was made to approve the Resolution as presented.

ATTACHMENTS:

- CAD Renovation Information (PDF)
- CAD Drawings (PDF)

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

3. Council Action 2017-103

Consider appointments to the Liberty Municipal Library Board. - G. Broz

COMMENTS - Current Meeting:

Library Director Dana Abshier reported on the Liberty Municipal Library Board Members whose terms are expiring; recommending the re-appointment of Cody Abshier, Bruce Wright and Beverly Davis. Ms. Tinya Griffin is not eligible to serve another term and her replacement will be made at a later date.

A motion was made to approve the re-appointment of Cody Abshier, Bruce Wright and Beverly Davis.

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

4. Council Action 2017-100

Consider appointments to the Houston-Galveston Area Council's 2018 General Assembly. - G. Broz/D.Tidwell

COMMENTS - Current Meeting:

A motion was made to appoint Mayor Pickett as the City's representative to the Houston-Galveston Area Council's 2018 General Assembly. No alternate designation was made.

ATTACHMENTS:

- HGAC Letter (PDF)
- H-GAC Gen Assembly Appt 2018 (DOCX)

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

5. Council Action 2017-104

Consider award of bid for the 2016 Texas Community Development Block Grant (TxCDBG) Sanitary Sewer Project on Layl Drive. - G. Broz/T. Warner

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on bids received for repairs to the sanitary sewer system in the Layl Drive area, between Avenue C and Avenue G. These improvements will be paid for with TxCDBG Funds and local funds. Previous improvements have been made on Layl Drive between Avenue H and Avenue J. Total budget for the Layl area project is \$451,210.00, with \$350,000 in grant funds and \$101,210 of local funds. Mr. Warner stated the low bidder was Lopez Utilities Contractor, LLC, in the amount of \$344,445.00.

A motion was made to award the bid to Lopez Utilities Contractor, LLC, in the amount of \$344,445.00.

ATTACHMENTS:

- Agenda Form-TxCDBG - Layl Drive (DOCX)
- TxCDBG Letter (PDF)
- TxCDBG Bid Tab (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 2017-105

Consider approval of a Fire Protection Services Agreement between Liberty County and the Liberty Fire Department. - G. Broz/B. Hurst

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the agreement for fire protection services with Liberty County. Fire Chief Hurst spoke to the number of calls per year under this mutual aid agreement and that the County pays the Department for these services at a rate of \$11,000.00 per year.

After brief discussion, a motion was made to approve the Fire Protection Services Agreement with Liberty County.

ATTACHMENTS:

- Fire Protection Svs Agreement (PDF)

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

7. Council Action 2017-106

Consider extending the Bank Depository Agreements, with Prosperity Bank, for the City of Liberty and the Liberty Community Development Corporation for an additional one year. - G. Broz/N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that the City is offered a depository extension in accordance with the original depository services agreement with Prosperity Bank. Ms. Herrington also stated that bids will be let for depository services in 2018. A motion was made to approve the one-year extension with Prosperity Bank.

ATTACHMENTS:

- Bank Depository Extension (PDF)

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

8. Council Action 2017-108

Discussion and update of post Hurricane Harvey issues, and take any action deemed necessary. - G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed the City's status and expenditures related to Hurricane Harvey. Reviewed were topics that included debris removal, street repairs, the Boomerang Substation, sewer line repairs, lift stations, and other related issues. Further discussion included that these repairs were being paid for with \$1.2 million of unrestricted Cambridge Funds, received from the Sam Rayburn Municipal Power Agency.

RESULT: NO ACTION TAKEN

9. Council Action 2017-109

Discussion of the 2017 Charter Review Commission Final Report, and take any action deemed necessary. - Councilperson Glazener

COMMENTS - Current Meeting:

Councilperson Glazener, as a member of the 2017 Charter Review Commission, discussed with Council the Commission's recommendations. After lengthy discussion, a motion was made to authorize the City Attorney to prepare the proper language for a charter amendment election in May, 2018:

1. Section 1.02 - Boundaries - remove the meets and bounds designation and replace with "as of last annexation". This eliminates the need for constant revision.
2. Section 4.06 - Health Authority - remove this section entirely. This section is outdated.
3. Section 5.07 - Conducting and Canvassing Elections - Change to read "in accordance with State law", instead of a prescribed number of days. Eliminates the need for constant revision should the law change.
4. Section 9.04 - Notice of Public Hearing on Budget - Change to read "in accordance with State law", instead of a prescribed number of days. Eliminates the need for constant revision should the law change.
5. Section 9.18 - Taxes - Change to read "in accordance with State law", instead of a prescribed number of days. Eliminates the need for constant revision should the law change.

Discussion was also held regarding Section 3.01 - Number, Selection and Term - the recommendation was to add numbers to council positions and elect accordingly. A motion was made to approve this recommendation by Councilperson Glazener, seconded by Councilperson Simonson. The motion failed 2-5.

Further discussion included Section 8.02 - Department of City Planning and Zoning - the recommendation was to add term limits to Board Members. A motion was made by Councilperson Simonson, seconded by Councilperson Arnold, to approve no more than three consecutive, three-year terms on this Board. The motion passed unanimously.

Final discussion related to Section 13.13 - Charter Review Commission - the recommendation was to add term limits to the Commission Members. A motion was made by Councilperson Glazener, seconded by Councilperson Simonson, to approve no more than two consecutive terms. The motion passed unanimously.

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

B. Executive Session

Government Code §551.074 - Personnel Matters.

To Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Discussion of the Electric Department.

Government Code §551.071 - Consultation with Attorney.

Pending / Contemplated Litigation.

2. Discussion of the Branch Cemetery.

At 7:35 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:10 p.m., Mayor Pickett closed the Executive Session and reconvened the open

meeting.

1. Council Action 2017-107

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

COMMENTS - Current Meeting:

A motion was made to approve the separation agreement and authorize execution of the agreement by the City Manager.

A motion was made by Councilperson Simonson, seconded by Councilperson Arnold, to instruct Attorney Bruce Stratton to move forward, as discussed. The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Dennis Beasley, 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 8:12 p.m.

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 6th day of October, 2017 at 3:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.



Dianne Tidwell, City Secretary

NOTICE

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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

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Thursday, October 19, 2017

12:00 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

The meeting was called to order on October 19, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:00 PM by Mayor Carl Pickett.

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	Absent	
Paul Glazener	Councilperson	Absent	
Dianne Tidwell	City Secretary	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council 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.

III. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 3958)

Public Hearing on the proposed annexation of 1.28 square miles beginning at the Southeast Corner of 2017 Annexation Tract 5, said point being in the most Northerly Northeast line of the United States of America Tract recorded in Volume 740 Page 682, Deed Records, Liberty County Texas, having coordinates of N:9979615.14, E:4060406.34.

Minutes Acceptance: Minutes of Oct 19, 2017 12:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

At 12:01 p.m., Mayor Pickett opened the first of two Public Hearings on the annexation of property into the City's boundaries, described as Phase 6. Mr. Art Pertile, Olson & Olson, LLP was present to report on the proposed annexation which consists of 1.28 square miles. Mr. Pertile reviewed the properties now annexed through the previous annexations of Phase 1 - Phase 5; further explaining that those properties in the annexation areas that are not annexed are included in the City's ETJ pursuant to Agricultural or Development Agreements. Discussed were the property owners and a map of the property to be included in Phase 6. The second public hearing will be held on Tuesday, October 24, 2017 at 6:00 p.m.

At 12:12 p.m., Mayor Pickett closed the Public Hearing.

IV. ADJOURNMENT

Motion To: Adjourn

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Oct 19, 2017 12:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

1829 Sam Houston
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Dianne Tidwell
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(936) 336-3684

Tuesday, October 24, 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

The meeting was called to order on October 24, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:02 PM by Mayor Carl Pickett.

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	Absent	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

City Manager Gary Broz reported that the next TML Region XVI Meeting will be held in Beaumont. Mr. Broz further stated that there will be a pre-construction meeting in regard to the FEMA/NRCS Project on Monday, October 30, 2017.

At the conclusion of the last agenda item, Mayor Pickett reopened Public Comment in order to comment on the following:

- A Shred-It Event will take place on Saturday, November 4th in the City Hall Parking Lot
- Council will hold an employee dinner on Thursday, November 2nd in appreciation of the work during Hurricane Harvey.

III. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 3960)

PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 1.28 SQUARE MILES BEGINNING AT THE SOUTHEAST CORNER OF 2017 ANNEXATION TRACT 5, SAID POINT BEING IN THE MOST NORTHERLY NORTHEAST LINE OF THE UNITED STATES OF AMERICA TRACT RECORDED IN VOLUME 740 PAGE 682, DEED RECORDS, LIBERTY COUNTY, TEXAS, HAVING COORDINATES OF N:9979615.14, E:4060406.34.

COMMENTS - Current Meeting:

At 6:05 p.m., Mayor Pickett opened the second Public Hearing on the proposed annexation of 1.28 square miles into the City's boundaries. Ms. Akilah Mance, Attorney, Olson & Olson was present to discuss the annexation and related issues. Mr. Pertile reviewed the publication date, public hearing dates, property owners, map of the property proposed for annexation, and that the adoption of the ordinance for this annexation will be presented to Council on November 14, 2017 at 6:00 p.m.

At 6:10 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- PH Notices for Newspaper-Phase 6 (DOC)

2. Council Action 2017-110

Consider the appointment of Mr. Paul Schmidt to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier reported that appointments to the Liberty Municipal Library Board were made in September. However, at that time, there was still a vacant position on the Board. Ms. Abshier recommended the appointment of Mr. Paul Schmidt. A motion was made to approve the appointment of Mr. Schmidt to the Board.

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

3. Council Action 2017-111

Consider award of bid for the Sanitary Sewer System Improvement Project, Phase I.

COMMENTS - Current Meeting:

After brief discussion of the project, no action was taken. This agenda item will be brought before Council, at a future meeting.

ATTACHMENTS:

- Agenda Form-SS Improvements - Phase I (DOCX)
- HR Green Recc Ltr (PDF)

- Bid Tab - SS Imp-Phase 1 (PDF)

RESULT: NO ACTION TAKEN

4. Council Action 2017-112

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

COMMENTS - Current Meeting:

A motion was made to approve the Interlocal Agreement with Liberty County Precincts 1 & 2.

ATTACHMENTS:

- Interlocal with County Prec 1&2(PDF)

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

5. Council Action 2017-113

Consider an offer for sale of City property located at 1309 N. Main, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that an offer was to be made on the property located at 1309 N. Main. However, an offer was never made. This agenda item was passed on.

RESULT: NO ACTION TAKEN

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:25 p.m.

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 Carl Pickett, Mayor

ATTEST:

Minutes Acceptance: Minutes of Oct 24, 2017 6:00 PM (Minutes Approval)

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Oct 24, 2017 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Annexation

ORDINANCE (ID # 3967)

DOC ID: 3967 A

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 1.28 SQUARE MILES TRACT OF LAND, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY TO INCLUDE CERTAIN TERRITORY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID #**183811 AND 19427**; PROVIDING THAT ANNEXED TERRITORY BEARS PRO RATA PART OF TAXES; ADOPTING A SERVICE PLAN FOR THE ANNEXED PROPERTIES; AUTHORIZING DEVELOPMENT AGREEMENTS FOR CERTAIN PROPERTIES TO REMAIN IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY TO INCLUDE PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# **13069 AND 22986**; PROVIDING A SAVINGS CLAUSE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

WHEREAS, the Texas Local Government Code Section 43.021 allows a home-rule municipality to (1) fix the boundaries of the municipality; and (2) extend the boundaries of the municipality and annex area adjacent to the municipality; and

WHEREAS, public hearings were held on October 19, 2017 and October 24, 2017 in the City Council Chambers of the City of Liberty, Texas where all interested persons were provided with an opportunity to be heard on the proposed annexation of the territory fully described in **EXHIBIT "1"** attached hereto and incorporated herein; and

WHEREAS, the above described territory lies within the extraterritorial jurisdiction of the City of Liberty, Texas; and

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

Section 1. That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.

Section 2. That the following described land and territory lying adjacent to and adjoining the City of Liberty, Texas, pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code, is hereby added and annexed to the City of Liberty, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Liberty, Texas, and the present boundary limits of such city, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Liberty, Texas, to-wit:

SEE ATTACHED EXHIBIT “2”

Section 3. That the above described territory is so annexed and shall be a part of the City of Liberty, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Liberty, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Liberty, Texas pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code. The service plan attached hereto as **EXHIBIT “3”** is hereby adopted as part of the annexation of the property annexed to the City as provided for and now described in **EXHIBIT “2.”**

Section 4. That properties identified by the Liberty County Appraisal District records as Property ID #13069 and #22986 are excluded from annexation and shall remain in the extraterritorial jurisdiction of the City, as provided for and described herein in **EXHIBIT “4”** pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code. The Mayor is hereby authorized to execute the agreements entered into pursuant to Sections 43.035 and 212.171 of the Texas Local Government Code. Copies of said Agreements are attached hereto in **EXHIBIT “4”** and are incorporated herein.

Section 5. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part

shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect.

Section 6. Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Liberty, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to all of the remainder of the area. If there is included within the general description of territory set out in Section 3 of this Ordinance to be annexed to the City of Liberty any lands or area which are presently part of and included within the limits of the City of Liberty, or which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of Liberty's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

Section 7. 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 in Liberty, Texas this ____ day of November, 2017.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

STATE OF TEXAS §
 §
COUNTY OF LIBERTY §

This instrument was acknowledged before me on the ____ day of _____, 2017 by, Mayor Carl Pickett of the City of Liberty, Texas.

Notary Public, State of Texas

Notary's Printed Name

Commission Expires: _____

Please Return Recorded Copy to:
Dianne Tidwell, City Secretary
City of Liberty
1829 Sam Houston
Liberty, Texas 77575

EXHIBIT 1

PROPOSED ANNEXATION TERRITORY (1.28 SQUARE MILES)

EXHIBIT "A"
2017 ANNEXATION TRACT 6

Field Note Description for approximately 1.28 square miles for annexation to incorporation of the City of Liberty

BEGINNING at the Southeast corner of 2017 Annexation Tract 5, said point being in the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas, having coordinates of N:9979615.14, E:4060406.34;

THENCE SOUTHEASTERLY along and with the most Northerly Northeast line of the United States of America tract recorded in Volume 740 Page 682 to point for an interior ell corner of said tract having coordinates of N:9978962.80, E:4061032.18, said point also being the common line of the Thomas D. Yoacum Survey, Abstract No. 325 and the B.M. Spinks Survey, Abstract No. 108;

THENCE EASTERLY along and with the North line of the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9979219.21, E:4064760.06;

THENCE SOUTHERLY over and across the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9978266.24, E:4064822.35;

THENCE SOUTHEASTLERY continuing over and across the United States of America tract recorded in Volume 740 Page 682 to a point having coordinates of N:9976419.62, E:4066479.28;

THENCE WESTERLY over and across the United States of America tract recorded in Volume 740 Page 682, passing through a point in the East bank of the Trinity River, also passing through a point in the West bank of the Trinity River, continuing over and across the Pickett Bayou Club tract as recorded in Volume 328 Page 303, Deed Records, Liberty County, Texas, to a point having coordinates of N:9973489.05, E:4057506.85

THENCE NORTHERLY over and across the Pickett Bayou Club tract to a point having coordinates of N:9977013.03, E:4057386.62, said point being the common line of the Theodore Dorsett League, Abstract No. 27 and the Joseph Dugat League, Abstract No. 175;

THENCE EASTERLY along and with the common line of the Theodore Dorsett League, Abstract No. 27 and the Joseph Dugat League, Abstract No. 175 to a point having coordinates of N:9977109.79, E:4058911.45;

THENCE NORTHWESTERLY over and across the Pickett Bayou Club tract to a point being in the South line of the United States of America tract as recorded in Clerk's File No. 2007016468, Official Public Records, Liberty County, Texas, having coordinates of N:9978790.56, E:4057657.54;

THENCE WESTERLY along and with the South line of the United States of America tract recorded in Clerk's File No. 2007016468 to a point having coordinates of N:9978777.48, E:4057402.06;

THENCE NORTHERLY over and across the United States of America tract recorded in Clerk's File No. 2007016468 to a point having coordinates of N:9978820.59, E:4057399.86, said point being the Southwest corner of the 2016 Annexation Tract 5;

THENCE EASTERLY over and across the United States of America tract recorded in Clerk's File No. 2007016468, passing through a point in the West bank of the Trinity River, also passing through a point in the East bank of the Trinity River, continuing over and across the United States of America tract recorded in Volume 740 Page 682, the same being along with the South line of the said 2017 Annexation Tract 5 to the **POINT OF BEGINNING** and containing 1.28 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.

EXHIBIT 2

**PROPERTIES ACTUALLY ANNEXED
(LCAD PROPERTY ID # 183811 AND #19427)**

EXHIBIT 3**SERVICE PLAN FOR PROPERTIES ANNEXED****ANNEXATION SERVICE PLAN**

The City of Liberty, Texas will provide for the extension of municipal services into the territory annexed in accordance with the following schedule:

1. POLICE PROTECTION: Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

2. FIRE PROTECTION: Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

3. WATER AND WASTE WATER: Water and wastewater services will be provided to the annexed area on the same basis as those residents currently living within the City limits.

4. EMERGENCY MEDICAL SERVICES: Provided immediately upon annexation. Service will be provided to all residents of the annexed area on the same basis as those residents currently living within the City limits.

5. SOLID WASTE COLLECTION: Residents and business may continue to use their current solid waste provider.

6. PARKS, PLAYGROUNDS AND SWIMMING POOLS: The City parks and all recreational facilities will be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

7. CODE ENFORCEMENT SERVICES:

a. Enforcement of the City's ordinances will be provided within the annexed area on the effective date of the annexation ordinance. These ordinances and other regulations will be enforced using existing personnel.

b. Complaints of ordinance violations or other code violations within the annexed area will be answered and investigated by existing personnel on the effective date of the annexation ordinance.

c. Animal Control services will be provided to those areas within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.

d. Vector control services will be provided to those areas within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.

8. MISCELLANEOUS: General municipal administration and administrative services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

9. LIBRARY SERVICES: The City Library and facilities will be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

EXHIBIT 4

**AGREEMENTS FOR PROPERTIES EXCLUDED FROM ANNEXATION BUT
INCLUDED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY PURSUANT
TO SECTIONS 43.035 AND 212.171 OF THE TEXAS LOCAL GOVERNMENT CODE:
LIBERTY COUNTY APPRAISAL DISTRICT RECORDS
(LCAD) PROPERTY ID #13069 AND 22986**



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Annexation Issues

RESOLUTION (ID # 3968)

DOC ID: 3968 C

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF LIBERTY, TEXAS, TO ANNEX CERTAIN TERRITORY DESCRIBED AS 1.66 SQUARE MILES BEGINNING AT THE SOUTHEAST CORNER OF 2017 ANNEXATION TRACT 6, SAID POINT BEING IN THE UNITED STATES OF AMERICA TRACT RECORDED IN VOLUME 740 PAGE 682, DEED RECORDS, LIBERTY COUNTY, TEXAS HAVING COORDINATES OF N:9976419.62, E:4066479.28; 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.

* * * * *

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, January, 9, 2018, and the second public hearing shall be held in the City Council Chambers, located at 1829 Sam Houston, Liberty, Texas, 77575 at 6:00 pm on Tuesday, January 16, 2018. 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 _____ day of _____, 2017.

CITY OF LIBERTY, TEXAS

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

EXHIBIT "A"

METES AND BOUNDS OF TERRITORY TO BE ANNEXED

EXHIBIT "A"
2017 ANNEXATION TRACT 7

Field Note Description for approximately 1.66 square miles for annexation to
incorporation of the City of Liberty

BEGINNING at the Southeast corner of 2017 Annexation Tract 6, said point being in the United States of America tract recorded in Volume 740 Page 682, Deed Records, Liberty County, Texas having coordinates of N:9976419.62, E:4066479.28;

THENCE SOUTHEASTLERY over and across the United States of America tract recorded in Volume 740 Page 682 to a point being in the North line of the United States of America tract as recorded in Volume 670 Page 327, Deed Records, Liberty County, Texas having coordinates of N:9975546.17, E:4067263.00;

THENCE EASTERLY along and with the North line of the United States of America tract recorded in Volume 670 Page 327 to a point locating the Northeast corner of said tract having coordinates of N:9976113.12, E:4074659.56;

THENCE SOUTHERLY along and with the East line of the United States of America tract as recorded in Volume 670 Page 327 to a point having coordinates of N:9975374.24, E:4074719.99;

THENCE SOUTHWESTERLY over and across the United States of America tract as recorded in Volume 670 Page 327 to a point a point in the South line of said tract, having coordinates of N:9972053.95, E:4069506.45

THENCE WESTERLY along and with the South line of the United States of America tract as recorded in Volume 670 Page 327, the same being the South line of the B.M. Spinks Survey, Abstract No. 108 to a point in the apparent East bank of the Trinity River having coordinates of N:9971824.46, E:4066757.64;

THENCE WESTERLY over and across the Trinity River to a point in the apparent West bank of the Trinity River having coordinates of N:9971800.70, E:4066472.74, said point also being in the East line of the United States of America tract (LCAD No. 000027-000002-000);

THENCE WESTERLY over and across the United States of America tract (LCAD No. 000027-000002-000) passing a point being located in the East line of the Pickett Bayou Club tract as recorded in Volume 328 Page 303, Deed Records, Liberty County, Texas, continuing over and across the Pickett Bayou Club tract to a point in the South line of said tract having coordinates of N:9972545.16, E:4057539.05;

THENCE NORTHERLY over and across the Pickett Bayou Club tract to a point having coordinates of N:9973489.05, E:4057506.85, said point being the Southwest corner of the 2016 Annexation tract 6;

THENCE EASTERLY over and across the Pickett Bayou Club tract, passing a point in the West bank of the Trinity River, also passing a point in the East bank of the Trinity River, continuing over and across the United States of America tract recorded in Volume 740 Page 682, the same being along with the South line of the said 2016 Annexation Tract 6 to the **POINT OF BEGINNING** and containing 1.66 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.3

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3969)

DOC ID: 3969

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: October 24, 2017
Agenda Item No. VII.A.3
Agenda Wording: Consider award of bid for the Sanitary Sewer System Improvement Project, Phase 1.
Department: Public Works/Engineering
Subject: The City received bids on October 12, 2017, for improvements to the sanitary sewer system. Phase I includes manhole replacement, improvements to the sewer collection lines, lift stations and the Wastewater Treatment Plant Outfall.
Background: In 2016, the City received a loan in the amount of \$900,000 from the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF). The CWSRF provides low interest loans to governmental entities for improvements to their sanitary sewer systems. The City used the loan funds to procure the services of an engineering firm, H.R. Green, to complete the preliminary engineering phase and the majority of the design phase of the proposed sanitary sewer system improvements. Upon completion of the preliminary engineering report, and approval of the report by the TWDB, the City proceeded with the design phase. The final design was completed in August 2017, and was let for bid in September 2017. On October 12, 2017 four bids were received for the Sanitary Sewer System Improvements – Phase I. The apparent low bidder was Allco, Inc., of Beaumont, Texas in the amount of \$7,316,602.17. This amount includes a base bid of \$5,389,342.57 and the added alternate bid of \$1,929,259.60. The alternate bid is for the Wastewater Treatment Plant Outfall. Currently, there are not sufficient funds to include the alternate bid in this project. During a review of the bids, mathematical errors were noted on three of the four bids. Although these errors did not affect the bid outcome, the low bid increased to \$7,318,602.17. The bids ranged, with corrections, from \$7,318,602.17 to \$13,152,397.00. The Engineer's Opinion of Probable Costs was \$8,381,712.00. A copy of the Engineer's Recommendation of Award letter and bid tabulation is enclosed.

Attachment: Agenda Form - Sanitary Sewer Improvements Phase I (3969 : Bid-SS Imp Project Phase 1)

Fiscal Impact: The City issued \$7,750,000 in Certificate of Obligations in October 2016. The bond funds will be used to finance the remainder of the costs associated with the design, the construction management and the construction inspection elements of the project.

Staff Recommendation: Staff recommends that the project be awarded to the low bidder, Allco Inc., in the amount of \$5,389,342.57 for the base bid only. The alternate bid for the Wastewater Treatment Plant Outfall will be awarded at a later date when funds become available.

Purpose: This project will improve the sanitary sewer system in the Layl Drive area between Avenue C and Avenue G.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 3970)

DOC ID: 3970

TREE TRIMMING - REQUEST FOR PROPOSAL NO 2017-04

	DAVEY TREE SURGERY COMPANY		ABC PROFESSIONAL TREE SERVICES	
	REGULAR	OVERTIME	REGULAR	OVERTIME
BILLING RATES				
LABOR - WORKING FOREMAN/CREW LEADER	\$36.80	\$48.94	\$65.00	\$97.50
LABOR - TRIMMER (CLIMBER)	\$34.20	\$45.49	\$63.00	\$94.50
LABOR - WORKER (LABORER)	\$31.29	\$41.62	\$63.00	\$94.50
AERIAL LIFT/CHIP	\$14.90	\$14.90	\$31.00	\$31.00
DISC CHIPPER	\$3.80	\$3.80	\$16.00	\$16.00
POWER SAW (2)	\$0.90	\$0.90	\$2.00	\$2.00
HYDRAULIC PRUNER	\$0.60	\$0.60	\$2.00	\$2.00
HAND PRUNER	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CHARGE PER HOUR	\$122.49	\$156.25	\$242.00	\$337.50

ADDITIONAL ITEMS AS NEEDED

70' TRIM LIFT	\$22.50	\$22.50	\$48.00	\$48.00
SPLIT DUMP (14 CUBIC YD.)	\$11.50	\$11.50	\$22.00	\$22.00
DISC CHIPPER W/ PROVISIONS FOR SIDE DISCHARGE	\$5.70	\$5.70	\$16.00	\$16.00
4 X 4 TRACTOR W/ 6' CUTTER	\$21.78	\$21.78	\$125.00	\$125.00
4 X 4 SPRAY TRUCK (3/4 TON) W/200 GALLON TANK AND 1000' HOSE	\$16.20	\$16.20	\$45.00	\$45.00
STUMP GRINDER	\$22.50	\$22.50	\$38.00	\$38.00
CERTIFIED/LICENSED APPLICATOR AND CHEMICALS/HERBICIDES	\$34.30	\$34.30	\$70.00	\$70.00
LABOR - FLAGMAN (LABORER)	\$29.60	\$29.60	\$63.00	\$63.00



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Jubilee

COUNCIL ACTION (ID # 3971)

DOC ID: 3971



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3972)

DOC ID: 3972



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3976)

DOC ID: 3976



O'Malley Strand Associates, Inc.®
203 South Jackson Street
Brenham, Texas 77833
(P) 979-836-7937
(F) 979-836-7936

CITY OF LIBERTY
HOLLY ST. DRAINAGE AND WATER IMPROVEMENTS
ENGINEER'S OPINION OF PROBABLE PROJECT COST
September 28, 2017

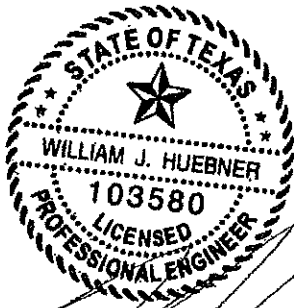
CONSTRUCTION

Water				
Install 6" C-900 PVC water line	1840 LF	\$ 32.00	\$	58,880.00
Install 6" PVC water line by bore (no casing)	120 LF	\$ 80.00	\$	9,600.00
Install New Fire Hydrant	4 EA	\$ 5,000.00	\$	20,000.00
Install 3/4" Service Line	650 LF	\$ 20.00	\$	13,000.00
Install Service Tap	22 EA	\$ 600.00	\$	13,200.00
Connect to Existing Meter	15 EA	\$ 850.00	\$	12,750.00
Install 6" Gate Valve	3 LS	\$ 1,800.00	\$	5,400.00
Connect to Existing Water Main	2 EA	\$ 4,000.00	\$	8,000.00
Install Ductile Iron Fittings	1 LS	\$ 1,800.00	\$	1,800.00
Seeding	1 LS	\$ 1,500.00	\$	1,500.00
<i>Subtotal Water</i>			\$	<i>144,130.00</i>
Drainage				
24" RCP Storm Sewer	1300 LF	\$ 83.00	\$	107,900.00
Grout Fill Existing 18" RCP	1300 LF	\$ 15.00	\$	19,500.00
Curb Inlet	8 EA	\$ 5,000.00	\$	40,000.00
Safety End Treatment	1 EA	\$ 1,500.00	\$	1,500.00
Curb and Gutter	1275 LF	\$ 7.50	\$	9,562.50
Trench Safety	1300 LF	\$ 2.00	\$	2,600.00
<i>Subtotal Drainage</i>			\$	<i>181,062.50</i>
Water and Drainage Construction Cost			\$	325,192.50
Contingencies (10%)			\$	32,519.25
TOTAL CONSTRUCTION COST			\$	357,711.75

Attachment: Holly Street Drainage Info (3976 : W. Holly Street Drainage)

O'Malley Strand Associates, Inc.®

ENGINEERING	
Basic Services	\$ 40,000.00
Design Surveys	\$ 3,600.00
Construction Staking	\$ 3,600.00
Inspection	\$ 10,000.00
TOTAL ENGINEERING COST	\$ 57,200.00
TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST \$ 414,911.75	



9-28-17

William Huebner, P.E.
O'Malley Strand Associates, Inc. (TBPE No. F-8405)

Attachment: Holly Street Drainage Info (3976 : W. Holly Street Drainage)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 3978)

DOC ID: 3978 B

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ALLOWING FOR REPAIRS TO BE MADE TO MOBILE HOMES BUILT PRIOR TO JUNE 15, 1976 FOR THOSE CITIZENS AFFECTED BY HURRICANE HARVEY; DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council finds that the ravages of Hurricane Harvey, arising from its impact upon the property and inhabitants of the City of Liberty created widespread and severe damage, injury, loss of life and property that now requires extraordinary measures to alleviate the suffering of the people and to protect and rehabilitate property; and

WHEREAS, the City Council recognizes that many homes and businesses located within the City were damaged or destroyed during Hurricane Harvey; and

WHEREAS, section 3.08.032 of the City of Liberty's Code of Ordinances prohibits the alteration of any mobile home located within the city limits; and

WHEREAS, the City Council desires to help mitigate the costs associated with repairing these damaged structures by allowing citizens affected by Hurricane Harvey to repair their mobile homes built prior to June 15, 1976 upon obtaining a valid building permit from the City prior to March 12, 2018.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council hereby finds that individuals suffering damages to their mobile homes built prior to June 15, 1976 as a direct result of Hurricane Harvey may repair said mobile home built prior to June 15, 1976 upon obtaining a valid building permit from the City prior to March 12, 2018. A repair made under this ordinance shall not constitute the one-time replacement under subsections (a) and (c) of section 3.08.032 of the Liberty Code of Ordinances. After March 12, 2018 these special exceptions shall elapse, and the City's normal ordinances related to mobile homes shall take effect.

SECTION 3. That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

SECTION 4. This Ordinance shall be and become effective from and after its adoption.

PASSED AND APPROVED ON THIS THE 14th DAY OF NOVEMBER 2017.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: November 14, 2017
Agenda Item No.
Agenda Wording: City Council consider adoption of an Ordinance creating a variance allowing repairs to be made to mobile homes built prior to June 15, 1976 for those citizens affected by Hurricane Harvey; providing for an effective date; and dispensing with the requirement of Section 3.10 of the Home Rule Charter that this ordinance be read on two separate days.
Department: Public Works/Inspections
Subject: Repairs to mobile homes damaged as a result of Hurricane Harvey.
Background: Several mobile homes located outside of the manufactured home zone were damaged as a result of Hurricane Harvey. A mobile home is defined in part by the Code of Ordinances as a structure that was constructed before June 15, 1976. Currently, the Code of Ordinances allows for the one time replacement of a mobile home as the result of a fire or other natural disaster. The Code of Ordinances does not address repairs to a mobile home as the result of a natural disaster. Passage of the resolution would allow for repairs to be made to a mobile home if the necessary permits are issued prior to March 12, 2018.
Fiscal Impact: NA
Staff Recommendation: Staff recommends approval of the resolution allowing repairs to a mobile home damaged from Hurricane Harvey if permits are issued prior to March 12, 2018.
Purpose: Allow residents to repair their homes.

Attachment: Agenda Form- Mobile Home Repairs (3978 : Mobile Home Repairs)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3973)

DOC ID: 3973



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.2

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3974)

DOC ID: 3974



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.3

Meeting: 11/14/17 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3975)

DOC ID: 3975