



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, October 9, 2018

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 Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	
Councilperson Paul Glazener	☐	☐	☐	
Councilperson Chipper Smith	☐	☐	☐	

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 # 4262)

Project Updates - City Mgr. T. Warner

- Department Reports (PDF)

B. Information Item (ID # 4263)

Sam Rayburn Municipal Power Agency - Mayor Pickett

- August 2018 minutes (PDF)

C. Information Item (ID # 4264)

Mayor, Council and Staff Comments

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, September 11, 2018
2. Tuesday, September 25, 2018

B. Council Action 2018-99

Consider approval of an Electric Department Work Management Program.

- Summary - Work Management Program (PDF)

C. Council Action 2018-100

Consider approval of an Electric Department Emergency Load Shedding Program.

- Summary - Emergency Load Shedding Program (PDF)

D. Council Action 2018-101

Consider approval of an Electric Distribution Personal Protective Equipment Handbook.

- Summary - PPE Handbook (PDF)

E. Council Action 2018-102

Consider approval of an Electric Distribution Protective Grounding Manual.

- Summary - Protective Grounding Manual (PDF)

F. Council Action 2018-103

Consider approval of an Electric System Switching and Tagging Manual.

- Summary - Switching and Tagging Manual (PDF)

G. Council Action 2018-104

Consider approval of an Underground Electric System Manual.

- Summary - Underground Electric System Manual (PDF)

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2018-106

Consider approval of a proposal for Administration/Professional Services for the General Land Office (GLO) Community Development Block Grant Disaster Recovery Program and the Texas Division of Emergency Management (TDEM) Hazard Mitigation Grant Program.

2. Council Action 2018-107

Consider approval of a Fire Protection Services Agreement between Liberty County and the City of Liberty Fire Department.

- Fire Protection Svs Agreement (PDF)

3. Resolution 2018-8

Consider approval of a Resolution adopting the Houston-Galveston Area Council-Regional Hazard Mitigation Plan-2017 Update.

4. Ordinance 2018-23

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 1.08, ISSUANCE OF CITATIONS; 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.

5. Council Action 2018-108

Consider award of contract to Climatec for Heating Ventilation Air Conditioning (HVAC) at the Humphreys Cultural Center.

B. Executive Session

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

Government Code §551.071 - Private Consultation with Attorney. On a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.

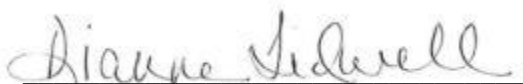
1. Discussion of personnel issues.

C. Reconvene into Regular Session**1. Council Action 2018-105**

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

VIII. ADJOURNMENT**A. Motion To: Adjourn**

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 5th day of October, 2018 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 _____, 2018.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4262)

DOC ID: 4262

Subject: Project Updates

Background: This agenda item affords the City Manager the opportunity to update the Council and public on current and future City projects and activities.



CITY OF LIBERTY

DEPARTMENT MONTHLY REPORTS

SEPTEMBER, 2018

Attachment: Department Reports (4262 : Project Updates)

All Departments Weekly Activity Report

Month Of: September 1 to September 30, 2018

Department: Fire Department Report Prepared By: Misty Dulaney

FULL: (All Authorized Filled) YES NO
 If No, Why Not? Sick Vacancy Vacation

Explain: _____

Accomplishments For Last Week:

- 1.) _____
- 2.) _____
- 3.) _____
- 4.) _____
- 5.) _____
- 6.) _____

Goals For Upcoming Week:

- 1.) _____
- 2.) _____
- 3.) _____
- 4.) _____
- 5.) _____
- 6.) _____

Repairs Completed: Potholes: _____ Water: _____ Sewer: _____

Number Of Runs: (Fire Only) In Town 34 Mutual Aid 2

Number Of Runs: (EMS Only) 911 Calls 97 Mutual Aid 8

Transfers-Out of Town 27 Transfers-In Town 10 Dialysis 26

Other Information:

Total of payments that have been received at the Fire Department for EMS is: \$40,941.59

EMS Payments received at Fire Department: Year to Date (fiscal): \$501,831.65

Year to Date (calendar): \$364,083.92

Liberty Municipal Library September 2018 Monthly Report

	This Month	Last Year	FY to Date
Circulation:			
Adult Print Materials Circulation	1,109	1,026	12,505
Juvenile Print Materials Circulation	1,610	1,596	16,186
Periodicals	30	36	224
Young Adult Print Materials Circulation	106	83	1,590
Adult & YA E-book Circulation	248	256	2,885
Adult & YA Audiobook/Video Circulation	83	33	481
Juvenile E-book Circulation	13	7	185
Juvenile Audiobook Circulation	6	2	55
Spanish Materials Circulation	32	8	194
Projectors	0	1	7
Read-alongs	1	6	133
DVDs	364	302	5,520
Audiobooks & Music CDs	75	33	689
Video Tapes in English	58	11	687
Video Tapes & DVDs in Spanish	2	0	4
ILLs Received from Other Libraries	1	0	20
ILLs Provided to Other Libraries	4	8	62
Total Adult & YA Circulation All Formats	2,107	1,789	24,794
Total Juvenile Circulation All Formats	1,630	1,611	21,559
Total Circulation All Formats	3,737	3,400	46,353
Reference Services:			
In-house Reference	160	142	1,814
Telephone Reference	147	206	2,073
Public Computer Assistance	143	284	1,850

	This Month	Last Year	FY to Date
Collection Statistics:			
Volumes Added to Collection	173	198	2,290
Volumes Removed from Collection	51	110	750
Total Volumes in Collection	53,595	52,048	53,595
Titles Added to Collection	108	118	1,442
Titles Removed from Collection	37	11	553
Total Titles in Collection	61,098	59,391	61,098
Cataloging:			
Books Cataloged	99	86	1,321
DVDs Cataloged	3	32	41
Audiobooks & Music CDs Cataloged	6	0	19
Periodicals Cataloged	61	79	854
Building Use/Programs/Public Relations:			
Meeting Room/Pavilion Use	10	7	138
Story Time Programs	4	3	36
Story Time Attendance	48	61	733
Misc. Children's Programs/Tours	0	1	25
Misc. Children's Programs/Tours Attendance	0	14	1,292
Young Adult Programs	0	0	5
Young Adult Attendance	0	0	6
Adult Programs	5	3	58
Adult Programs Attendance	37	25	523
Speaking Engagements	1	0	11
Total Programs	9	7	129
Total Attendance All Programs	85	100	2,554

	This Month	Last Year	FY to Date
Patron Count/Volunteers:			
New In-City Patrons	21	37	372
In-City Cards Renewed	27	31	358
In-City Cards Deleted	1	6	21
Total In-City Patrons	7,498	7,143	7,498
New Out-of-City Patrons	42	33	716
Out-of-City Cards Renewed	26	33	421
Out-of-City Cards Deleted	0	4	15
Total Out-of-City Patrons	6,538	5,879	6,538
New E-Book Users	4	2	67
Tex Share Cards Issued	0	0	1
Total Volunteers	0	1	46
Total Volunteer Hours	0.00	5.00	304.0
Traffic Count	2,909	3,927	44,636
Public Use Technology:			
Wireless Users	56	46	614
New Computer Users	65	57	990
Deleted Computer Users	0	0	2
Public Computers Users This Month	563	583	7,237
Hours of Patron Computer Use	497	577	6,529
Website Visits: Ploud,Facebook,Online Catalog	761	419	7,191

Liberty Municipal Library September 2018 Report

Circulation	September
Total Adult & YA Circulation All Formats	2,107
Total Juvenile Circulation All Formats	1,630
Total Circulation All Formats	3,737
Reference Services	
In-house Reference	160
Telephone Reference	147
Public Computer Assistance	143
Collection Statistics	
Total Volumes in Collection	53,595
Total Titles in Collection	61,098
Cataloging	
Books Cataloged	99
DVDs Cataloged	3
Audiobooks & Music CDs Cataloged	6
Periodicals Cataloged	61
Building Use/ Programs/Public Relations	
Meeting Room/Pavilion Use	10
Total Programs	9
Total Attendance All Programs	85
Patron Count/ Volunteers	
Total In-City Patrons	7,498
Total Out-of-City Patrons	6,538
Total Volunteers	0
Total Volunteer Hours	0
Traffic Count	2,909
Public Use Technology	
Wireless Users	56
Public Computers Users This Month	563
Hours of Patron Computer Use	497
Website Visits: Ploud, Facebook, Online Catalog	761

The library has two new library board members. June Damek and Stacy Sundgren were approved by the Liberty City Council at their September meeting. The ladies replace Susan LaCour and Ellen English. Beverly Davis, Joanne Knepper and Yvonne Lawrence were reappointed. Other Library Board members are: Dr. Cody Abshier, Mitzi Kline, Paul Schmidt and Bruce Wright. We appreciate their service to the library as board members.

Children's Librarian Haylee Mayhew's last day at the library was September 5. She was lured away by Hardin ISD's offer of a job with benefits. Several people were interviewed for the children's librarian job and a new person will join the staff in October.

On September 25 sharp-eyed and caring library staff members realized that a fax received for an elderly patron on the library's fax machine was a hoax intended to lure the patron into sending money to receive prize money. We learned that the scammer had been making threatening phone calls to the lady for a while, and she was very relieved when the staff offered to help her. We called the Liberty Police Department and Detective Joel Davila soon arrived and interviewed the lady. As he was hearing the details, the crook actually called the lady's cell phone and Det. Davila expertly dealt with him. Det. Davila was very compassionate and professional, and our patron certainly appreciated his help. She left the library greatly relieved and feeling much safer.

September was a rainy month and new leaks showed up in the skylights in the children's area. More buckets were put out, but the leaking area appeared to grow. There were no books shelved in the leak area but the carpet was soaked. A mysterious leak was found in an upstairs AC mechanical room on September 26. Wall insulation was soaked about 3 inches up, but there was no obvious source. Fortunately, water didn't drip down into the library as in the past.

The library staff recognized Banned Book Week with several displays. Becca Daniel and Amber Ursprung did attention-grabbing displays in the library and foyer. Maggie Varela worked on a Red Box—or for library purposes a "Read" Box display for the new books/movies/bestsellers shelving area. The Read Box is very noticeable as patrons enter the library and is a clever way to highlight recent arrivals.

Work is already in progress for next year's summer reading program. The theme will be space related, as in outer space, and Amber is looking for space science entertainment ideas. She is also building a cardboard box rocket ship photo booth/playhouse for the kids to enjoy. Kids will be able to go inside the rocket ship and look out a port hole to have their photos made. We hope the ship will survive kids pretending to be astronauts.

Dana Abshier filed the paperwork with the Texas State Library for the City to be reimbursed for postage expenses for interlibrary loans. The library shipped out 59 books to other libraries over the year and the City will receive an estimated \$324.50 reimbursement.

The Friends of the Library met in September and agreed to help the library with Halloween festivities on October 30. The staff is planning a different kind of Pumpkin Bash this year. There will be no real pumpkins sacrificed for the Bash. We will give an in-depth account of the party in the October report.

AC unit 2 had several repairs done in September. It had a Freon leak and a bad TXB valve that had to be replaced. Calley Price from Climatec met with City Manager Tom Warner, Dana Abshier and Mike Kaiser on September 27 to discuss a proposal for managing the library's HVAC controls system. Gas consumption has gone up significantly after fresh air venting was installed in the old half of the building last year, and Climatec believes their control software could significantly reduce utility costs.

The library received a beautiful furniture donation from the estate of a former Friend of the Library, Mary Lou Rice, who passed away earlier this year. A lovely sofa, two chairs and a lamp table found a new home in the upstairs activity area where they can be enjoyed by small groups.

Dana was on KSHN's Party Line Program on September 13 and discussed banned books and the library's process for selecting books.

**City of Liberty
Public Works
Parks Department
Monthly Report September 2018**

Work Completed:

Fields:

Work Performed: Picked up trash and maintained as needed. Mowed five times and trimmed twice.

Restrooms:

Work Performed: Washed all restrooms twice a week and cleaned and swept as needed. Replaced toilet paper and other things as needed also.

Concession Stands:

Work Performed: Picked up trash and debris around concession stands as needed every day.

Splash Pad:

Work Performed: Mowed and trimmed as needed. Maintained chemicals every day, cleaned and made sure everything was in working order.

Jogging Trail:

Work Performed: Picked up limbs and trash as needed also, trimmed around trees and rocks as needed. Mowed as needed

Playground Equipment:

Work Performed: Checked and made sure all playground equipment was in good working order.

Pocket Parks:

Work Performed: Picked up trash and other debris every day.

Trees:

Work Performed: Cut down trees that had been twisted off or rotted throughout park. Picked up limbs as needed.

Flags:

Work Performed: Checked flags every day for damage.

Notes: Mowed Magnolia Park for contractor because the park was closed for remodel

Had Raymond from street dept. come and spray the entire walking trail to stop grass from encroaching on the path and rocks.

Put out bleachers, extra barrels, and moved rocks at the basketball pavilion and pushed two trailers together with tractor for the churches park party.

YEARLY ACTIVITY REPORT FOR 2016													
ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVITY
CALLS FOR SERVICE	1193	1278	1369	1378	1455	1423	1572	1850	1855	1624	1505	1445	17947
OFFENSES REPORTED	93	87	95	79	79	58	104	103	98	97	78	77	1048
OFFENSES CLEARED	24	30	16	153	48	17	19	15	40	18	26	15	421
OFFENSES EXCEPTIONALLY CLEARED	3	0	0	11	67	2	72	61	62	73	89	89	529
TRAFFIC CITATIONS	96	102	160	119	127	116	117	132	220	270	178	116	1753
TRAFFIC ACCIDENTS	28	36	33	26	29	28	26	31	27	41	31	34	370
WARNING TICKETS	44	46	15	30	27	28	32	24	81	64	31	50	472
ARRESTS	26	30	29	19	30	34	45	39	31	24	31	21	359
ANIMALS HANDLED	58	108	60	66	234	185	83	190	58	134	94	112	1382
ALARM CALLS	72	43	77	72	80	89	75	73	73	68	65	67	854
GARAGE/YARD SALES	X	X	X	X	X	X	X	16	2	1	4	1	24
YEARLY ACTIVITY REPORT FOR 2017													
ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVITY
CALLS FOR SERVICE	1606	1515	1729	1583	1651	1728	1873	1781	1625	1426	1446	1474	19437
OFFENSES REPORTED	83	75	75	62	91	93	72	35	86	77	84	48	881
OFFENSES CLEARED	24	22	22	17	28	19	11	10	6	18	10	6	193
OFFENSES EXCEPTIONALLY CLEARED	89	91	91	92	92	94	96	96	0	98	98	98	1035
TRAFFIC CITATIONS	149	176	138	179	187	135	192	205	158	128	61	39	1747
TRAFFIC ACCIDENTS	25	22	22	32	38	34	31	17	34	36	33	37	361
WARNING TICKETS	51	53	99	68	127	242	254	246	457	196	123	208	2124
ARRESTS	29	23	34	37	35	45	26	36	31	40	31	22	389
ANIMALS HANDLED	76	100	131	115	166	132	125	121	86	111	65	106	1334
ALARM CALLS	63	57	75	68	78	76	90	102	113	77	63	61	923
GARAGE/YARD SALES	0	0	1	0	2	0	0	1	0	0	1	0	2
YEARLY ACTIVITY REPORT FOR 2018													
ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVITY
CALLS FOR SERVICE	1608	1141	1560	1433	1290	1560	1679	1657	1508				13436
OFFENSES REPORTED	74	53	62	52	50	60	72	63	68				554
OFFENSES CLEARED	35	9	6	9	8	11	10	11	15				114
OFFENSES EXCEPTIONALLY CLEARED	100	103	0	0	103	0	0	0	1				307
TRAFFIC CITATIONS	50	191	104	76	61	63	66	68	65				744
TRAFFIC ACCIDENTS	25	23	26	34	33	35	27	26	23				252
WARNING TICKETS	224	176	194	259	237	196	136	133	117				1672
ARRESTS	29	20	34	12	12	23	19	28	34				211
ANIMALS HANDLED	66	64	79	94	191	131	54	91	85				855
ALARM CALLS	63	44	52	62	61	99	58	64	57				560
GARAGE/YARD SALES	0	0	0	0	0	0	0	0	0				0

**City of Liberty
Public Works
Street Department
Monthly Report
September 2018**

Streets:

Graded:		Miles
Swept:	32	Hours
Street cut repairs:	4	Each
Curb & Gutter Repair:	57	Feet

Drainage:

Ditch Cleaning:		Feet
Culvert Installation:		Feet
Catch Basin/inlets cleaned:	743	Each
Levee Inspection:	yes	
Flap gate Debris Removal:		

Spraying:

Herbicide:		Gallons
Mosquito:	467	Miles

Signs:

Installed		Each
Repaired/Replaced		Each

- Notes:
- Sprayed mosquitos all month
- Cleaned inlets several times this month
- Swept streets
- Cut and removed tree off of the levee at the Compost
- Patched around town
- Completed inventory
- Completed drain sump at animal shelter
- Cut and removed tree off of Lakeside
- Checked Mains B and C every Monday and the Levee at the 1st of the month
- Removed storm drain pipe from well yard at Trinity so it could be mowed by contractor
- Repaired knuckleboom and sweeper
- Cut and removed tree at Webster and Travis
- Saw cut Travis
- Picked up trashed that was dumped on Washington with Knuckleboom
- Repaired storm drain box at Milam and Webster
- Repaired storm drain box and pipe on Beaumont in front of Jail
- Saw cut and broke concrete on Maryland and Beaumont
- Repaired storm drain box on Ft Worth
- Picked up new truck in Houston Unit 1888

WATER/WASTEWATER DEPARTMENT
MONTHLY ACTIVITY

FOR THE MONTH OF SEPTEMBER 2018

REPAIRS COMPLETED

3 Water Line Repairs
4 Sewer Line Repairs

WORK COMPLETED

0 Manhole Repairs
7 Sewer Stoppage
1 Meter Repair
1 Radio Replacement
2 Water Taps
2 Sewer Taps
7 Customer Problems
51 Marked Lines
51 Texas 811 Lines Locates
0 Meter Boxes Replaced
0 Meter Lids Replaced
1 Cleanouts Replaced/Installed
0 Pulled Meters
7 Customer Requested Turn On
11 Customer Requested Turn Off
11 Cut Off Service
63 Rechecks

LINE MAINTENANCE (VACCON TRUCK)

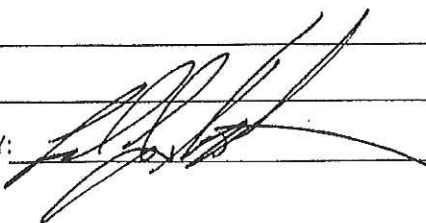
10 Hours
6,000 Feet of Sewer Line
3 Manholes Cleaned

LIFTSTATION MAINTENANCE

1 wk Liftstations Checked Each Day
Daily Water Wells Checked Each Day
10 Water Samples Taken
40 Samples for Monthly Monitoring

Chlorine Report

Misc:

REPORT PREPARED BY: 

Attachment: Department Reports (4262 : Project Updates)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4263)

DOC ID: 4263 A

Subject: SRMPA Report

Background: The Sam Rayburn Municipal Power Agency supplies the wholesale electrical energy needs of the member cities of Liberty, Jasper and Livingston. Mayor Pickett is the President of the Sam Rayburn Municipal Power Agency and desires to provide the Council and the public with updates on the Agency's projects and activities.

Livingston, Texas

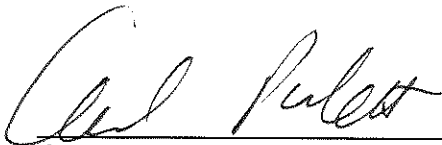
August 21, 2018

The regular meeting of the Board of Directors of the Sam Rayburn Municipal Power Agency was held on the above date at the City of Livingston Administration Building with the following members present:

Carl Pickett	President
Clarke Evans	Vice President
Denise Kelley	Secretary
Judy Cochran	Director
Gary Gatlin	Director

Rick Nowlin and Jarod Taylor of Nowlin & Assoc., James Striedel of GDS Assoc., Inc., Bill Wiggins of the City of Liberty, Kyle Kuntz, Ryan Thomas, Mark Tamplin, Patrick Burchette, Carrie Hawkins, Kathy Calvert, and Bruce Mintz was also present.

1. Board President Carl Pickett presided over the meeting and called the meeting to order with a quorum present at 9:35 a.m.
2. A meeting of the board of directors of the Sam Rayburn Dam Electric Cooperative was held concurrently with the Agency board meeting.
3. Following the SRDEC board meeting, Mr. Pickett called for public comments. There were none.
4. The Board considered the minutes of the special meeting of August 3, 2018. A motion was made by Denise Kelley, seconded by Judy Cochran, to approve the minutes as presented. The motion passed unanimously.
5. The Board next considered the July 2018 payables. A motion was made by Clarke Evans, seconded by Gary Gatlin, to approve payment of the July 2018 payables. The motion passed unanimously.
6. The Board discussed the draft FY2018 Operating Budget.
7. The Board passed on agenda item 8.
8. Jarod Taylor presented his engineer's report.
9. The Board went into executive session at 11:08 a.m. pursuant to Texas Government Code §551.072 to deliberate on the value and purchase of real property. No formal action was taken in executive session. The Board reconvened in open session at 11:32 a.m.
10. A motion was made by Gary Gatlin, seconded by Clarke Evans, to offer \$32,000.00 for the property located at 266 N. Fletcher, Jasper, Texas, net to the Seller. The motion passed unanimously.
11. Bruce Mintz presented the Executive Director's update.
12. There being no further business before the Board, the meeting was adjourned at 10:30 a.m.



Carl Pickett, President

ATTEST: 

Denise Kelley, Secretary

Attachment: August 2018 minutes (4263 : SRMPA)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4264)

DOC ID: 4264 A

Subject: Mayor, Council & Staff Comments

Background: This agenda item affords the Mayor, Council and Members of Staff to comment on recognition of community members, city employees, upcoming events, etc.



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, September 11, 2018

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 September 11, 2018 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	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Tom Warner	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Boy Scout Caleb Lawson, Troop #56, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledges to the U.S. and Texas flags was given by Boy Scout Cameron Lawson, Troop #56, Liberty, Texas.

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. Mr. Ed Seymour addressed Council regarding his concern for the disrepair of the City's streets and requested that the City consider a street

Minutes Acceptance: Minutes of Sep 11, 2018 6:00 PM (Minutes Approval)

maintenance program.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4229)

Project Updates - City Manager Tom Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the upcoming TML Region XVI Meeting to be held in Beaumont, Main "A" Levee repairs, DigTech returning to complete underground electric rehab in Regency Place and Travis Park, and other City projects.

B. Information Item (ID # 4230)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported the next meeting of the Agency would take place on Tuesday, September 18, and that consideration of appointments to the Sam Rayburn Municipal Power Agency Board of Directors would take place later in this meeting.

C. Information Item (ID # 4231)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that a "Shred Event" has been scheduled for Saturday, September 22, 2018, from 9 a.m. until Noon, in the City Hall Parking Lot.

D. Information Item (ID # 4232)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

There were no comments.

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, Simonson, Arnold, Glazener, Smith

A. Minutes Approval

1. Tuesday, August 14, 2018
2. Tuesday, August 28, 2018
3. Wednesday, August 29, 2018

B. Council Action 2018-87

Consider approval of the abandonment of an electrical easement on the east side of Lot 1, Block 2, Section 1 of the Featherstone Subdivision.

ATTACHMENTS:

- Electric Easement Map (PDF)

C. Council Action 2018-88

Consider acceptance of the 2019 Routine Airport Maintenance Program (RAMP) Grant Agreement.

ATTACHMENTS:

- 2019 RAMP Grant Agreement (PDF)

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2018-89**

Consider approval of the newly appointed City Manager's employment contract.

COMMENTS - Current Meeting:

A motion was made to approve the employment contract of the new City Manager, Tom Warner, effective August 30, 2018 with changes as discussed.

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

2. Ordinance (ID # 4251)

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3, CREATING SECTION 3.08.132, REGULATING RECREATIONAL VEHICLES ON COMMERCIAL PROPERTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3, CREATING SECTION 3.08.132, REGULATING RECREATIONAL VEHICLES ON COMMERCIAL PROPERTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

After lengthy discussion regarding recreational vehicles on commercial, business or industrial properties and placement of these vehicles for occupancy, the ordinance will be brought back to Council for further discussion.

RESULT: NO ACTION TAKEN

3. Public Hearing (ID # 4234)

Public Hearing on the Proposed Budget for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

At 6:40 p.m., Mayor Pickett opened the Public Hearing on the Proposed Budget for Fiscal Year 2018-2019. City Manager Tom Warner reviewed a powerpoint presentation on the budget document. There were no comments from the public.

After brief discussion, Mayor Pickett closed the Public Hearing at 6:47 p.m.

4. Ordinance 2018-20

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING

NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt the Ordinance, as presented.

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

5. Council Action 2018-90

Consider ratification of the property tax revenue increase reflected in the Fiscal Year 2018-2019 Budget.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that adoption of a budget that raises more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. This vote is in addition to and separate from the vote to adopt the budget and the vote to set the tax rate.

A motion was made to ratify the property tax revenue increase reflected in the Fiscal Year 2018-2019 Budget.

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

6. Public Hearing (ID # 4237)

Public Hearing on the proposed Tax Rate for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

At 6:49 p.m., Mayor Pickett opened the Public Hearing on the Proposed Tax Rate for Fiscal Year 2018-2019. Finance Director Naomi Herrington reported on the proposed rate of \$0.5851, rollback and effective rates, and other tax related information. There were no comments from the public.

Mayor Pickett closed the Public Hearing at 6:51 p.m.

7. Resolution 2018-6

Consider a Resolution appointing a representative to the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

A motion was made to reappoint Mayor Carl Pickett as a representative to the Sam Rayburn Municipal Power Agency Board of Directors, term ending September, 2020.

RESULT: APPROVED [6 TO 0]
MOVER: David Arnold, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Huddleston, Beasley, Simonson, Arnold, Glazener, Smith
ABSTAIN: Carl Pickett

8. Resolution 2018-7

Consider a Resolution appointing a representative to fill an unexpired term on the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

A motion was made to appoint City Manager Tom Warner to fill the unexpired term (ending Sept. 2019) on the Sam Rayburn Municipal Power Agency Board of Directors, left vacant by the retirement of former City Manager Gary Broz.

RESULT: APPROVED [UNANIMOUS]
MOVER: Carl Pickett, Mayor
SECONDER: David Arnold, Councilperson
AYES: Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

9. Council Action 2018-91

Consider appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier reported on the Liberty Municipal Library Board and related terms of office. Councilperson Huddleston nominated those individuals recommended by the Library Director.

A motion was made to appoint June Damek and Stacy Sundgren, and the reappointments of Joanne Knepper, Yvonne Lawrence and Mitzi Kline to the Liberty Municipal Library Board.

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

10. Council Action 2018-92

Consider a Request for Proposal award for employee health, dental and vision insurance.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on bids received from First Liberty National Bank and Hall &

Associates, for employee health, dental and vision insurance. Mr. Warner reviewed each of the plans and their related benefits. The Staff recommended United HealthCare for health insurance and Cigna for dental and vision insurance, provided through Hall and Associates.

A motion was made to award the proposal for employee health insurance to United Healthcare and Cigna for dental and vision insurance.

ATTACHMENTS:

- Bid Tab-Ins 2018 (XLS)

RESULT:	APPROVED [5 TO 0]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Beasley, Simonson, Arnold, Glazener, Smith
ABSTAIN:	Carl Pickett, Diane Huddleston

11. Council Action 2018-93

Consider a nomination to the Liberty County Central Appraisal District Agricultural Advisory Board.

COMMENTS - Current Meeting:

A nomination was not made to the CAD Agricultural Advisory Board.

ATTACHMENTS:

- CAD-Ag Board Info (PDF)

RESULT:	NO ACTION TAKEN
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12. Council Action 2018-81

Consider a nomination to the Liberty County Central Appraisal District, Appraisal Review Board.

COMMENTS - Current Meeting:

A motion was made to nominate Mr. Howard Brister to the Liberty County Central Appraisal District, Appraisal Review Board.

ATTACHMENTS:

- CAD-ARB Info (PDF)

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

13. Council Action 2018-94

Consider approval of the appointment of the City Manager as the General Manager of the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

A motion was made to appoint City Manager Tom Warner as the General Manager of the

Liberty Community Development Corporation.

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

14. Council Action 2018-95

Consider authorizing City Manager, Tom Warner, as a signatory on all City financial accounts.

COMMENTS - Current Meeting:

A motion was made to authorize new City Manager Tom Warner as a signatory on all City financial accounts.

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

15. Council Action 2018-96

Consider approval of an Interlocal Contract with Liberty County, Precinct 1, for paving of the parking lot at the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that Liberty County Precinct 1 Commissioner, Bruce Karbowski has agreed to provide County manpower and equipment to repair the parking lot at the Liberty Municipal Golf Course. Commissioner Karbowski will retain the services of a contractor for the asphalt overlay. The City will be responsible for the cost of the overlay, for an estimated cost of \$30,000. The funds will be transferred from the Liberty Community Development Corporation to the Golf Course to pay for materials.

A motion was made to approve the Interlocal Contract with Liberty County Precinct 1 for paving the parking lot at the Liberty Municipal Golf Course.

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

16. Council Action 2018-97

Consider approval of an Electric Department Emergency Operations Plan.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that this Plan addresses the necessary steps for the restoration of the electric system in case of emergency. This plan also defines various processes and reporting to the Federal Emergency Management Agency (FEMA) for

reimbursement.

A motion was made to approve the Electric Department Emergency Operations Plan.

ATTACHMENTS:

- Summary EOP (PDF)

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

17. Council Action 2018-98

Consider acceptance of a Texas Department of Emergency Management Hazard Mitigation Grant for a Wastewater Treatment Plant Floodwall and Levee.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the City's application for a Hazard Mitigation Grant has been approved. The first phase includes design of the floodwall and levee protection, preparation of construction documents and revised cost estimation. The second phase of the project will include construction of the floodwall and levee.

The estimated cost of Phase I of the project is \$310,000.00 with a Federal and City share of \$232,500.00 (75%) and \$77,500 (25%), respectively. The estimated total cost of the project is \$5,100,000.00.

A motion was made to approve the Hazard Mitigation Grant from the Texas Department of Emergency Management for construction of a floodwall and levee at the City's Wastewater Treatment Plant.

ATTACHMENTS:

- Hazard Mitigation Grant Info (PDF)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:26 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Sep 11, 2018 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 25, 2018

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 September 25, 2018 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Absent	
Dennis Beasley	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Tom Warner	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	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.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 4257)

Project Updates - City Mgr. Tom Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on various City activities including:

- Two power outages caused by trees and falling limbs

- Water leaks
- Sanitary Sewer Improvement Project moving along
- Main "A" and Main "B" Repairs
- Code Enforcement Report available next month
- Report of numerous other project and activities.

2. Information Item (ID # 4258)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the recycling event held on Saturday, September 22nd was held in the rain, however there were 50-60 vehicles that brought boxes of documents to be shredded. Mr. Warner thanked those that assisted with the event.

ATTACHMENTS:

- Shred It Event (DOC)

3. Information Item (ID # 4259)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

There were no comments.

IV. REGULAR AGENDA

A. Regular Session

1. Ordinance 2018-21

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING AN AD VALOREM TAX RATE FOR FISCAL YEAR 2018-2019, AT A RATE OF \$0.5851 PER ONE HUNDRED DOLLAR (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY; PROVIDING 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.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING AN AD VALOREM TAX RATE FOR FISCAL YEAR 2018-2019, AT A RATE OF \$0.5851 PER ONE HUNDRED DOLLAR (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY; PROVIDING 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."

Finance Director Naomi Herrington reported on the proposed rate of \$0.5851, discussed the effective and roll back rates and stated that new property on the tax roll would provide approximately \$67,000-\$70,000 revenue. A motion was made to adopt the Ordinance and

tax rate of \$0.5851 per \$100 valuation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Beasley, Simonson, Arnold, Glazener, Smith
ABSENT:	Diane Huddleston

2. Council Action 2018-82

Consider approval of a bid for Tax Resale Property described as 0.7281 acres, GEO ORR, Tract 240, Street and Paving (Cook Street).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported on tax resale property located on Cook Street, Park Place Apartments. The resale property is located within the apartment complex and serves as their parking lot. When the complex changed ownership, the parking lot was not included in the sale. No one has paid the taxes resulting in the taking of the property for back taxes. An offer of \$60,000.00 has been made, and if the bid is accepted, \$12,877.57 will be distributed to the City of Liberty, and the property placed back onto the tax roll.

After brief discussion, a motion was made to accept the bid of \$60,000.00, for the tax resale property described as 0.7281 acres, GEO ORR, Tract 240, Street and Paving.

ATTACHMENTS:

- Tax Resale Property Info (PDF)
- Tax Resale Prop Map (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Chipper Smith, Councilperson
AYES:	Pickett, Beasley, Simonson, Arnold, Glazener, Smith
ABSENT:	Diane Huddleston

3. Council Action 2018-83

Consider approval of a Lease Agreement between the Port of Liberty, Chambers-Liberty Counties Navigation District and the City of Liberty, and Schlumberger Technology Corporation, for property located at 1505 Fort Worth Street, Liberty, Texas.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that the proposed agreement is for the lease of real property, to be used as a warehouse facility. Mr. Davis stated that the property owners (Port, CLCND and City of Liberty, as Lessor) have leased this location to Schlumberger Technology, as Lessee, for quite some time. The term of the lease is one year, for a fee of \$24,000.00 per annum.

A motion was made to approve the Lease Agreement with Schlumberger Technology Corporation.

ATTACHMENTS:

- Lease Agreement-Schlumberger (PDF)

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

4. Council Action 2018-84

Consider approval of the dates of March 22nd and 23rd for the 2019 Liberty Jubilee.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding the regular festival date of the fourth weekend in March, other possible festival dates, and additional events that the City could possibly be competing with for vendors and visitors. Also discussed was that festival planning should begin much earlier to accommodate a possible change in date and provide an opportunity to seek new attractions. A motion was made to approve the dates of March 22nd and 23rd for the 2019 Liberty Jubilee.

ATTACHMENTS:

- March 2019 Events (PDF)

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

5. Council Action 2018-85

Consider designation of certain Fire Department Self Contained Breathing Apparatus Equipment (SCBA) as surplus property, and authorize the transfer of the designated SCBA Equipment to the Texas Forest Service.

COMMENTS - Current Meeting:

City Manager Tom Warner and Fire Chief Brian Hurst reported that the City had replaced its Self-Contained Breathing Apparatus (SCBA) Equipment and that the Texas Forest Service "Helping Hands Program" will take the older equipment, refurbish it and supply it to other smaller departments that cannot afford to purchase new equipment. Chief Hurst stated that he has been assured that the equipment will go to a department in the local area.

A motion was made to declare this equipment surplus, and transfer it to the Texas Forest Service to assist other Fire Departments.

ATTACHMENTS:

- FD SCBA Equipment (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Paul Glazener, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Simonson, Arnold, Glazener, Smith
ABSENT: Diane Huddleston

6. Council Action 2018-86

Consider approval of a new City of Liberty Purchasing Policy.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the City's Purchasing Policy had not been updated in quite some time. Mr. Warner stated that the competitive purchasing requirements are maintained, while providing additional flexibility to Department Directors, explaining the dollar thresholds and minimum documentation required for various procurement methods. After further discussion of quotes, procedures, and HUB vendors, a motion was made to approve the new Purchasing Policy.

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

7. Ordinance 2018-22

CONSIDER ADOPTION OF AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS ("CITY") APPROVING THE SETTLEMENT FILED IN ENTERGY TEXAS, INC.'S RATE PROCEEDING INITIATED ON MAY 15, 2018; 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.

COMMENTS - Current Meeting:

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

"AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS ("CITY") APPROVING THE SETTLEMENT FILED IN ENTERGY TEXAS, INC.'S RATE PROCEEDING INITIATED ON MAY 15, 2018; 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."

City Manager Tom Warner reported that this settlement is a result of a proposed rate increase filed by Entergy Texas in May, 2018. Mr. Warner further stated the rate increase is in regard to excess income taxes collected that it must return to customers. After brief discussion, a motion was made to adopt the Ordinance as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Simonson, Arnold, Glazener, Smith
ABSENT:	Diane Huddleston

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:58 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Sep 25, 2018 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-99

DOC ID: 4265 A

Subject: Work Management Program

Background: The Work Management Program establishes consistent execution of work activities and defines the responsibilities to lead personnel in the planning process and scheduling of tasks to maintain the Electric System. This document details specific actions necessary for personnel to transform the operating budget into incremental actions to be used as a communication and performance management tool. It provides a coordinated approach to execute work; enhancing the use of City resources and elevating accountability in the work place.

Fiscal Impact: NA

Staff Recommendation: Staff recommends approval of the Electric Department Work Management Program.

Executive Summary

Issue:	Currently the Electric Department does not have a uniform process to identify, prioritize, plan, schedule and complete work approved in the annual operating budget. The absence of a standard protocol that provides clear direction in communicating and executing work assignments discredits fiscal responsibility and accountability expected by the City.
Document:	Electric Department Work Management Program
Purpose:	To establish the operating structure necessary for the consistent execution of work activities and define responsibilities to guide personnel in the process of planning and scheduling tasks required to maintain the electric system.
Objectives:	* Establish a standard platform for work to be planned, managed and executed in a manner that enhances the level of confidence of customers such that budget allocations and the utilization of resources are maximized to the highest degree possible. * Establish transparency in the planning, scheduling and execution of all City resources. * Capitalize on institutional knowledge and untapped capabilities of employees by actively engaging them in each aspect of process development. * Establish accountability at the work section level to provide clear direction in the execution of assignments as identified in the Annual Work Plan Calendar.
Summary:	This document details specific actions necessary for personnel to transform the approved operating budget into incremental actions that can be used as a communication and performance management tool. It provides a coordinated approach to execute work; enhancing the utilization of City resources and elevating accountability in the work place.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.C

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-100

DOC ID: 4266

Subject: Emergency Load Shedding Program.

Background: This Program establishes the operating protocol necessary for actions required to shed load during a bulk electric grid emergency to bring stability back to the power system. This action is regulated by the Federal Energy Regulatory Commission (FERC), having specific protocols that all utilities must follow. This protocol adheres to the directives and instructions from regulatory and other governing agencies. The document details the specific measures for personnel to perform that cause the deliberate shutdown of electric power to specific areas within the City's service territory, as directed by SRMPA, Entergy Load Balancing Authority or Entergy Transmission Control Center.

Fiscal Impact: NA

Staff Recommendation: Staff recommends approval of the Electric Department Emergency Load Shedding Program.

Executive Summary

Issue:	In the event of a bulk electric grid emergency, the City is required to curtail its pro-rata share of load to bring stability back to the power system. This action is regulated by the Federal Energy Regulatory Commission (FERC) and has specific protocols that all utilities must follow.
Document:	Emergency Load Shedding Program
Purpose:	To establish the operating protocol necessary for actions required to shed load during a bulk power system emergency that adheres to the directives and instructions from regulatory and other governing agencies.
Objectives:	* Mitigate the risk of system frequency or voltage instability by executing measures according to regulatory compliance standards and good utility practices. * Curtail load in a manner that provides a rapid, smooth and harmless transition of the system from an emergency situation to a normal equilibrium state. * Shed load by priority, dropping less critical loads to maintain the stability of the remaining portion of the electric system. * Disconnect the minimum amount of load required to arrest the event. * Incorporate both technical and public safety aspects into load shedding.
Summary:	This document details specific measures necessary for personnel to perform that cause the deliberate shutdown of electrical power to specific areas within the City's service territory when directed by SRMPA, Entergy Load Balancing Authority or Entergy Transmission Control Center.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.D

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-101

DOC ID: 4267 A

Subject: Electric Distribution Personal Protective Equipment Handbook.

Background: This Handbook provides clear instructions in the use of Personal Protective Equipment (PPE), creating awareness for employees to properly protect themselves from workplace hazards. This Handbook provides direction to employees in the ways to protect themselves from occupational hazards. It describes the City's responsibility to provide PPE and the responsibility the employees have in the use and care of PPE. Listed in the Handbook are the types of PPE and guidelines for its specific use.

Fiscal Impact: NA

Staff Recommendation: Staff recommends approval of the Electric Distribution Personal Protective Equipment Handbook.

Executive Summary

Issue:	Currently, the City does not have detailed procedures for Personal Protective Equipment identification and application. The absence of such instructions to safeguard personnel from occupational hazards increases their exposure and risk of injury.
Document:	Electric Distribution Personal Protective Equipment Handbook.
Purpose:	To provide clear instructions in the identification, use and care of Personal Protective Equipment and create an awareness for employees to properly protect themselves from workplace hazards.
Objective	* Protect personnel from the risk of injury by creating a barrier against workplace hazards. * Ensure employees acquire a thorough understanding of PPE use, limitations and purpose. * Develop the employees' ability to anticipate, recognize and evaluate hazardous conditions that require the use of PPE. * Create awareness among employees that PPE must be used and such use will lessen the likelihood of occupational injury. * Reduce or eliminate employee injuries through compliance with PPE.
Summary:	This handbook provides instructions to employees in the ways to protect themselves from occupational hazards. It describes the City's responsibilities for providing PPE and the responsibilities employees have in the use and care of PPE. The types of PPE are listed as well as the guidelines for its specific use.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.E

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-102

DOC ID: 4268

Subject: Electric Distribution Protective Grounding Manual.

Background: The purpose of this manual is to provide instructions for the temporary grounding and isolation of de-energized high voltage lines, cables and equipment. This document details specific actions necessary for personnel working on or near de-energized electrical components. It provides specialized training and industry accepted work practices to guide employees through the proper grounding techniques and applications. This manual assists in developing and promoting best practice safety work methods.

Fiscal Impact: NA

Staff Recommendation: Staff recommends the approval of the Electric Distribution Protective Grounding Manual

Executive Summary

Issue:	Currently, the City does not have detailed procedures for safely grounding lines, cables or equipment to perform temporary work on the electric system. The absence of consistent work methods to adequately install and remove grounds on de-energized electrical components compromises public and worker safety.
Document:	Electric Distribution Protective Grounding Manual
Purpose:	To provide clear instructions for the temporary grounding and isolating of de-energized high voltage lines, cables and equipment.
Objective	* Establish clear and consistent guidelines and procedures for grounding electrical lines and equipment. * Provide safety equipment for all personnel working on or near de-energized apparatus, conductors or cables. * Promote safety awareness in accident prevention and maintain the interest in improving work methods and employee skills. * Provide specialized training for employees to minimize risk and prevent accidents. * Develop and promote best practice safety work methods.
Summary:	This document details specific actions necessary for personnel working on or near de-energized electrical components. It provides specialized training and industry accepted work practices to guide employees through the requirements of proper grounding techniques and applications. Responsibilities have been identified as well as common terms and definitions to facilitate the process of understanding protective grounding.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.F

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-103

DOC ID: 4269

Subject: Electric System Switching and Tagging Manual

Background: This manual provide clear instructions for the switching, tagging and isolation of electrical lines, cables, devices and other apparatus in a controlled manner, enabling personnel to perform maintenance repairs safely, without fear of accidental energization. The manual details the tactical steps necessary for executing field switching due to changes in system operating conditions. It provides a coordinated and consistent approach for the safety of personnel and ensures operational control over the electric system when necessary to re-configure power flow. The guidelines and procedures developed assist in the mitigation of undesirable consequences brought on by misunderstandings or lack of communication among personnel.

Fiscal Impact: NA

Staff Recommendation: Staff recommends the approval of the Electric System Switching and Tagging Manual.

Executive Summary

Issue:	Currently, the City does not have detailed procedures for safely switching lines, cables or equipment to perform temporary work on the electric system. The absence of consistent work methods to methodically switch energized components and specifically tag devices isolating it from electrical sources compromises public and worker safety.
Document:	Electric System Switching and Tagging Manual
Purpose:	To provide clear instructions for the switching, tagging and isolating of electrical lines, cables, devices and other apparatus in a controlled manner, enabling personnel to perform maintenance repairs safely, without fear of accidental energization.
Objectives:	* Ensure the safety of all individuals from injury caused by the unexpected energization of electric system components. * Establish the protocol to safely isolate lines, cables and equipment. * Establish consistent procedures necessary to maintain operational control over the configuration of the electric system. * Establish guidelines and operating criteria that shall be adhered to by City personnel and contractors working on the electric system. * Enhance worker's knowledge of switching and tagging requirements and procedures. * Ensure the integrity and reliability of electric service delivery.
Summary:	This document details the tactical steps necessary for executing field switching due to changes in system operating conditions. It provides a coordinated and consistent approach for the safety of personnel and ensures operational control over the electric system when it is necessary to re-configure power flow. Guidelines and procedures have developed to mitigate undesirable consequences brought on by misunderstandings or lack of communication among personnel.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.G

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION 2018-104

DOC ID: 4270

Subject: Underground Electric System Manual

Background: The purpose of the manual is to provide information to customers, builders, developers and engineering firms requesting the requirements for the installation of underground electric service. This document describes the minimum design and construction standard requirements for new underground electric facilities. These standards establish a uniform process to ensure equity between the City, customers, builders and developers, also serving as a resource for workers who maintain and operate the underground electric system. Compliance with these standards is necessary in order to create a safe operating environment for the public and workers.

Fiscal Impact: NA

Staff Recommendation: Staff recommends the approval of the Underground Electric System Manual.

Executive Summary

Issue:	Currently the City does not have a uniform process to install underground electric facilities or to identify existing system components. The lack of design and construction standards, as well as the lack of information of cable routing, terminating points and transformer locations compromises the safe delivery of electric service.
Document:	Underground Electric System Manual
Purpose:	To provide information to customers, builders, developers and engineering firms requesting the requirements for the installation of underground electric service. It also serves as a resource for workers who maintain and operate the underground electric system.
Objectives:	* Establish minimum standards for the safe, efficient operation and maintenance of the underground electric facilities. * Establish uniformity in material specifications, reducing the type and quantity of items required for inventory. * Provide a consistent methodology for design criteria. * Provide direction to craft workers regarding the installation of material in a specific application/configuration according to engineering drawings. * Ensure the construction process is performed within the framework of quality control, resulting in uniformity in methods and compliance with industry practices.
Summary:	This document describes the minimum design and construction standard requirements for new underground electric facilities. These standards establish a uniform process to ensure equity between the City, customers, builders and developers. Compliance with these standards is necessary in order to create a safe operating environment for the public and workers. The City shall own and operate the underground primary system (excluding primary metered customer facilities) after final acceptance has been confirmed. A unique numbering convention has been developed to provide a standard framework identifying underground system assets; enhancing restoration efforts during an outage.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Proposals

COUNCIL ACTION 2018-106

DOC ID: 4272 A

Subject: Proposal Award - Grants

Background: The CDBG Disaster Recovery Funds are federally appropriated funds for declared disasters for long-term recovery efforts. The GLO serves as the designated State agency responsible for administering the CDBG-DR funds.

The HMGP is funded by FEMA and administered by the State of Texas. This mitigation grant program is designed to identify and fund cost-effective mitigation measures and help minimize the cost of future disaster response and recovery.

The grant administration service provider will assist the City in preparing the application and administering infrastructure related grants. The grant administrator will assist the City from award of the grant to the completion of construction. Two firms, GMJ and Public Management, Inc., submitted proposal for grant management services. Each firm was evaluated and awarded points based on experience, work performance, capacity to perform and proposed costs. The maximum number of points a firm could receive was 100. The grant administrator with the highest evaluation points is Public Management, Inc.

Fiscal Impact: The grant administrator is typically funded through the grant with the City responsible for the local match.

Staff Recommendation: Staff recommends the proposal be awarded to Public Management, Inc.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION 2018-107

DOC ID: 4273 A

Subject: Fire Department Mutual Aid Calls

Background: This agreement is executed annually in order to provide fire protection for the geographic area of the community, outside of the Liberty City Limits.

Fiscal Impact: In 2017, Liberty County paid the Liberty Fire Department a flat rate of \$11,000 for services provided. The new rate will be \$20,000 for Fiscal Year 2018-2019.

Staff Recommendation: Staff recommends the approval of the Fire Protection Services Agreement with Liberty County.

**AGREEMENT BETWEEN LIBERTY COUNTY AND LIBERTY FIRE
DEPARTMENT FOR FIRE PROTECTION SERVICES**

THE STATE OF TEXAS §

COUNTY OF LIBERTY §

1. PARTIES TO THE CONTRACT

This agreement ("Agreement") is made and entered into between **LIBERTY COUNTY** ("County"), acting by and through County Judge Jay Knight, and the **LIBERTY FIRE DEPARTMENT** ("Fire Department"), acting by and through its President, located:

1912 Lakeland Dr.
Liberty, Texas 77575

(936) 336-3922

Number of Active Members: 25

2. AUTHORITY

This contract is executed pursuant to the authority of Texas Local Government Code §352.001(c), for the purpose of providing fire protection to the residents of Liberty County.

3. CONTRACT PERIOD

The term of this Agreement is for a period beginning on October 1, 2018 through September 30, 2019 for a period of one (1) year, unless terminated at an earlier date.

**4. SERVICES AND EQUIPMENT TO BE PROVIDED BY FIRE
DEPARTMENT**

Fire Department shall operate a fire protection and fire fighting operation program for the geographic area of the community, and equipment must meet or exceed the state equipment minimum requirements.

**5. FIRE DEPARTMENT SHALL MAINTAIN NATIONAL INCIDENT
MANAGEMENT SYSTEMS (NIMS) TRAINING**

Fire Department and its members shall participate in and comply with the National Incident Management Systems (NIMS) Training Program for the purpose of improving the preparedness, response and recovery capabilities of Fire Department. This Agreement is conditioned on the completion and compliance of Fire Department and its members with the NIMS Training Program. Certification of completion shall be forwarded to the State Fire Marshal's Office for recording.

- (A) Fire Department and its members shall follow a Training Program presented by the State Fire Fighter and Fire Marshal's Association (SFFMA) and shall provide proof of compliance to the Liberty County Fire Marshal.
- (B) Fire Department shall supply, during the months of January and June, of each contract year, a list of all members of Fire Department, a unit number, a contact number and all fire fighting apparatuses belonging to Fire Department, to the Liberty County Fire Marshal, or his designee, and to the Liberty County Sheriff's Office Dispatch Supervisor for recording.

6. FIRE DEPARTMENT SHALL PROVIDE ANNUAL AND MONTHLY REPORTS TO COUNTY

On or before the 15th day of October 2018, Fire Department shall file a report with the Liberty County Commissioners' Court that includes the following:

- (A) Fire Department's name;
- (B) Fire Department's mailing address;
- (C) The name, mailing address, telephone number and term of office for Fire Department's Fire Chief and Secretary;
- (D) A map of Fire Department's area for which Fire Department is the primary initial responder;
- (E) The number of Emergency Services Districts, if any, in which Fire Department operates as the primary initial responder, if any;
- (F) The name of any city or town, if any, in which Fire Department's primary facility is located;
- (G) A copy of Fire Department's Monthly Budget;
- (H) The total number of incidents, and types thereof, to which Fire Department responded within the last year, irrespective of whether funds or reimbursement for such response were sought from County; and
- (I) Certificates of completion NIMS training for each member of the Fire Department.

On or before the 15th day of each month, Fire Department shall file a report with the Liberty County Commissioners' Court that includes the following:

- (J) Fire Department's name;

(K) Fire Department's mailing address, telephone number; and

(L) The total number of incidents, and types thereof, to which Fire Department responded within the last year, irrespective of whether funds or reimbursement for such response were sought from County.

7. METHOD OF PAYMENT

Subject to approval and certification for payment by the Liberty County Fire Marshal, the Liberty County Commissioners Court agrees to pay Liberty Fire Department for fire protections services at a rate of \$20,000.00 per year (\$1666.66 monthly). Such mutual aid assistance for fire protection services provided by Fire Department shall be documented by monthly reports in accordance with the set rate schedule and contain strict proof thereof. Any proof must be certified by Fire Department's Chief.

Reimbursement from County to Fire Department shall be made in equal monthly payments.

In addition to reimbursement from County to Fire Department as provided herein above, County may provide to Fire Department rock and road surface materials to be placed by County at Fire Department's facilities for use by emergency service vehicles including base material for driveway facilities and those facilities adjacent to the VFD station. Cost of such materials shall be deducted from the Monthly Reimbursement made to the VFD.

ALL REPORTS MUST BE COMPLETED AND TURNED INTO THE LIBERTY COUNTY FIRE MARSHAL FOR APPROVAL ON OR BEFORE THE 15TH OF EACH MONTH. COMPLIANCE IS MANDATORY FOR PROPER PAYMENT. FAILURE TO COMPLY MAY RESULT IN NON-REIMBURSEMENT.

8. TERMINATION

(A) County may terminate this contract, in whole or in part, at any time if County determines that cause exists for such termination. The party requesting termination shall give written notice sixty (60) days prior to the date of termination. The notice shall state the reason for termination and the portion of the contract to be terminated.

(B) County may immediately suspend performance of this contract, without advance notice to Fire Department, if County identifies possible instances of fraud, abuse, fiscal mismanagement, or other serious deficiencies in Fire Department's performance.

(C) The suspension or termination of this contract by County shall not relieve Fire Department of any of their existing liability to County.

9. INDEMNIFICATION

To the fullest extent permitted by law, Fire Department shall defend, indemnify and hold harmless the County, its consultants, agents and employees from and against suits, claims, damages, losses and expenses, including but not limited to, attorney's fees, arising out or resulting from performance of the work to the extent that such claims, damages, losses and expenses are attributable to bodily or personal injury, sickness, disease or death or to injury to or destruction of tangible property, including loss of use resulting therefrom and is caused in whole or in part by negligent acts or omissions or acts or omissions of Fire Department, a subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. This indemnity shall include but not be limited to, any claim or suit brought by an employee of Fire Department or any Fire Department's subcontractors. This indemnity obligation shall not be construed to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

To the fullest extent permissible under Texas law, the County shall indemnify, defend, and hold harmless Fire Department, its officers, agents and employees with respect to any claims or demands, actions, damages, costs and other expenses including attorney's fees, court costs or mediation expenses resulting from any errors, omissions, torts or other negligent acts or omissions of the County, its agents, servants, employees, associates, affiliates or subcontractors. Notwithstanding anything contained in this paragraph or this contract to the contrary, nothing in this contract shall be interpreted or construed as a waiver, relinquishment or abandonment of sovereign immunity granted or available to either or both parties to this contract. Accordingly, this indemnity provision shall apply, but not in such a way as to bypass override or supersede any sovereign immunity claim by either party to this contract. Furthermore, nothing in this contract shall be deemed as waiver or relinquishment of a Texas constitutional claim pertaining to the application of any indemnity claim under this contract.

The parties expressly acknowledge that Fire Department is contracted by the County only for the purposes and to the extent set forth in this Agreement, and the relationship of Fire Department to County shall during the period or periods hereunder, be that of an independent contractor. Fire Department shall not be considered as having employee, subcontractor, agent or joint venture status. Neither party shall be deemed an employee or agent of the other party. This Agreement does not constitute a joint venture, either express or implied.

To effectuate the purpose of this Section of the Agreement, the indemnified party, as the case may be, shall give written notice of any suit or claim within twenty-one (21) days of the date of receipt of same to the indemnifying party. The indemnifying party shall have the right, but not the obligation, to participate in the defense of the claim or suit by engaging its own counsel and conducting any defense of any claim it may be

called upon to pay the party to be indemnified. The party to be indemnified shall cooperate fully with the indemnifying party.

10. COMMITMENT OF CURRENT REVENUE

Pursuant to Article XI, Section 5 of the Texas Constitution and Section 271.903 of the Texas Local Government Code, County retains the continuing right to terminate this Agreement at the expiration of each budget period. This Agreement is conditioned on the best efforts attempt of County to obtain and appropriate funds within each budget period for the payment of the Agreement.

11. COMPLIANCE WITH THE LAW

Both parties shall comply will all federal, state and local laws. Further, Fire Department shall comply with all regulations applicable to volunteer fire departments provided for by any and all federal, state and local laws. In the event of a conflict between such laws and regulations and the terms of this Agreement, precedence shall be given to any and all federal, state and local laws and regulations.

12. ENTIRE CONTRACT

This Agreement incorporates all of the agreements, covenants and understandings between the Parties hereto, concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No other prior agreement or understanding, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this Agreement. Each party acknowledges that it was represented by competent counsel of its own choosing regarding the negotiation and execution of this Agreement.

Signed this _____ day of _____, 2018.

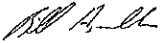
ATTEST:

Jay Knight, Liberty County Judge

ATTEST:

Carl Pickett Mayor City of Liberty TX

ATTEST:


Liberty County Fire Marshal



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Fire Department

RESOLUTION 2018-8

DOC ID: 4275 A

Subject: Hazard Mitigation Plan Update 2017

Background: The H-GAC Hazard Mitigation Plan identifies regional hazards and vulnerabilities, and includes numerous mitigation projects that could be implemented within our region. This plan is important as it is a specific requirement that any local government must have this document when applying for federal mitigation grant funding. The plan expired during April 2018 and H-GAC has worked with emergency management coordinators to revise the plan and identify new projects. H-GAC has received acknowledgement of "approvable pending adoption" status. H-GAC is working with the jurisdictions in the area to formally adopt the 2017 Plan Update.

Fiscal Impact: This will provide the City of Liberty opportunities to apply for HMPG Funding.

Staff Recommendation: Staff recommends approval of the Resolution adopting the H-GAC Hazard Mitigation Update.

A RESOLUTION OF THE CITY OF LIBERTY TEXAS, ADOPTING THE HOUSTON-GALVESTON AREA COUNCIL-REGIONAL HAZARD MITIGATION PLAN-2017 UPDATE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain areas of the City of Liberty, Texas are subject to periodic flooding and other natural hazards with the potential to cause damages to people properties within the area; and

WHEREAS, UNDER THE Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004; and

WHEREAS, the cities of Liberty County in the H-GAC Region, in order to meet this requirement, have initiated development of a county-wide Hazard Mitigation Plan, including the City of Liberty.

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

SECTION 1. That the City Council of the City of Liberty, Texas adopts the Houston Galveston Area Council - County wide Hazard Mitigation Plan-2017 Update: and

SECTION 2. That the City Council of the City of Liberty, Texas vests the Mayor of the City of Liberty, Texas with the responsibility, authority, and the means to:

- (a) Inform all concerned parties of this action.
- (b) Develop an addendum to this Hazard Mitigation Plan -2017 Update if H-GAC's.
A county's or a district's unique situation warrants such an addendum.

SECTION 3. That the City Council appoints the Mayor to assure that the Hazard Mitigation Plan 2017 Update be reviewed at least annually and that any needed adjustment to the City of Liberty addendum to the Hazard Mitigation Plan-2017 Update be developed and presented to the City Council for consideration.

SECTION 4. That the City Council agrees to take such other official action as may be reasonable necessary to carry out the objectives of the Hazard Mitigation Plan-2017 Update.

SECTION 5. That the City Council has found and determined that the meeting at which this Resolution is considered was open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code. Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 6. That this Resolution shall be effective immediately upon its passage and approval.

PASSED AND APPROVED this the 9th day of October ,2018.

THE CITY OF LIBERTY

BY: _____

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Code Enforcement

7.A.4

ORDINANCE 2018-23

DOC ID: 4276 A

Subject: Building Official to Issue Citations

Background: Many cities give certain employees, including code enforcement officer and animal control officers, the power to issue a citation on behalf of the city in cases where there is an alleged ordinance violation. Typically, it provides for a period of time in which the violator may rectify the situation. If not rectified, and the situation is not brought into code compliance within a certain period of time, a complaint will be filed in Municipal Court. Approval of the amendment will allow the Building Official authority to issue Code Enforcement citations during the absence of the Code Enforcement Officer. The current Building Official is also a certified Code Enforcement Officer.

Fiscal Impact: NA

Staff Recommendation: Staff recommends adoption of the Ordinance authorizing the City's Building Official to issue citations for ordinance violations.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 1.08, ISSUANCE OF CITATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City Council of the City of Liberty, Texas seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the City;

WHEREAS, the City Council finds that state law does not provide rules and regulations relating to issuance of citations in criminal cases stemming from local ordinances by non-peace officers;

WHEREAS, the City Council desires to enact an ordinance which authorizes Code Enforcement Officers, Inspectors, and Animal Control Officers to issue citations to provide for the enforcement of the Code of Ordinances and other Codes and Ordinances of the City as provided herein;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City, and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City to adopt an ordinance regulating the issuance of citations in criminal cases stemming from local ordinances by non-peace officers.

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

Section 1: Section 1.08.001 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.001. Title; purpose; applicability

- (a) Title. This article shall be cited as the citation issuance ordinance.
- (b) Purpose. This article provides procedural and substantive rules relating to the issuance of citations by non-peace officers to defendants accused of violating criminal ordinances of the city. The mandates and process established by this article were specifically designed to achieve the effective and efficient administration of the city's code enforcement program through the improved operation of the city's municipal court.
- (c) Applicability. This article applies to the issuance of citations alleging criminal violations within the jurisdiction of the municipal court. The procedures of this article apply only to offenses alleged to occur on or after the date of enactment.

Section 2: Section 1.08.002 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.002. Definitions

- (a) General rules of construction. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.
- (b) Specific Definitions.
 - 1. Animal Control Officer. The individual appointed by the chief of police to act in that capacity, or any officer of the city police department.

2. Building Inspector. The person charged with enforcement of building codes of the City, sometimes referred to as the building official or plumbing inspector.
3. Citation. An ordinance violation notice and notice to appear before the city municipal court, as provided for in this article.
4. Code Enforcement Officer. The person charged with enforcement of the City Code of Ordinances, sometimes referred to as the health officer, code official, or neighborhood services administrator.
5. Person. Any individual, association, firm, corporation, governmental agency, political subdivision, or legal entity of any kind.

Section 3: Section 1.08.003 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.003. Administration

- (a) Relation to related laws. A citation issued pursuant to this article does not relate to the issuance of a citation by a peace officer pursuant to article 14.06(d) of the Code of Criminal Procedure or section 543.003 of the Texas Transportation Code.
- (b) Authority to issue citations. Pursuant to this article, and the scope of their assigned duties, a citation may be issued by any of the following individuals so designated by the city council;
 - (1) Animal Control Officer
 - (2) Code Enforcement Officer
 - (3) Building Inspector
- (c) Form and contents of citations. A citation issued under this section must be in a form approved by the municipal court judge that includes the following information:
 - (1) The name, address, date of birth, driver's license number or identification number and physical description, and telephone number of the person cited;
 - (2) The offense and ordinance section for which the person is charged;
 - (3) The date and location of the offense;

- (4) A statement requiring the person receiving the citation to appear at municipal court on or before the appearance date indicated on the citation;
 - (5) A statement of the person's promise to respond to the citation, pursuant to article 27.14 of the Code of Criminal Procedure, by the appearance date indicated on the citation, including a place for the person cited to provide the person's signature; and
 - (6) The signature and identification number of the person issuing the citation.
- (d) Pleading subsequent to issuance of citation. All pleas arising from the issuance of a citation under this article shall be made pursuant to article 27.14 of the Code of Criminal Procedure.

Section 4: Section 1.08.004 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.004. Offenses; penalty

- (a) Violation of promise to appear. A person issued a citation, as authorized by this article, commits an offense if the person fails to appear or enter a plea pursuant to section 1.08.003(d) on or before the appearance date indicated on the citation.
- (b) Interference with or obstruction of issuance. A person commits an offense if the person interferes with or obstructs the issuance of a citation under this article.
- (c) Provided false information. A person commits an offense if the person gives a false or fictitious name, address, or other information to an individual authorized to issue a citation under this article.
- (d) Penalty. Each violation under this article is a misdemeanor offense punishable upon conviction by a fine not to exceed five hundred dollars (\$500.00) per offense. For violations that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2,000.00) per offense. Each day shall constitute a separate offense.

Section 5: 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 6: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this 9th day of October, 2018.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Contracts

COUNCIL ACTION 2018-108

DOC ID: 4274

Subject: HVAC Controls at Cultural Center and Library.

Background: The current HVAC controls at the Cultural Center and Library is a proprietary system that is eight (8) years old. Changes to the operation of the system require assistance from the manufacturer of the control system. Additionally, when the air conditioners were recently replaced, there were no dampers installed on the fresh air returns. As a result, the system is bringing in 100% raw outside air with no modulation based on occupancy or need. Since the HVAC system uses the boiler to remove the humidity in the building, the gas usage has increased from an average of \$350 to approximately \$1,000 per month. The proposed controls will include a non-proprietary system, new system graphics, CO2 sensors for each unit, modulating outside air damper actuators, demand control ventilation and training.

Fiscal Impact: The cost for the new HVAC controls is \$38,500.00. The payback period is approximately two and one half (2 ½) years.

Staff Recommendation: Staff recommends awarding the contract to Climatec in the amount of \$38,500.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 10/09/18 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION 2018-105

DOC ID: 4271 A

Subject: Action Taken Following an Executive Session

Background: A vote on a matter deliberated in a closed meeting may only be made in an open meeting that is held in compliance with the notice provisions.