



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, April 9, 2019

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 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 # 4399)

City Manager's Report - City Projects & Activities - City Mgr. T. Warner

- City Manager's Report April 9 2019 (DOCX)
- Summary of FEMA Claims April 4 2019 (XLSX)

B. Information Item (ID # 4400)

Finance Report - Finance Director N. Herrington

C. Information Item (ID # 4401)

Department Reports - Monthly Dept. Activities

- Dept Reports-March 2019 (PDF)

D. Information Item (ID # 4402)

SRMPA Report - Agency Activities - Mayor Pickett

E. Information Item (ID # 4403)

Recycling Report - Councilperson Huddleston

F. Information Item (ID # 4404)

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, March 12, 2019
2. Tuesday, March 19, 2019

B. Council Action (ID # 4412)

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

VII. REGULAR AGENDA**A. Executive Session**

Government Code §551.071

Private Consultation with Attorney - To seek advice regarding contemplated / pending litigation.

Cities of Hardin and Ames Wastewater Issues.

B. Reconvene into Regular Session**C. Regular Session****1. Council Action (ID # 4405)**

Consider granting a variance to Chapter 3, Division 3 Recreational Vehicle Parks, Sections 3.08.112 and 3.08.122 to Mr. James McCormick for the proposed McCormick RV Resort.

- Variance Application-RV Park (PDF)
- MAP - RV Park Port Rd April 9 2019 (PDF)

2. Council Action (ID # 4406)

Consider approval of an Area Lighting Capital Improvement Program.

3. Ordinance (ID # 4407)

CONSIDER ADOPTION OF AN ORDINANCE ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF LIBERTY, TEXAS TO PROMOTE RESPONSIBLE USE OF WATER AND TO ESTABLISH CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES INCLUDING RESTRICTIONS AND PROVIDING FOR PENALTIES AND/OR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE THEREOF; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

- Water Conservation Plan 2019 (PDF)

4. Council Action (ID # 4408)

Consider an award of bid for energy efficient lighting and heating, ventilation and air conditioning (HVAC) contracts.

5. Ordinance (ID # 4411)

CONSIDER ADOPTION OF AN ORDINANCE CREATING CHAPTER 3.11 OF THE CODE OF ORDINANCES, REGULATING INDUSTRIALIZED HOUSING; PROVIDING FOR A PENALTY FOR VIOLATIONS; 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.

6. Council Action (ID # 4409)

Consider award of bid for the Holly Street Drainage and Water Improvements.

- Bid Tab-Holly St Drainage (PDF)

7. Ordinance (ID # 4413)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 28, 2019; 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 THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

- CenterPoint Rate Suspension Ltr-Lawton Law Firm (PDF)

8. Council Action (ID # 4410)

Consider appointments to the 2019 Charter Review Commission.

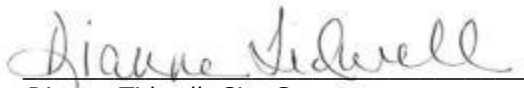
9. Information Item (ID # 4414)

Discussion of an assessment of the City's Information Technology System.

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 April, 2019 at 5:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time

of said meeting in accordance with Chapter 551 of the Texas Government Code.



Dianne Tidwell, City Secretary

NOTICE

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

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2019.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4399)

DOC ID: 4399

Subject: City Manager Report

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

Memo

To: Mayor & City Council

From: Tom Warner, City Manager

Date: April 19, 2019

Re: City Manager Report

1. The 34th Annual Liberty Jubilee was a great success. The crowd for the Friday night Street dance, with Mason Lively as the opening performer and Stoney Larue as the featured performer, was estimated between 2,700 to 3,000 people. Response from the craft and food vendors was this was one of their better Jubilee's. The carnival did extremely well on both days with record revenues. The operator of the laser tag attraction stated they had never been this busy at an event. City Staff are commended for all their hard work it making this a successful Jubilee. A work session with City Council will be held at a later date to recap this year's Jubilee and discuss next year's Jubilee.
2. During the May 2016, floods, the sanitary sewer lines on north end of Bowie, Hwy 90 in front of Shoppa's and Alabama were damaged. The cost to repair these lines was \$1,090,543.78. After FEMA reviewed the claim, the reimbursable amount was reduced to \$1,063,582.59. The City recently received reimbursement for 75% or \$797,686.94 of the revised cost. An additional \$20,700 was received for damages to the Main B Levee as a result of Hurricane Harvey. FEMA and insurance claims from May 2015 to August 2017 have totaled \$3,183,543.30. The City has received reimbursement from FEMA, to date, of \$1,613,181.95. The City also received \$577,878.05 in insurance proceeds for a total of \$2,191,068.00 or 69% of the total losses. Another \$748,771.84 in claims are currently under review by FEMA. Since Cambridge Funds were used to pay for these repairs, the FEMA reimbursement will be returned to this account. A summary of all claims submitted is enclosed.
3. In April 2013, the Cities of Liberty and Dayton entered into an interlocal agreement to permit the Liberty Municipal Court Judge to serve as a visiting Judge for the City of Dayton, at Liberty's expense, when the Dayton Municipal Court Judge is unable to appear in Court. Likewise, Dayton agrees to permit the Dayton Municipal Court Judge to serve as a Visiting Judge for the City of Liberty, at Dayton's expense, when the Liberty Municipal Court Judge is unable to appear in Court. Liberty Municipal Judge Mike Little recently informed me that he would be temporarily unable to perform his duties. Dayton's Municipal Court Judge, Alan Conner, has agreed to serve as a Visiting Judge for Liberty until Judge Little returns to work.

Attachment: City Manager's Report April 9 2019 (4399 : City Manager's Report)

4. The Engineer performing the Utility Rate Study is nearing completion of the final report. The results of the study will be presented to City Council during the April 26th Called City Council Meeting.
5. The 3rd Annual Liberty Rotary Club Chili Cook-Off is April 13, 2019, on Travis Street between Liberty City Hall and the County Courthouse. Cook-Off Sponsorships as well as Chili Team Entry Forms are available by contacting any Liberty Rotary Club Member.
6. The contracted work on Main A is considered substantially complete. The contractor has completed the removal of the coffer dam. The replacement of the barrier wall on top of the levee is the only item remaining to complete the contract.
7. The wastewater project is also progressing but has also been slowed due to the weather. The contractor restarted the micro-tunneling for the sewer line on Hwy 90, is continuing refurbish the McGuire lift station, install the remaining manholes and has completed the installation of the sewer line behind the middle and high schools. Work remaining and not yet started includes sewer line repairs on Texas Avenue and the Bypass and Beaumont Avenue Lift Stations.
8. The property for the water well, tower pump station and ground storage tank has been acquired. The environmental assessment has been completed and the proposed layout for the site is currently being reviewed by the United States Corp of Engineers to ensure that the adjacent wetlands are not impacted. The engineer for the project is continuing the design for the various elements.
9. Texas Elite Utility Services (TEUS) began supplementing the Electric Department crews on April 1, 2019. TEUS crews are currently familiarizing themselves with the City's electric system.
10. The following is a status of the current Electric Projects:

<u>Project</u>	<u>Complete</u>
a. Pine Place Subdivision	55%
b. Featherstone Subdivision	44%
c. Whittington Subdivision	76%
d. Live Front Transformer	0%
e. Beaumont #3 Lateral	51%
f. UG Primary	4%
g. OH Transformer Platform	25%
h. Regency Place	42%
i. Travis Park	68%
j. UG Street Lighting	17%

SUMMARY OF FEMA CLAIMS

April 4, 2019

Event	Description of Claim	Cost	Claim Submittal	Revised Claim Submittal	FEMA Reimbursement	Local Share
4223	Repair electrical system on Beaumont, Bowie & Webster	\$12,268.25	\$12,268.25	\$12,268.25	\$9,201.19	\$3,067.06
May-15	Repairs to WWTP Chlorine & Sulfur Dioxide dispensing systems (1)	\$59,992.00	\$0.00	0.00	\$0.00	\$0.00
	Repairs to Navigation St & Port Road	\$33,339.40	\$33,339.40	33,339.40	\$25,004.55	\$8,334.85
	Costs related to operation of Main A & B (2)	\$15,143.93	\$15,143.93	15,143.93	\$11,357.95	\$3,785.98
	Repairs to WWTP Outfall (3)					
	Repairs to end of Boat Ramp on Port Road (4)					
	Event 4223 Total	\$120,743.58	\$60,751.58	\$60,751.58	\$45,563.69	\$15,187.89
4245	Repairs to Boat Ramp Parking Lot & Ramp	\$8,551.30	\$8,551.30	\$8,551.30	\$6,413.48	\$2,137.83
Oct-15	Repairs to Navigation St. (5)	\$5,792.23	\$5,792.23	5,792.23	\$4,344.17	\$1,448.06
	Repairs to Port Road (5)	\$8,121.30	\$8,121.30	3,608.10	\$2,706.08	\$902.03
	WWTP Headworks Cleanup	\$5,621.31	\$5,621.31	5,621.31		
	Event 4245 Totals	\$28,086.14	\$28,086.14	\$23,572.94	\$13,463.72	\$4,487.91
4255	No claims					
Dec-15						
4266	No claims					
Mar-16						
4269	Sanitary Sewer Collapse - Lakeland (6)	\$52,574.90	\$52,574.90	\$52,574.90	\$39,431.18	\$13,143.73
Apr-16	Sanitary Sewer Collapse - Lakeland Street Repair	\$31,957.72	\$31,957.72	31,957.72	\$23,968.29	\$7,989.43
	Sanitary Sewer Collapse - Alabama, Bowie & Hwy 90	\$1,090,543.68	\$1,090,543.68	\$1,063,582.59	\$797,686.94	\$265,895.65
	Sanitary Sewer Collapse - Oklahoma	\$804.71	\$804.71	804.71	\$603.53	\$201.18
	WCID #5 Levee Watch & Repairs (8)	\$774.44	\$774.44	774.44		
	Event 4269 Totals	\$1,176,655.45	\$1,176,655.45	\$1,149,694.36	\$861,689.94	\$287,229.99
4272	Sanitary Sewer Collapse - Lakeside (7)	\$145,168.75	\$145,168.75	\$141,268.75	\$105,951.56	\$35,317.19
May-16	Water Line Relocation - FM 2684	\$8,700.00	\$8,700.00	8,700.00	\$6,525.00	\$2,175.00
	WCID #5 Levee Watch & Repairs (8)	\$5,629.96	\$5,629.96	5,629.96		
	Sanitary Sewer Collapse - Bowie South of Hwy 90	\$134,682.00	\$134,682.00	134,682.00	\$101,011.50	\$33,670.50
	Event 4272 Totals	\$294,180.71	\$294,180.71	\$290,280.71	\$213,488.06	\$71,162.69
	Event Totals	\$1,619,665.88	\$1,559,673.88	\$1,524,299.59	\$1,134,205.42	\$378,068.47
4332	Debris Removal	\$61,711.75	\$61,711.75	\$61,711.75	\$55,540.58	\$6,171.18
Aug-17	Emergency Protective Measures - Personnel (9)	\$136,704.69	\$136,704.69	136,704.69	\$136,704.69	
	Emergency Protective Measures - Vehicles (9)	\$64,671.10	\$64,671.10	\$66,607.54	\$66,607.54	
	Street & Drainage	\$31,263.86	\$31,263.86	31,263.86	\$28,137.47	\$3,126.39
	Utilities - WWTP (10)	\$676,149.94	\$676,149.94	98,271.89	\$88,444.70	\$9,827.19
	Utilities - Lift Stations	\$40,865.36	\$40,865.36	\$40,865.36	\$36,778.82	\$4,086.54
	Utilities - Force Main	\$43,400.00	\$43,400.00	\$43,400.00	\$39,060.00	\$4,340.00
	Buildings	\$7,780.81	\$7,780.81	7,780.81	\$7,002.73	\$778.08
	Levee (11)	\$130,980.14	\$130,980.14	594,759.76	\$20,700.00	\$2,300.00
	Direct Administrative Costs (12)					
	Event Totals	\$1,193,527.65	\$1,193,527.65	\$1,081,365.66	\$478,976.53	\$30,629.37
	Grand Totals	\$2,813,193.53	\$2,753,201.53	\$2,605,665.25	\$1,613,181.95	\$408,697.84

- 4223 (1) Reimbursement request was withdrawn as repair cost were used to offset TCEQ penalties for WWTP violations.
 (2) Reimbursement made by WCID #5 after they were reimbursed by FEMA.
 (3) Repair costs are unknown since outfall pipe cannot be located after it reaches FM 3361.
 (4) Repair were completed in DR 4245.
- 4245 (5) Final repair costs submitted to FEMA are estimated. Payment of \$7,050.25 received based on estimated costs.
- 4269 (6) Cost does not include street repair.
- 4269/4272 (7) Cost of Manholes removed from project
 (8) WCID #5 Invoiced
- 4332 (9) FEMA reimbursed 100%
 (10) To date FEMA has reimbursed \$88,740.70 and insurance has paid \$570,740.97.
 (11) Partial payment. Project scope and cost amendment currently under review
 (12) Direct Administrative Cost is a 5% of total claim amount.

Attachment: Summary of FEMA Claims April 4 2019 (4399 : City Manager's Report)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4400)

DOC ID: 4400

Subject: Finance Report

Background: This agenda item affords the Finance Director an opportunity to report on the financial activities and position of the City, to include revenues, liabilities, assets, and other financial information.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.C

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4401)

DOC ID: 4401

Subject: Department Reports

Background: Attached are reports compiled by various City Departments regarding facts about projects, situations and activities of the individual department. These reports are submitted on a monthly basis.

All Departments Weekly Activity Report

Month Of: March 1 to March 31, 2019

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 5

Number Of Runs: (EMS Only) 911 Calls 137 Mutual Aid 12
 Transfers-Out of Town 52 Transfers-In Town 16 Dialysis 27

Other Information:

Total of payments that have been received at the Fire Department for EMS is: \$48,920.59
6

EMS Payments received at Fire Department: Year to Date (fiscal): \$291,950.55
 Year to Date (calendar): \$656,034.47

Attachment: Dept Reports-March 2019 (4401 : Department Reports)

CITY OF LIBERTY INSPECTION PERMITTING MONTHLY REPORT

	<u>REVENUE</u>	<u>MONTH</u>	<u>2019 YEAR TO</u> <u>DATE</u>	<u>MONTH OF</u> <u>2018</u>	<u>2018 YEAR TO</u> <u>DATE</u>
1	<u>PERMIT REVENUE</u>	<u>\$3,662.00</u>	<u>\$9,818.00</u>	<u>\$1,157.00</u>	<u>\$5,728.50</u>
2	<u>TAP FEES</u>	<u>\$775.00</u>	<u>\$1,275.00</u>	<u>\$1,350.00</u>	<u>\$4,325.00</u>
3	<u>ALL LICENSE FEES</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
4	<u>OCCUPATIONAL LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
5	<u>SOLICITOR'S PRMTITS</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
6	<u>OUTDOOR SALES</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

TOTAL	<u>\$4,437.00</u>	<u>\$11,093.00</u>	<u>\$2,507.00</u>	<u>\$10,053.50</u>
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	<u>ACTIVITIES</u>				
1	<u>PERMITS ISSUED</u>	<u>29</u>	<u>79</u>	<u>24</u>	<u>95</u>
2	<u>PLAN REVIEWS</u>	<u>3</u>	<u>9</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
3	<u>INSPECTIONS</u>	<u>22</u>	<u>72</u>	<u>75</u>	<u>235</u>
4	<u>C OF O'S ISSUED</u>	<u>3</u>	<u>21</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
5	<u>ADDRESSES ISSUED</u>	<u>9</u>	<u>27</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
6	<u>DANGEROUS BUILDINGS</u>	<u>1</u>	<u>5</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
7	<u>DEBRIS VIOLATIONS</u>	<u>0</u>	<u>4</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
8	<u>JUNK VEHICLE VIOLATIONS</u>	<u>4</u>	<u>12</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
9	<u>VEGETATION VIOLATIONS</u>	<u>2</u>	<u>5</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
10	<u>UNSAFE/UNSANITARY</u>	<u>0</u>	<u>2</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
11	<u>RV VIOLATIONS</u>	<u>0</u>	<u>8</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
12	<u>BANDIT SIGNS</u>	<u>132</u>	<u>256</u>	<u>NOT TRACKED</u>	<u>NOT TRACKED</u>
13					

TOTAL	<u>205</u>	<u>500</u>	<u>99</u>	<u>330</u>
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SPECIAL PROJECTS

- 1 CLOSE OUT OPEN PERMITS IN THE BUILDING PROJECT SECTION OF IN-CODE FROM 1-1-2009 THRU 8-31-2017- 1637 PERMITS CLOSED OUT-PROJECT COMPLETE
- 2 CREATE MANUAL FILING SYSTEM FOR BACK FLOW INSTALLATION AND TESTING PAPERWORK AND ADD A ELECTRONIC BACK UP-(TCEQ REQUIREMENT) 50% COMPLETE
- 3 CREATE MANUAL FILING SYSTEM FOR PUMPED GREASE MANIFEST AND ADD ELECTRONIC BACK UP(TCEQ REQUIREMENT) 50% COMPLETE
- 4 CREATE MANUAL FILING SYTEM FOR CUSTOMER SERVICE INSPECTION SHEETS AND ADD AN ELECTRONIC BACK UP(TCEQ REQUIREMENT) PROJECT COMPLETE

CITY OF LIBERTY CODE ENFORCEMENT CASE NUMBERS 2019

CASE NUMBER	DATE	LOCATION	VIOLATION	ABATEMENT		
				OWNER	CITY	DATE
XXXXXXX	XXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX			
19-001	1/1/19	1516 SAM HOUSTON	DANGEROUS BUILDING-			
19-002	1/1/19	228 CARTER	DANGEROUS BUILDING			
19-003	1/1/19	604 CONFEDERATE	DANGEROUS BUILDING			
19-004	1/1/19	333 HWY 90 WEST	RV VIOLATION-Sec. 3.08.116			
19-005	1/1/19	100 BLOCK OLD RIVER ROAD	RV VIOLATION-Sec. 3.08.116	X		2/4/19
19-006	1/4/19	TEXAS AND CORNELL	JUNK RV VIOLATION IN ROW	X		1/8/19
19-007	1/4/19	2755 CORNELL	VEGETATION- Sec. 6.03.001b.	X		3/25/19
19-008	1/4/19	1834 N. SAN JACINTO	NO ELECTRIC OR WATER-IPMC Sec			
19-009	1/14/19	517 BOWIE	VEGETATION- Sec. 6.03.001b			
19-010	1/22/19	64 NAVAGATION	RUBBISH AND DEBRIS SEC 6.03.001			
19-011	1/22/19	2720 COS	DEMO DEBRIS	X		3/25/19
19-012		2720 COS	JUNK VEHICLE IN ROW	X		1/25/19
19-013	1/23/19	3018 NEYMAN	JUNK VEHICLE IN ROW	X		1/29/19
19-014	1/31/19	109 GLENN (PID 16879)	DANGEROUS BUILDING			
19-015	1/31/19	109 GLENN (PID 16879)	RV VIOLATION-Sec. 3.08.116			
19-016	1/31/19	109 GLENN (PID 16879)	RUBBISH AND DEBRIS SEC 6.03.001			
19-017	1/31/19	109 GLENN (PID 16879)	NO ELECTRIC OR WATER-IPMC Sec			
19-018	1/31/19	109 GLENN (PID 16879)	JUNK VEHICLE IN ROW	X		2/4/19
19-019	1/31/19	113 GLENN	NO ELECTRIC OR WATER-IPMC Sec			
19-020	1/31/19	113 GLENN	RV VIOLATION-Sec. 3.08.116			
19-021	2/4/19	159 VALLEY	JUNK VEHICLE	X		2/6/19
19-022	2/14/19	LUCKY	RV VIOLATION-Sec. 3.08.116			
19-023	2/14/19	LUCKY	RV VIOLATION-Sec. 3.08.116			
19-024	2/14/19	LUCKY	RV VIOLATION-Sec. 3.08.116			
19-025	2/14/19	LUCKY	RV VIOLATION-Sec. 3.08.116			
19-026	2/22/19	917 SAM HOUSTON	JUNK VEHICLE IN ROW	X		2/26/19
19-027	2/22/19	1000 JARRETT	JUNK VEHICLE IN ROW		X	2/26/19
19-028	2/26/19	TENNESSE & FRANKLIN	JUNK VEHICLE IN ROW	X		2/28/19
19-029	2/26/19	WASHINGTON & CARTER	JUNK VEHICLE IN ROW		X	2/28/19
19-030	2/26/19	2713 CORNELL	JUNK VEHICLE 1			
19-031	2/26/19	2713 CORNELL	JUNK VEHICLE 2			
19-032	2/27/19	901 DR. MLK	RUBBISH AND DEBRIS SEC 6.03.001			
19-033	2/27/19	901 DR. MLK	VEGETATION-Sec 6.03.001b			
19-034	3/4/19	2228 CENTINNIAL	JUNK VEHICLE IN ROW	X		3/25/19
19-035	3/6/19	2908 NORTH MAIN	SUBSTANDARD BUILDING			
19-036	3/7/19	1800 BLOCK MAGNOLIA	JUNK VEHICLE IN ROW	X		3/29/19
19-037	3/15/19	607 TEXAS	JUNK VEHICLE IN ROW			

Attachment: Dept Reports-March 2019 (4401 : Department Reports)

**CITY OF LIBERTY
CODE ENFORCEMENT
CASE NUMBERS
2019**

[illegible]

Liberty Municipal Library March 2019 Monthly Report

	This Month	Last Year	FY to Date
Circulation:			
Adult Print Materials Circulation	1,086	977	6,777
Juvenile Print Materials Circulation	1,589	1,437	8,894
Periodicals	20	10	132
Young Adult Print Materials Circulation	177	153	951
Adult & YA E-book Circulation	273	212	1,559
Adult & YA Audiobook/Video Circulation	93	24	500
Juvenile E-book Circulation	12	13	122
Juvenile Audiobook Circulation	3	1	53
Spanish Materials Circulation	89	12	203
Projectors	0	0	6
Read-alongs	0	19	20
DVDs	641	399	3,260
Blu-Ray	3	0	3
Audiobooks & Music CDs	37	39	331
Video Tapes in English	79	52	576
Video Tapes & DVDs in Spanish	27	0	30
ILLs Received from Other Libraries	2	2	16
ILLs Provided to Other Libraries	5	7	34
Total Adult & YA Circulation All Formats	2,478	1,878	14,431
Total Juvenile Circulation All Formats	1,604	1,470	9,089
Total Circulation All Formats	4,082	3,348	23,520
Reference Services:			
In-house Reference	173	145	885
Telephone Reference	133	185	764
Public Computer Assistance	121	115	718

Attachment: Dept Reports-March 2019 (4401 : Department Reports)

	This Month	Last Year	FY to Date
Collection Statistics:			
Volumes Added to Collection	258	168	1,113
Volumes Removed from Collection	263	8	4,576
Total Volumes in Collection	51,267	52,798	51,267
Titles Added to Collection	164	64	727
Titles Removed from Collection	219	8	1,270
Total Titles in Collection	61,037	5,955	61,037
Cataloging:			
Books Cataloged	124	61	589
DVDs Cataloged	37	0	58
Blu-Rays Cataloged	1	0	1
Audiobooks & Music CDs Cataloged	2	0	3
Periodicals Cataloged	72	84	416
Building Use/Programs/Public Relations:			
Meeting Room/Pavilion Use	16	18	69
Story Time Programs	4	3	24
Story Time Attendance	68	99	287
Misc. Children's Programs/Tours	0	0	3
Misc. Children's Programs/Tours Attendance	0	0	270
Young Adult Programs	1	0	2
Young Adult Attendance	5	0	12
Adult Programs	5	10	29
Adult Programs Attendance	46	67	251
Speaking Engagements	1	0	5
Total Programs	11	13	63
Total Attendance All Programs	119	166	820

	This Month	Last Year	FY to Date
Patron Count/Volunteers:			
New In-City Patrons	14	23	85
In-City Cards Renewed	22	48	108
In-City Cards Deleted	0	0	4
Total In-City Patrons	7,582	7,321	7,582
New Out-of-City Patrons	34	50	222
Out-of-City Cards Renewed	32	26	272
Out-of-City Cards Deleted	0	0	6
Total Out-of-City Patrons	6,755	6,141	6,755
New E-Book Users	1	3	28
Tex Share Cards Issued	0	0	0
Total Volunteers	9	10	31
Total Volunteer Hours	104.00	120.00	167.00
Traffic Count	2,976	3,053	16,881
Public Use Technology:			
Wireless Users	40	56	281
New Computer Users	47	55	292
Deleted Computer Users	0	0	0
Public Computers Users This Month	476	571	2,268
Hours of Patron Computer Use	385	521	2,187
Website Sessions: Ploud, Online Catalog	2,698	621	15,775
Website Users	376	NA	1,716
Social Media Sessions: Facebook	88	NA	508
Social Media Users	79	NA	482

Liberty Municipal Library March 2019 Report

Spring is in the air at the library and staff have been doing some spring cleaning to make sure the books go out looking and smelling nice. Shelves have been cleaned and organization of the stacks is in progress. Several new material categories have been created so we can show in more detail our circulation of Spanish and bilingual materials for all ages.

Maggie Varela has been hard at work inventorying the movies and has now moved onto the juvenile book section. She has also made it rain in the library with huge blue paper water droplets hanging throughout the children's section representing spring showers. Becca Daniel followed up the showers with a colorful rainbow display in the young adult section.

Climatec has finished installing their new HVAC software that will allow the staff better control over the system throughout the Cultural Center. Mike Kaiser, Dana Abshier, and Amber Ursprung were shown how the new system works and how to make necessary adjustments in temperature and humidity levels. We hope to see a dramatic lowering in the cost of utilities.

Weekly prizes have arrived for the summer reading program and the library staff has already chosen their favorites from a great selection of items. We hope the children will receive as much enjoyment from these new prizes as the staff had in making sure that they were fully functional.

In March we have been having some problems with computers, monitors, scanners, and printers. The scanners will need to be replaced soon. At the moment everything is back up and running. Amber is the staff member who handles malfunctioning technology.

The south lawn of the Cultural Center was supposed to house camels, pony rides and white tigers during this year's Jubilee, but at the last moment the vendors cancelled their appearances. Fortunately, Gator Country did occupy the Jubilee Pavilion again this year and their very large and highly decorated RV made it easy for Jubilee-goers to find the gators, snakes, turtles and other cold-blooded attractions.

The Friends of the Library held their annual Jubilee Bake Sale in the Cultural Center foyer and the book sale was held in the upstairs library storage area. This year the Friends sold their new Jubilee cookbook and sales were good. The cookbook is very attractive and filled with delicious recipes. The bake sale shared the foyer with an excellent Jubilee Photo Contest.

The library is already beginning to look space-tastic in anticipation of our upcoming summer reading program, which will have a space theme this year. Several members of the Star Wars gang were created by Becca (R2D2, BB8, and Yoda), and a Star Wars/Battlestar Galactica toy display was set up in display case with items on loan from Becca Daniel's father, Chris Daniel. A universe of galaxies are now hanging on the back wall in the children's area and were painted by Amber. More decorations will be coming out in the near future. Be ready to visit a library that is out-of-this-world this summer with "A Universe of Stories."

Dana was back on KSHN radio after being away on sick leave for three months. She and a contingent of City employees discussed the Jubilee on March 12 and Dana talked about all things library on March 14.

Volunteer Ann Rogers returned with her computer classes in March and her students were happy to be back in the classroom. Ann has developed very informative and in-demand computer classes.

Becca Daniel wearing her Young Adult Librarian hat carried out a Saturday movie afternoon for teens. Five teens enjoyed a movie and refreshments. Becca is planning a very interesting space themed summer program for the teens.

Liberty Municipal Library Volunteer Report for the Month of March 2019																																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total
Name of volunteer																																
Arceneaux, Val																					3		5									8
Cash, Terry								2.5														2.5						2.5				7.5
Davis, Beverly																					6	6	4.5									16.5
Damek, June																						1.5										1.5
Harbour, Cathy																					7	6	4.5									17.5
Paws 4 Love																																0
Pickett, Sandy																					4	6	4.5									14.5
Rogers, Ann																			2	2						2	2					8
Sundgren, Gary																					4	6.5	4.5									15
Sundgren, Stacey																					4	6.5	4.5									15
Whittington, Nell																																0
																																0
Total for month																																103.5

**City of Liberty
Public Works
Parks Department
Monthly Report March, 2019**

Work Completed:

Fields:

Work Performed: Picked up trash and maintained as needed. Mowed two times and weedeated 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. Had small leak fixed on one of the urinals on men's side.

Concession Stands:

Work Performed: Picked up trash and debris around concession stands as needed every day. Had girls concession and restrooms repiped after a small leak turned into a bigger problem.

Splash Pad:

Work Performed: Mowed and weedeated as needed. Maintained chemicals every day, cleaned and made sure everything was in working order. Closed for the season

Jogging Trail:

Work Performed: Picked up limbs and trash as needed also, weedeated 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. Pressure washed the white fence around playground.

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	1943
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	1031
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	1553	1521	1627	1813
OFFENSES REPORTED	74	53	62	52	50	60	72	63	68	52	69	66	741
OFFENSES CLEARED	35	9	6	9	8	11	10	11	15	11	21	15	161
OFFENSES EXCEPTIONALLY CLEARED	100	103	0	0	103	0	0	0	1	1	3	3	314
TRAFFIC CITATIONS	50	191	104	76	61	63	66	68	65	59	62	51	916
TRAFFIC ACCIDENTS	25	23	26	34	33	35	27	26	23	45	26	38	361
WARNING TICKETS	224	176	194	259	237	196	136	133	117	105	86	131	1994
ARRESTS	29	20	34	12	12	23	19	28	34	16	31	45	303
ANIMALS HANDLED	66	64	79	94	191	131	54	91	85	93	79	67	1094
ALARM CALLS	63	44	52	62	61	99	58	64	57	67	86	80	793
GARAGE/YARD SALES	0	0	0	0	0	0	0	0	0	1	0	0	1
YEARLY ACTIVITY REPORT FOR 2019													
ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL PER ACTIVITY
CALLS FOR SERVICE	1593	1421	1566										4580
OFFENSES REPORTED	75	66	76										217
OFFENSES CLEARED	17	12	13										42
OFFENSES EXCEPTIONALLY CLEARED	2	2	2										6
TRAFFIC CITATIONS	61	57	71										189
TRAFFIC ACCIDENTS	30	27	36										93
WARNING TICKETS	146	125	120										391
ARRESTS	43	22	32										97
ANIMALS HANDLED	52	39	21										112
ALARM CALLS	54	69	16										139
GARAGE/YARD SALES	0	0	0										0

Attachment: Dept Reports-March 2019 (4401 : Department Reports)

City of Liberty
Public Works
Street Department
Monthly Report
March 2019

Streets:

Graded:		Miles
Swept:	50	Hours
Street cut repairs:	7	Each
Curb & Gutter Repair:	65	Feet

Drainage:

Ditch Cleaning:		Feet
Culvert Installation:		Feet
Catch Basin/inlets cleaned:	762	Each
Levee Inspection:	yes	
Flap gate Debris Removal:		

Spraying:

Herbicide:		Gallons
Mosquito:		Miles

Signs:

Installed		Each
Repaired/Replaced	3	Each

- Notes:
- Swept streets
- Patched around town
- Sprayed for ants at City Hall
- Poured curb and gutter on Linden Ln.
- Picked up trash on Fannin
- Bladed compost rd.
- Repaired base failure at sewer plant
- Washed out pipe on Sanddune Rd.
- Replaced sign post at Hollywood and Oak
- Placed GS100 out on edges of several streets
- Repaired base failures on Still Meadows
- Repaired street cuts
- Repaired storm drain on Fannin hit by contractor
- Dug up stumps, put sand out and removed old picnic tables at Library
- Set up and tore down Jubilee
- Repaired stop sign at Navigation and Hwy 90
- Moved sound equipment from City Hall to Service Center
- Cleaned end of pound out at the park for the Fire Dept. to do pump testing

WATER/WASTEWATER DEPARTMENT
MONTHLY ACTIVITY

FOR THE MONTH OF MARCH 2019

REPAIRS COMPLETED

2 Water Line Repairs
1 Sewer Line Repairs

WORK COMPLETED

1 Manhole Repairs
9 Sewer Stoppage
2 Meter Repair
20 Radio Replacement
3 Water Taps
2 Sewer Taps
3 Customer Problems
58 Marked Lines
58 Texas 811 Lines Locates
2 Meter Boxes Replaced
2 Meter Lids Replaced
1 Cleanouts Replaced/Installed
3 Pulled Meters
25 Customer Requested Turn On
18 Customer Requested Turn Off
5 Cut Off Service
65 Rechecks

LINE MAINTENANCE (VACCON TRUCK)

30 Hours
10,000 Feet of Sewer Line
1 Manholes Cleaned

LIFTSTATION MAINTENANCE

twice wky Liftstations Checked Each Day
Daily Water Wells Checked Each Day
10 Water Samples Taken
40 Samples for Monthly Monitoring

Chlorine Report

Misc: Replaced 11 wires, 4 caps, programed 34 meters, Replaced 7 meters

AMES & HARDIN READING DAILY

REPORT PREPARED BY: [Signature]

Attachment: Dept Reports-March 2019 (4401 : Department Reports)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4402)

DOC ID: 4402

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.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.E

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4403)

DOC ID: 4403

Subject: Recycling Report

Background: This agenda item affords Council Member Huddleston the opportunity to report on upcoming recycling events or to report on the success of a previously held event.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.F

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4404)

DOC ID: 4404

Subject: Mayor, Council and Staff Comments

Background: This agenda item relates to expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events organized or sponsored by the City or other entity, that is scheduled to be attended by City officials or employees, inquiry of staff regarding specific factual information or existing policies.



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, March 12, 2019

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 March 12, 2019 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:04 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	
Chipper Smith	Councilperson	Present	
Tom Warner	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

An Invocation was not given.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Police Chief Gary Martin.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

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

Minutes Acceptance: Minutes of Mar 12, 2019 6:00 PM (Minutes Approval)

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4375)

City Manager's Report - City Projects & Activities - City Mgr. T. Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the following items:

- 34th Annual Liberty Jubilee is March 22nd and 23rd
- TML Region 16 Meeting to be held on March 21st, in Vidor, Texas
- Utility Rate Study nearing completion
- Work on Main "A" is substantially complete
- Wastewater Project has slowed down due to inclement weather
- Property for water well, tower pump station and ground storage tank acquired, environmental assessment complete and proposed layout being reviewed by the U.S. Corp of Engineers
- Holly Street storm sewer plans complete and let for bid on March 7, 2019
- Reviewed current status of Electric Projects.

ATTACHMENTS:

- City Manager's Report March 2019 (DOCX)

B. Information Item (ID # 4376)

Finance Report - Finance Director - N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financials through January, 2019. Ms. Herrington reported on the General Fund, stating that property tax collections are 67% of the budgeted amount, sales tax revenues are 30% of budgeted amounts, and cash in bank is \$2.2 million.

Ms. Herrington further reviewed the various other funds and their status.

C. Information Item (ID # 4377)

Department Reports - Monthly Dept. Activities

COMMENTS - Current Meeting:

There were no comments regarding the Department Reports.

ATTACHMENTS:

- Dept. Reports (PDF)

D. Information Item (ID # 4378)

Sam Rayburn Municipal Power Agency - Agency Activities - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency (SRMPA), reported that the Agency's Fiscal Year 2018 Audit Report was emailed to Council earlier today,

minutes from the November and December meetings are on the Council table, and the next Agency Meeting will be held on March 19.

E. Information Item (ID # 4379)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Mayor Pickett reported on the Elks Lodge recognition of Liberty Independent School District employees.

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 motion was made to approve the minutes and the designation of miscellaneous vehicles and equipment as surplus property.

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

A. Minutes Approval

1. Tuesday, February 12, 2019

B. Council Action 2019-14

Consider approval of the designation of certain vehicles and equipment as surplus property.

ATTACHMENTS:

- ONLINE AUCTION ITEMS (DOCX)

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 4380)

Public Hearing on the proposed annexation of certain territory adjacent to 2018 Annexation Tract 9 and described as all or parts of Property ID Numbers, 201314, 19349, 109682, 109686, 19340, 19344, 19436, 19442, 19443, 115545, and 113289, in Liberty County, Texas.

COMMENTS - Current Meeting:

At 6:26 p.m., Mayor Pickett opened the first, of two, public hearings on proposed annexation. Mr. Art Pertile, Olson & Olson, LLP was present to address the Council regarding the City's Phase 10 Annexation; reviewing a map of the area, properties involved, Service Plan, property revenue and other related information.

ATTACHMENTS:

- Annexation-PH Notice (PDF)

2. Information Item (ID # 4381)

Presentation of Containerized Waste Project Overview and Survey Results by Frontier Waste Solutions.

COMMENTS - Current Meeting:

Mr. Bill Killian, Frontier Waste Solutions (LT's), presented an overview of the survey results from the recent automated waste collection pilot program. The six-month program yielded favorable results from the over 400 residences that participated in the program. Mr. Killian addressed various aspects of the program, and with encouraging comments from the citizenry, would like to develop this plan for the entire city. Mr. Killian and City Management will begin negotiations for the possible implementation of this project.

3. Ordinance 2019-7

CONSIDER ADOPTION OF AN ORDINANCE AMENDING ORDINANCE 906, AS PREVIOUSLY AMENDED, EXPANDING THE AREA WITHIN THE CITY IN WHICH MANUFACTURED HOMES ARE RESTRICTED; 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.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING ORDINANCE 906, AS PREVIOUSLY AMENDED, EXPANDING THE AREA WITHIN THE CITY IN WHICH MANUFACTURED HOMES ARE RESTRICTED; 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."

City Manager Tom Warner reported that a developer/owner has approximately 340 acres of property bounded by Beaumont Avenue on the south, Minglewood Road on the west, Country Club Drive on the east, and Mizell Lake property on the north. The developer has a plat for 10 acres and is currently constructing a home on one of the lots. He also has future plans to develop another 75-acre tract, and is requesting the non-manufactured home area be expanded to include his property and the area proposed for development.

Motion was made to adopt the Ordinance, as presented.

ATTACHMENTS:

- Map - No Manufactured Home Area (PDF)

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

4. Ordinance 2019-8

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12.07 OF THE CODE OF ORDINANCES, REGULATING THE PARKING OF BOATS, CAMPERS, LARGE VEHICLES, MOTOR HOMES, RECREATIONAL VEHICLES, AND TRAILERS; PROVIDING FOR A PENALTY FOR VIOLATIONS; 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.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING CHAPTER 12.07 OF THE CODE OF ORDINANCES, REGULATING THE PARKING OF BOATS, CAMPERS, LARGE VEHICLES, MOTOR HOMES, RECREATIONAL VEHICLES, AND TRAILERS; PROVIDING FOR A PENALTY FOR VIOLATIONS; 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."

City Manager Tom Warner reported on the proposed Ordinance to regulate the parking of various large vehicles on city streets, safety concerns, exceptions to the regulations, and other related information. A motion was made to adopt the Ordinance, as presented.

ATTACHMENTS:

- Truck Classifications (PDF)

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

5. Council Action 2019-15

Consider award of a proposal for Electric System Operations and Maintenance Services.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that five proposals were received for the supplement of City Electric Department employees, in the daily operation, maintenance, construction and troubleshooting of the City's Electric System. Based on evaluation results, the successful proposal was submitted by Texas Elite Electrical. A Journeyman and two Apprentice Lineman will augment the city crews, and within 50-90 days Texas Elite will add an additional four employees to begin working on capital improvement projects. The annual cost for the three employees and associated vehicular equipment is \$218,400.00 and \$108,160.00, respectively. The costs for the capital improvement projects will be based on a per hour charge for employees and equipment. After further discussion, a motion was made to award the proposal to Texas Elite Electrical.

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

6. Council Action 2019-16

Consider approval of a contract for the purchase of materials for maintenance of the Electric System.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that proposals were received for the purchase of materials associated with the Electric System Operations and Maintenance Services. Discussed were qualifications, scope of services, costs and delivery times, and other related topics. Based on evaluation results, the successful proposer was KBS Electrical Distributors. Annual cost for the electrical materials for daily maintenance and capital projects is approximately \$170,000.00. A motion was made to award the proposal to KBS Electrical Distributors.

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

7. Council Action 2019-17

Consider approval of a contract with Uretek Gulf Coast for storm sewer pipe repair at Main "A" and Travis Street.

COMMENTS - Current Meeting:

Following inspection of the 48" storm sewer concrete pipes at the Main "A" and Travis Street crossing, revealed were two large voids at the pipe joints, and the joint compound failing at twenty-two pipe joints. If unattended, the possibility exists for future failure in the street surface. Cost of the proposed project to inject a high-density polymer to seal the reinforced concrete pipes is \$38,500.00.

A motion was made to approve a contract with Uretek, in the amount of \$38,500.00, to be paid for with Cambridge Funds.

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

8. Council Action 2019-18

Consider approval of an Election Services Contract with the Liberty County Clerk for conduct of the May 4, 2019 General and Special Elections.

COMMENTS - Current Meeting:

In January, Council ordered a General Election for Officers and a Special Election to Fill a Vacancy, to be held on the uniform election date of May 4, 2019. At that time, an Election Services Contract was approved with the Liberty County Clerk, for the conduct of these elections. The County Clerk, having recently been sworn into office, has purchased new voting equipment and has amended the contract to include reference to this equipment and election costs.

A motion was made to approve the amended Election Services Contract with the Liberty County Clerk for conduct of the May 4, 2019 Elections.

ATTACHMENTS:

- ELECTION SERVICES CONTRACT 2019 (DOCX)

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

9. Council Action 2019-21

Consider approval of a Joint Election Agreement between the City of Liberty and the City of Ames.

ATTACHMENTS:

- Joint Election Agreement (DOCX)

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

10. Council Action 2019-22

Consider appointments to the 2019 Charter Review Commission.

COMMENTS - Current Meeting:

Discussion was held regarding appointments that will be made to the Charter Review Commission, at the April Council Meeting.

RESULT:	NO ACTION TAKEN
----------------	------------------------

B. Executive Session

Government Code §551.071

Private Consultation with Attorney.

To seek advice regarding contemplated / pending litigation.

At 8:10 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:45 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2019-19

Consider and take action, if any, on contemplated / pending litigation regarding the Humphreys Cultural Center, as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

2. Council Action 2019-20

Consider and take action, if any, on the addition of a Deputy Court Clerk in the FY 2019 Municipal Court Budget, as discussed in the Executive Session.

COMMENTS - Current Meeting:

City Manager Tom Warner remarked that the work load has increased in the Municipal Court, and additional personnel is necessary to supplement the daily duties and responsibilities of the Court. A motion was made to add a Deputy Court Clerk in the Fiscal Year 2019 Municipal Court Budget.

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

VIII. ADJOURNMENT**A. Motion To: Adjourn****COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:46 p.m.

.

 Carl Pickett, Mayor

ATTEST:

 Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Mar 12, 2019 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, March 19, 2019

12:00 PM

City Council Chambers

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

I. CALL TO ORDER

The meeting was called to order on March 19, 2019 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:00 PM by Mayor Pro Tem Diane Huddleston.

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

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

III. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 4394)

Public Hearing on the proposed annexation of certain territory adjacent to 2018 Annexation Tract 9 and described as all or parts of Property ID Numbers, 201314, 19349, 109682, 109686, 19340, 19344, 19436, 19442, 19443, 115545, and 113289, in Liberty County, Texas.

COMMENTS - Current Meeting:

At 12:03 p.m., Mayor Pro Tem Huddleston opened the second, of two, public hearings on proposed annexation. Mr. Art Pertile, Olson & Olson, LLP was present to address the Council regarding the City's Phase 10 Annexation. Mr. Pertile reviewed the properties involved, the Service Plan, future property revenue and other related information. Mr. Pertile stated that the

first public hearing was held on March 12, 2019 and the Ordinance to adopt the proposed annexation will be presented at the May Council Meeting.

Mayor Pro Tem Huddleston closed the public hearing at 12:16 p.m.

ATTACHMENTS:

- Phase 10 PowerPoint-Art-PH #1 & 2 (PPTX)

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pro Tem Huddleston adjourned the meeting at 12:17 p.m.

Minutes Acceptance: Minutes of Mar 19, 2019 12:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Bids & Proposals

COUNCIL ACTION (ID # 4412)

DOC ID: 4412

Subject: Police Patrol vehicle purchase

Background: The vehicle proposed to be purchased will replace Unit #56. Unit 56 is a 2007 Ford Crown Victoria and has been removed from front line service due to the age and condition of the vehicle. Bids were requested from BJ Ford, Liberty Dayton Chrysler and Silsbee Ford. All three dealerships are on the State contract. Only BJ Ford and Liberty Dayton Chrysler submitted bids. The apparent low bid was submitted by Liberty Dayton Chrysler.

Fiscal Impact: The cost of the vehicle is \$46,800.00 and was included in the Police Department's budget.

Staff Recommendation: Staff recommends approval of the vehicle purchase from Liberty Dayton Chrysler.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Variance Requests

COUNCIL ACTION (ID # 4405)

DOC ID: 4405

Subject: 700 Port Drive - Recreational Vehicle Park Variances

Background: The Code of Ordinances, Chapter 3; Division 3 Recreational Vehicle Parks, was enacted to achieve the orderly development of recreational vehicle parks (RV parks), to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the public. Section 3.08.112 Size of individual sites; pad requirements, states, in part, sites be designed as pull-through for ease of entering and leaving the site. Section 3.08.122 Sanitary facilities states, in part, all toilets and shower facilities shall be placed in properly constructed buildings and located not more than two hundred (200) feet from any recreational vehicle site. The applicant for McCormick RV Resort, James McCormick is requesting a variance to these two sections of the Code. The property proposed for the RV resort is located at 700 Port Drive and currently has an L-shaped building on the property that is 101 ft by 260 ft at its largest dimensions. Mr. McCormick is planning to reuse either all or a portion of the building for the required recreational vehicle park. The location of the building on the property limits the number of pull-through sites and required roadways that can be constructed on the property. Also, the building will be utilized for the required amenities, such as office space, restrooms, showers and laundry facilities to name just a few. A copy of the Variance Application is enclosed. The Planning and Zoning Commission denied the variances 3-0 on April 3, 2019.

Fiscal Impact: Property taxes from the proposed improvements and sales tax would not be realized if the recreational vehicle park was constructed.

Staff Recommendation: Staff recommends approval of the variances.

VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
 - a. A copy of the deed(s) to the subject property verifying legal ownership.
 - b. A legible site plan or plot plan of the subject property.
 - c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): James D. McCormick Stacie P. McCormick

Name of Agent, if applicable: _____

Phone Number: _____

Fax Number: N/A

Mailing Address: Liberty, TX 77575

Property Data:

Street address: 700 Port Dr. Liberty, TX 77575

Legal Description: 14.16 Acres, more or less in Lot 4, outer Block 28
City of Liberty, TX

Variance Request:

I/ We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Planning and Zoning commission and City Council of the City of Liberty consider the following variance request to the City of Liberty Code of Ordinances:

List brief description and ordinance(s)

I am requesting a variance to the ordinance code to allow for back-in RV Slots. This will allow for more sites, and will also allow me to keep the large building that is on site that can store a laundry room, bathrooms, etc. I feel that the 24 foot wide roads will allow easy parking of the RV's

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Planning and Zoning Commission must make a finding of hardship. As noted in the instructions, *you must attach a letter* describing the reason for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Planning and Zoning Commission must determine that *all* of the following criteria are met. *State how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.* (Attach additional pages for multiple variance requests or if additional space is needed.)

1. The granting of the variance will not be detrimental to the public safety health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:

It will not be

2. The granting of the variance is not based on a hardship which is self-imposed:

not self-imposed

3. The hardship is not based solely on the cost of complying with the regulation:

We would like to save most of the building for future amenities for the RV Park residents, such as a laundry room and bathrooms

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

Back in spaces will allow for more spaces
for RV Spaces, which will be mostly residential
spaces

Notice:

The City of Liberty does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions. A plat vacation and replat pursuant to Chapter 212, Texas Local Government Code may be required for such authority.

Signature(s) of Owner(s)/ Agent:

This is to certify that the information provided above is true and correct and that I am the owner of record of the property or the owner(s)' legally authorized agent.

Signature: James D. McCornick

Date: 3/14/19

Signature: Stacie P. McCornick

Date: 3/14/19

For Office Use Only

Submittal Date: _____

Planning and Zoning Meeting Date: _____

City Council Meeting Date: _____

Received By: _____

For Office Use Only

Planning & Zoning Approval/Denial: _____

City Council Approval/Denial: _____

DISCOVERY OF ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF CARNES ENGINEERING INC. PRIOR TO ANY CONSTRUCTION WORK OR PURCHASES. ALL DIMENSIONS AND CLEARANCES TO BE VERIFIED BY OWNER/CONTRACTOR PRIOR TO BEGINNING ANY CONSTRUCTION. CARNES ENGINEERING INC. IS NOT RESPONSIBLE FOR ANY CONSTRUCTION ISSUES WHICH MAY ARISE DURING OR AFTER THE CONSTRUCTION OF THIS BUILDING. THERE ARE NO GUARANTEES OR WARRANTIES SPECIFIC OR IMPLIED ASSOCIATED WITH THESE DESIGN DOCUMENTS.

2.9980 Acres
Interchem, Inc.
To
CTL Rental Properties, LLC
March 20, 2006
Clerk's File No. 2006005137
O.P.R.L.C.Tx.

27.002 Acres
Interchem, Inc.
To
CLB Enterprises, Ltd.
September 1, 2006
Clerk's File No. 2006017060
O.P.R.L.C.Tx.

CITY OF LIBERTY OUTER BLOCK 28

Vol. 1 Pg. 137
M.R.L.C.Tx.

LOT 1

LOT 2

LOT 4

LOT 3

5.218 ACRES

14.16 Acres
File Fixers, LLC
To
James McCormick III, et ux
June 18, 2015
Clerk's File No. 2015010122
O.P.R.L.C.Tx.

Tract 2
1 Acre
Interchem, Inc.
To
CLB Enterprises, Ltd.
September 1, 2006
Clerk's File No. 2006017060
O.P.R.L.C.Tx.

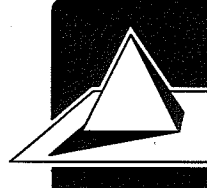
Part of
14.16 Acres
James McCormick III, et ux
Clerk's File No. 2015010122
O.P.R.L.C.Tx.

SITE PLAN

SCALE: 1"=30'

LINE BEARING DISTANCE
1 S 89°25'15" W 57.54'



NOT FOR CONSTRUCTION FOR REVIEW ONLY	CARNES ENGINEERING, INC.			McCORMICK RV RESORT PORT DRIVE LIBERTY, TEXAS LIBERTY COUNTY 281-639-1856		
	 12605 I.H. 10 EAST BAYTOWN, TEXAS 77520 (281) 385-1200 FAX (281) 385-0920 © 2014 Baytown, Texas INFO@CARENG.NET WWW.CARNESENGINEERING.COM			DESIGN ENGINEERING INSPECTIONS		
	REV. DATE BY DESCRIPTION			SITE PLAN		
	FIRM No. F-003737 ENGINEER: D. SPENCER CARNES, P.E.			DESIGNED MM SCALE AS NOTED DRAWN MM DATE 06/14/2018 CHECKED FILE		



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.2

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 4406)

DOC ID: 4406

Subject: Area Lighting Capital Improvement Program

Background: The existing area lighting (street lighting) is a combination of different light types, voltages and spacing intervals. Additionally, the existing fixture will continue to be at risk for discontinuation. The proposed Area Lighting Program will remove/replace approximately 300 incandescent lighting fixtures with 50-watt LED fixtures and replace service connectors. The estimated cost of the fixtures and labor to remove/replace is \$82,500. The payback period is 5.2 to 6.9 years depending on the fixture manufacturer.

Fiscal Impact: The Electric Fund will realize an annual energy and maintenance saving of approximately of \$9,687. The annual electricity savings is 72,270kwh. The cost to purchase and remove/ replace the fixtures would be from Cambridge Funds.

Staff Recommendation: Staff recommends approval of a resolution authorizing an Area Lighting Capital Improvement Program.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.3

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Water Issues

ORDINANCE (ID # 4407)

DOC ID: 4407 C

Subject: Water Conservation & Drought Contingency Plan

Background: On August 28, 2007, City Council adopted the first City of Liberty Water Conservation and Drought Contingency Plan. The water conservation plan develops continuous use strategies to reduce withdrawal from a supply source through reducing the loss or waste of water and improving the efficiency of water used. The drought contingency plan's objective is to identify strategies for temporary supply and demand management in response to water supply shortages and emergencies. The major changes to the plan include the following: (1) reference to web-sites for web based material as oppose to including a hard copy in the appendix; (2) modified five and ten year goals; (3) removed the distribution of the five and ten year goals by category of water conservation measure and (4) modified regulations to include implementation of drought measures when the Governor declares a county to be a disaster area due to drought conditions. Both State agencies require the plan to be revised and updated every five years by May 1st, if for no other reason than, to reflect current population and consumption projections. The plan was last revised on October 14, 2014.

Fiscal Impact: NA

Staff Recommendation: Staff recommends approval of the adoption of the revised Water conservation and Drought Contingency Plan.

Adoption of Water Conservation & Drought Contingency Plan

AN ORDINANCE ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF LIBERTY, TEXAS TO PROMOTE RESPONSIBLE USE OF WATER AND ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES INCLUDING RESTRICTIONS AND PROVIDING FOR PENALTIES AND/OR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE THEREOF; 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 of Liberty, Texas (City), recognizes that the amount of water available to its citizens and customers is limited; and

WHEREAS, the City recognizes that drought, system failure and other acts of God may occur and that the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

WHEREAS, the City desires to conserve water resources and prepare for drought; and

WHEREAS, the City desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which require these plans for all public water supply systems; and

WHEREAS, the City desires to comply with the rules of the Texas Water Development Board should it decide to avail itself of various financial assistance programs found in Title 31, Texas Administrative Code Chapter 363; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code and in the best interests of its citizens, the City is authorized to adopt Ordinances it deems are necessary and expedient to preserve and conserve its water resources and to prepare for drought;

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

Section 1. The City Council does hereby find and declare that sufficient and timely written notice of place and subject matter of this meeting adopting this Ordinance was posted. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

Section 2. The City Council adopts the Water Conservation & Drought Contingency Plans attached to this ordinance. All ordinances that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected.

Section 4. The City Secretary is hereby authorized and directed to publish this Ordinance.

Section 5. The City Manager or chief administrative officer or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Water Development Board.

Section 6. This Ordinance shall take effect after passage and publication.

Section 7. That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with.

PASSED AND ADOPTED by the City council on this _____ day of April, 2019.

Carl Pickett, Mayor

Attest:

Dianne Tidwell, City Secretary

CITY OF LIBERTY
LIBERTY COUNTY, TEXAS

WATER CONSERVATION PLAN

Prepared By:



8865 College Street, Beaumont, Texas 77707
(409) 866-0341 phone (409) 866-0337 fax

March 2019

Attachment: Water Conservation Plan 2019 (4407 : Water Conservation Plan)

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I. INTRODUCTION

A. PLANNING AREA

The City of Liberty is a full-service Home-Ruled Charter Municipality with a Council-Manager form of Government with Departments that provide water, wastewater, street, electrical, parks, library, police, and fire service. Chartered in 1831, the City is located halfway between Houston and Beaumont along Highway 90 and is the county seat for Liberty County. According to the 2010 Census, the city has a population of approximately 8,397; however, enhanced economic activity occurs during the day due to the presence of State and County operations and the city's status as a regional trade and medical center. These social and governmental operations dictate that the City maintain adequate resources to supply water utility service that can sustain household, commercial, and industrial requirements.

The area covered by this Water Conservation Plan will include the entire City of Liberty service area as defined by its CCN (Certificate of Convenience and Necessity) as well as the Ames-Minglewood Water Supply Corporation, a neighboring entity that relies upon wholesale water from the City of Liberty as a contingency water supply. Additionally, any other areas that might receive wholesale water service in the future will become subject to provisions of the program as required by the TCEQ and/or the TWDB.

B. NEED FOR AND GOALS OF THE PROGRAM

The City received a loan through the Texas Water Development Board Clean Water State Revolving Fund Loan in 2007 for improvements to the wastewater treatment system. The most recent legislative requirement for Water Conservation and Drought Contingency Plans are outlined in 30TAC Chapter 288. A Water Conservation Plan is required for any entity seeking loans amounts above \$500,000 through the Texas Water Development Board (TWDB).

The two main requirements of the program are a water conservation plan and a drought contingency plan. The water conservation plan develops continuous use strategies to reduce withdrawal from a supply source through reducing the loss or waste of water and improving the efficiency of water used. The drought contingency plan's objective is to identify strategies for temporary supply and demand management in response to water supply shortages and emergencies.

In the Southeast Texas area, the need for a water conservation program is not as obvious as for Central or West Texas communities. The above - average amount of rainfall in Liberty County (46 inches $\pm$) reduces the need for outdoor watering. Ground and surface water have traditionally been available in most of East and Southeast Texas area in abundant quantities. However, the drought cycle has periodically threatened the supply of irrigation water for Southeast Texas, as demonstrated during the 2011 drought. In future decades, such drought cycles could potentially threaten municipal and industrial water supplies unless additional surface water or ground water supplies are developed. By taking steps to promote water conservation now, the need for drastic measures during times of drought can be lessened, as local residents will have become better educated concerning water conservation and the necessary control mechanisms will already be in place.

C. IMPLEMENTATION

Implementation and enforcement of the Water Conservation Plan and Drought Contingency Plan is through City Ordinance, included in Appendix A.

II. WATER CONSERVATION PLAN

A. UTILITY PROFILE

The evaluation of the success of a water conservation plan requires comparison of data between time periods. The data used for comparison must be consistent in derivation. A Utility Profile is required to be submitted as a part of the water conservation plan and provides a basis for the collection of data. Appendix B includes a copy of the completed profile.

B. FIVE- AND TEN-YEAR GOALS

The historic 5-year average gallon per capita usage (gpcd) reported in the 2018 Utility Profile is 162 gpcd. The guidelines for a Water Conservation Plan require an entity to set five and ten year non-enforceable measurable goals for water conservation. Setting of the goals should be based on identifying water conservation strategies that the community can successfully implement and assigning an anticipated water savings value to the strategy. The TWDB has developed *Report 362 Best Management Practices for Municipal Water Users*, also referred to as BMP GUIDE, to outline implementation of various water conservation strategies. Strategies that are practical for implementation in the City of Liberty include the following:

- Education and Information
- Water Conserving Rate Structures
- Universal Metering
- Leak Detection and Repair
- Annual System Audit

The Region H Water Plan includes discussion of water conservation management strategies and can be found online. The strategies being employed by the city are discussed in section C of this conservation plan. The 5 and 10 year goal is to reduce water loss by 3 gpcd and 6 gpcd, respectively, from the current 35 gpcd baseline. These values along with the 5 and 10 year goals for total and residential water consumption are available in Appendix C. The majority of the savings would be through practices associated with reduction of water loss.

C. WATER CONSERVATION STRATEGIES

Education & Information

The City will make water conservation flyers available to new customers when service applications are requested. Also, the city will print helpful water conservation tips on the water billing to encourage conservation. During summer months the City can also post “Conserve Water” signs at the main office and at facility sites located throughout the system as reminders.

Water Conserving Rate Structures

For purposes of rate making and establishing service regulations, Municipalities have the ability to self-govern and change rates via Ordinance adoption. A Home-Rule City can set water and sewer rates by official action of its City Council.

The City of Liberty may also be obligated by the terms of TWDB loan agreements (*for existing water facilities*) to meet certain requirements for its rate structures.

Existing Water Rates.

Water:

Residential Service

Min. Monthly Rate	2,000 Gallons	\$23.00
Excess Over	2,001 - 5,000 gals	\$3.75/1,000 gals
	Over 5,000 gals	\$3.95/1,000 gals

Commercial Service

Min. Monthly Rate	2,000 Gallons	\$29.00
Excess Over	2,001 - 5,000 gals	\$3.75/1,000 gals
	Over 5,000 gals	\$3.95/1,000 gals

Sewer:

Residential Service

Min. Monthly Rate	2,000 Gallons	\$24.00
Excess Over	2,001 - 5,000 gals	\$3.75/1,000 gals
	5,001 - 15,000 gals	\$3.75/1,000 gals
	Over 15,000 gals	No Charge

Commercial Service

Min. Monthly Rate	2,000 Gallons	\$31.50
Excess Over	2,001 - 5,000 gals	\$3.50/1,000 gals
	Over 5,000 gals	\$3.75/1,000 gals

The necessary increase(s) in water rates to pay for the water system improvements including the education of citizens about the need for water conservation will be by ordinance, designed to meet any requirements of the Texas Water Development Board.

Universal Metering

Master meters are placed in front of the City of Liberty's facilities for water pumped from each of its two (2) wells located within the City limits of Liberty. In addition, all private water usage (excluding firefighting and related drills) is metered. The City of Liberty uses master meters for some of its multiple residences, but the majority of water service is to single homes or commercial establishments by individual meters.

The City of Liberty meters all water used by its own facilities. In addition a report of consumption is documented annually for water line flushing, repair, and sterilization; and firefighting, related drills, and hydrant testing.

A third party testing facility is employed when the City of Liberty tests meters at the request of customers, or when any problems are noted by the utility, Billing Department, or Water Department. That information is used to adjust customer billing and/or warrant meter replacement.

Leak Detection and Repair

The City of Liberty discovers leaks in the distribution system by two methods:

- The Water Storage Facilities are equipped with an alarm system that notifies via phone calls that a decrease in pressure is appearing in the system.
- Leaking line results in water appearing on ground surface.

All breaks on main transmission lines and/or minor line repairs are performed by City of Liberty personnel using whatever adapters are necessary for similar or dissimilar materials. In the event that leakage results from slippage of fittings, the utility can replace existing fittings with mechanical joint fittings. Repairs are performed in accordance with Rules and Regulations for Public Water Systems, 30 TAC 290.46 (g), Texas Commission on Environmental Quality, including disinfection.

Much of the unaccounted-for water is used for Owner facilities, line flushing, and fire department usage (including hydrant testing and fire fighting).

Water and Wastewater Manager prepares monthly internal reports including total water produced and total sales. The City of Liberty submits monthly reports to the TCEQ covering total water pumpage, number of active water services, treated water quality, disinfectant usage, and water quality violations (if any).

Unauthorized water usage is not believed to represent a significant amount of water loss. The City of Liberty Utility Department and Water Department are kept posted of any new, removed, disconnected, or reconnected meters. They will generally notice any residential or commercial facility which appears occupied but is not listed as having an active meter. Although a property owner could construct a supplementary tap illegally, most local residents do not have the necessary skills and equipment. Few licensed plumbers would construct an illegal tap for fear of losing their licenses or local permits. Unauthorized use of fire hydrants is believed to be negligible or non-existent.

All Utility Department personnel under supervision of Public Works Director shall be made aware of the different types of leaks and how to detect and report them.

Annual System Audit

The City Manager will be responsible for managing the overall implementation of the water conservation strategies. The measure of the effectiveness of the program will be evaluated based on comparative data developed from the Water System Audit and updating of the Utility Profile. An annual review will be made with all members who have authority for the various water conservation strategies. The review will include evaluation of the effectiveness of the existing strategy and identify new strategies that can be implemented.

D. SCHEDULE

The City has already implemented the practices and will continue to improve on the tracking of information for the system audit and implement these practices based on the obtained information.

Annual review of water conservation plan policies and new strategies will be completed before November 30 every year. The annual report will be completed by March 31 and submitted to TWDB by May 1.

E. TRACKING IMPLEMENTATION AND EFFECTIVENESS

The ability to meet the goals of the plan requires periodic review of the status of the implementation and evaluation of effectiveness by comparison of the measures for the established goal. 30TAC Chapter 288 requires that all Water Conservation Plans be reviewed and updated beginning May 1, 2009 and every five years thereafter to coincide with regional water planning group cycles. Items to be addressed in the review should include the following:

- changes in water supply and/or demand which require more stringent implementation of the program
- changes in state regulations
- coordination with regional water planning effort.

In addition, the TWDB requires entities that receive financial assistance of more than \$500,000 must report annually for at least the first 3 years on the progress of implementation of the water conservation plan. This water conservation plan, and subsequent amendments, is required to be filed with the Regional Water Planning Group H. Notice will be filed as included in Appendix A.

The City will continue to perform annual reviews of the water plan. The format for reporting the result of the review is provided by TWDB Form No. 1966.

F. IMPLEMENTATION AND ENFORCEMENT

The implementation of the plan is effective by adoption of an ordinance. A copy of the effective ordinance is included in Appendix A. The authority for implementation and enforcement of the water conservation measures will vary by the type of strategy implemented.

The City of Liberty currently has contracts with other entities for supply or purchase of water and for wastewater service. The City of Liberty has contracted to supply wastewater treatment service to the City of Hardin, Texas and City of Ames, Texas. The City of Liberty also has a contract to supply water service to the Ames-Minglewood Water Supply Corporation at certain intervals. Any future contracts to supply water or sewer service to outside entities will contain provisions to make water conservation practices applicable to those entities.

The City of Liberty originally adopted a drought contingency plan designed to meet TCEQ requirements in August 2000. Any future contracts to provide water and/or wastewater service to wholesale entities (such as water districts, water supply corporations, or cities) will contain provisions making those entities subject to

provisions of the City of Liberty's Drought Contingency Plan. (*This will not apply to contracts for emergency service only.*)

In addition, this Water Conservation Plan and any amendments thereto is to be submitted to the Regional Water Planning Group. A copy of the correspondence with the Regional Water Planning Group is provided in Appendix A.

III. DROUGHT CONTINGENCY PLAN

A. DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Liberty hereby adopts the following regulations and restrictions on the delivery and consumption of water through ordinance passed by the City Council (Appendix A). Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section I of this Plan.

B. PUBLIC INVOLVEMENT

City of Liberty shall actively inform the public and wholesale water customers and affirmatively provide opportunity for input from the public and from wholesale water customers regarding the Plan. Such provision includes, but is not limited to, notifying the public and wholesale water customers of the City's public meeting regarding the proposed Plan, notice of which will be given pursuant to the Open Meetings Act.

C. PUBLIC EDUCATION

The City of Liberty will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of:

1. Publications of articles in a newspaper or newsletter of general circulation in the service area, providing information regarding the Plan and/or information regarding water conservation techniques; and
2. Direct distributions to all residents and other users of water within the City, and all wholesale water customers of the City, if any, ("Users") explaining the Plan; and
3. Direct distributions to Users of educational and informational material regarding the Plan; and
4. Additional educational activities consisting of (i) conducting an informational school program in a school attended by students within the City's service area, or (ii) conducting an educational program for users at a public place within or accessible to residents of the City, or (iii) conducting or engaging in such other informational or educational activity designed to further the Plan as may be consistent with the purposes and policies of this Plan, or (iv) any combination of the foregoing.

D. COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City of Liberty is located within the Region H Water Planning Group and City of Liberty has provided a copy of this Plan to the Regional Water Planning Group.

E. AUTHORIZATION

The City's designee authorized and directed to implement the applicable provisions of this Plan is as named in the ordinance approving the plan. The City's designee has the

authority to determine when implementation is necessary to protect public health, safety, and welfare. The City's designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

F. APPLICATION

The provisions of this Plan shall apply to all persons and customers utilizing water provided by the City of Liberty. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

G. DEFINITIONS

For the purposes of this Plan, the following definitions shall apply:

1. Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
2. Commercial and institutional water use: water use that is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.
3. Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.
4. Construction water use: water used in the process of building or erecting structures, streets, ditches, etc. or water used to prepare a surface for building and/or rehabilitation. Construction water use may occur through a fixed tap or through a mobile unit that fills at a fixed tap.
5. Customer: any person, company, or organization using water supplied by City of Liberty.
6. Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.
7. Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
8. Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
9. Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.
10. Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:
 - a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
 - b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
 - c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - e) flushing gutters or permitting water to run or accumulate in any gutter or street;

- f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
 - g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
 - h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.
11. Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

H. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES

The City's designee shall monitor water supply and/or demand conditions and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached. The trigger conditions are for responding to, but not limited to, the following situations: (a) water production or distribution system limitations; (b) supply source contamination; or (c) water system outage due to the failure or damage of major water system components (i.e. pumps, tanks, etc.). Additionally, the appropriate stage will be triggered any time the Governor declares the county to be a disaster area based on drought conditions, as required by Texas HB 3604.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Stage 1 may be initiated if one or more of the following occur:

1. When demand on the City's water supply facilities reaches or exceeds eighty percent (80%) of the in-service production capacity of such facilities for 3 consecutive days, as determined by the City's operator.
2. Level in storage tanks are consistently below three-fourths full for 5 consecutive days.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation

Stage 2 may be initiated when one or more of the following occur:

1. When demand on the City's water supply facilities reaches or exceeds eighty-five percent (85%) of the in-service production capacity of such facilities for 3 consecutive days, as determined by the City's operator.
2. Level in storage tanks is consistently below one-half full for 3 consecutive days.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers - SEVERE Water Shortage Conditions

Requirements for initiation

Stage 3 may be initiated when one or more of the following occur:

1. When demand on the City's water supply facilities exceeds ninety percent (90%) of the in-service production capacity of such facilities for 3 consecutive days, as determined by the City's operator.
2. Level in storage tanks is one-quarter full.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when one or more of the following occur:

1. When demand on the City's water supply facilities reaches or exceeds ninety-five percent (95%) of the in-service production capacity of such facilities for 3 consecutive days, as determined by the City's operator.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 Triggers -- EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the City's designee determines that a water supply emergency exists based on:

1. Major disruption in the City's treatment and/or distribution system causing an unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source.

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased.

I. DROUGHT RESPONSE STAGES

The City's designee shall declare stage conditions, as set forth in Section I of this Plan, and implement the appropriate response. The City's designee, on all stages, shall implement the following notification procedures:

Notification of the Public: The City's designee shall notify the public by means of any combination of the following:

1. dissemination of press releases to the local news media,
2. direct mail to each customer,
3. public service announcements,
4. signs posted in public places, and/or
5. posting of signs at the entrances to the City
6. telephone calls.

Notices issued shall contain (i) the date the Drought Response Measures will begin, (ii) the date the Drought Response Measures will terminate, if known, (iii) a list of Drought Response Measures to be implemented, and (iv) an explanation of penalties for violations of such Drought Response Measures. Notices shall also be issued when actions for each stage has been terminated.

Additional Notification: The City's designee shall notify directly, or cause to be notified directly, the following individuals and entities:

1. City Manager, Mayor and City Council members (All Conditions)
2. City Fire Chief (Severe, Critical and/or Emergency)
3. City Attorney (Moderate, Severe, Critical and/or Emergency)
4. County Emergency Management Coordinator (Critical and/or Emergency)
5. County Commissioner (Critical and/or Emergency)
6. Critical water users (Critical and/or Emergency)
7. Major water users (Critical and/or Emergency)
8. TCEQ (required for: Moderate, Severe, Critical, Emergency)

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary five percent (5%) reduction in total water use.

Best Management Practices for Supply Management:

The following measures will be implemented directly by City of Liberty to manage limited water supplies and/or reduce water demand: reduce or discontinue flushing of water mains, careful monitoring of system to prevent tank overflows and/or quickly repair line breaks/leaks.

Voluntary Water Use Restrictions for Reducing Demand:

1. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
2. All operations of the City of Liberty shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
3. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.
4. Establish an information center to answer inquiries and to discuss water shortage and its potential impact on water supply.

Stage 2 Response -- MODERATE Water Shortage Conditions

Target: Achieve a ten percent (10%) reduction in total water use.

Best Management Practices for Supply Management:

The following measures will be implemented directly by City of Liberty to manage limited water supplies and/or reduce water demand: reduce or discontinue flushing of water mains, careful monitoring of system to prevent tank overflows and quickly repair line breaks/leaks.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Liberty.
6. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the City of Liberty, the facility shall not be subject to these regulations.
7. All restaurants are prohibited from serving water to patrons except upon request of the patron.

8. The following uses of water are defined as non-essential and are prohibited:
 - a) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - b) use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c) use of water for dust control;
 - d) flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - e) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
9. The City Manager may direct any or all commercial, industrial, and recreational users to suspend use of City water for purposes other than domestic use.

Stage 3 Response -- SEVERE Water Shortage Conditions

Target: Achieve a twelve and one half percent (12.5%) reduction in total water use.

Best Management Practices for Supply Management:

The following measures will be implemented directly by City of Liberty to manage limited water supplies and/or reduce water demand: reduce or discontinue flushing of water mains, careful monitoring of system to prevent tank overflows and/or to quickly repair line breaks.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
2. The watering of golf course tees, greens, and fairways is prohibited unless the golf course utilizes a water source other than that provided by City of Liberty.
3. The City Manager may direct any or all commercial, industrial, and recreational users to suspend use of City water for purposes other than domestic use.

Stage 4 Response -- CRITICAL Water Shortage Conditions

Target: Achieve a fifteen percent (15%) reduction in total water use.

Best Management Practices for Supply Management:

The following measures will be implemented directly by City of Liberty to manage limited water supplies and/or reduce water demand: reduce or discontinue flushing of water mains, careful monitoring of system to prevent tank overflows and quickly repair line breaks/leaks.

Water Use Restrictions for Reducing Demand: All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
3. The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
4. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
5. The City Manager may direct any or all commercial, industrial, and recreational users to suspend use of City water for purposes other than domestic use.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

Target: Achieve a minimum fifteen percent (15%) reduction in total water use.

Best Management Practices for Supply Management:

The following measures will be implemented directly by City of Liberty to manage limited water supplies and/or reduce water demand: reduce or discontinue flushing of water mains, careful monitoring of system to prevent tank overflows and to quickly repair line breaks/leaks, and notify the public and enforcement agencies of the immediate need for water use reduction.

Water Use Restrictions for Reducing Demand. All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is absolutely prohibited.
3. The City Manager may direct any or all commercial, industrial, and recreational users to suspend use of City water for purposes other than domestic use.

J. ENFORCEMENT

1. No person shall knowingly or intentionally allow the use of water from the City of Liberty for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City's designee, in accordance with provisions of this Plan.
2. Any person who violates this plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than \$50.00 dollars and not more than \$200.00 dollars.
3. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City's designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, and any other costs incurred by the City

of Liberty in discontinuing service. In addition, suitable assurance must be given to the City's designee that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the City court.

4. Any person, including a person classified as a water customer of the City of Liberty, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
5. Any employee of the City of Liberty and/or police officer may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in Municipal Court before all other cases.
6. The City also may, at its option, install a flow restriction device in the service line of any user for violation of this ordinance. The City may charge the user for the cost of the flow restriction device, including installation, and may disconnect service for failure to pay for this item.
7. To further enhance the effectiveness of water conservation The City Council may, after declaring a water usage emergency, impose surcharges not to exceed the following amounts on all water usage (per two month period) by any users:

0 - 6,000 gallons	\$0.75 per 1000 gallons
6,000 - 10,000 gallons	\$1.00 per 1000 gallons
10,000 - 20,000 gallons	\$1.50 per 1000 gallons
Over 20,000 gallons	\$1.75 per 1000 gallons

No surcharge for any bracket may be less than the surcharge for the next lower bracket. These surcharges shall become effective for each user as soon as the City can read the meter serving that user and notify that user.

K. VARIANCES

1. The City's designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:
2. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
3. Alternative methods can be implemented which will achieve the same level of reduction in water use.
4. Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Liberty within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City's designee, and shall include the following:
 - a) Name and address of the petitioner(s).
 - b) Purpose of water use.
 - c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
 - d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Drought Contingency Plan.
 - e) Description of the relief requested.
 - f) Period of time for which the variance is sought.
 - g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
 - h) Other pertinent information.

Persons who anticipate, in advance, the need for a variance may apply for a standing variance by filing a petition with the City. If a standing variance is granted, the City reserves the right to override or modify such variance as conditions arise.

5. Variances granted by the City of Liberty shall be subject to the following conditions, unless waived or modified by the City's designee:
 - a. Variances granted shall include a timetable for compliance.
 - b. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.
 - c. No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

APPENDIX A

City Ordinance (No.) ####
Regional Water Planning Group Notification

Attachment: Water Conservation Plan 2019 (4407 : Water Conservation Plan)

APPENDIX B

UTILITY PROFILE

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Fill out this form as completely as possible.
If a field does not apply to your entity, leave it blank.

CONTACT INFORMATION

Name of Utility: _____

Public Water Supply Identification Number (PWS ID): _____

Certificate of Convenience and Necessity (CCN) Number: _____

Surface Water Right ID Number: _____

Wastewater ID Number: _____

Completed By: _____ Title: _____

Address: _____ City: _____ Zip Code: _____

Email: _____ Telephone Number: _____

Date: _____

Regional Water Planning Group: _____ [Map](#)

Groundwater Conservation District: _____ [Map](#)

Check all that apply:

Received financial assistance of \$500,000 or more from TWDB

Have 3,300 or more retail connections

Have a surface water right with TCEQ

Section I: Utility Data

A. Population and Service Area Data

- Current service area size in square miles: _____
 (Attach or email a copy of the service area map.)
- Provide historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Service

- Provide the projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Service
2020			
2030			
2040			
2050			
2060			

- Describe the source(s)/method(s) for estimating current and projected populations.

B. System Input

Provide system input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Self-supplied Water in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
Historic 5-year Average					

C. Water Supply System (Attach description of water system)

- Designed daily capacity of system _____ gallons per day.
- Storage Capacity:
Elevated _____ gallons
Ground _____ gallons
- List all current water supply sources in gallons.

Water Supply Source	Source Type*	Total Gallons

*Select one of the following source types: *Surface water, Groundwater, or Contract*

- If surface water is a source type, do you recycle backwash to the head of the plant?
Yes _____ estimated gallons per day
No

D. Projected Demands

1. Estimate the water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demands (gallons)

2. Describe sources of data and how projected water demands were determined. Attach additional sheets if necessary.

E. High Volume Customers

1. List the annual water use, in gallons, for the five highest volume **RETAIL customers**. Select one of the following water use categories to describe the customer; choose Residential, Industrial, Commercial, Institutional, or Agricultural.

Retail Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

2. If applicable, list the annual water use for the five highest volume **WHOLESALE customers**. Select one of the following water use categories to describe the customer; choose Municipal, Industrial, Commercial, Institutional, or Agricultural.

Wholesale Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

F. Utility Data Comment Section

Provide additional comments about utility data below.

Section II: System Data

A. Retail Connections

- List the active retail connections by major water use category.

Water Use Category*	Active Retail Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Residential – Single Family				
Residential – Multi-family (units)				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

- List the net number of new retail connections by water use category for the previous five years.

Water Use Category*	Net Number of New Retail Connections				
Residential – Single Family					
Residential – Multi-family (units)					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

B. Accounting Data

For the previous five years, enter the number of gallons of RETAIL water provided in each major water use category.

Water Use Category*	Total Gallons of Retail Water				
Residential - Single Family					
Residential – Multi-family					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

C. Residential Water Use

For the previous five years, enter the residential GPCD for single family and multi-family units.

Water Use Category*	Residential GPCD				
Residential - Single Family					
Residential – Multi-family					

D. Annual and Seasonal Water Use

- For the previous five years, enter the gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

2. For the previous five years, enter the gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

3. Summary of seasonal and annual water use.

Water Use	Seasonal and Annual Water Use					Average in Gallons
Summer Retail (Treated + Raw)						_____
						5yr Average
TOTAL Retail (Treated + Raw)						_____
						5yr Average

E. Water Loss

Provide Water Loss data for the previous five years.

Water Loss GPCD = [Total Water Loss in Gallons ÷ Permanent Population Served] ÷ 365

Water Loss Percentage = [Total Water Loss ÷ Total System Input] x 100

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
5-year average			

F. Peak Water Use

Provide the Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)

G. Summary of Historic Water Use

Water Use Category	Historic 5-year Average	Percent of Connections	Percent of Water Use
Residential SF			
Residential MF			
Industrial			
Commercial			
Institutional			
Agricultural			

H. System Data Comment Section

Provide additional comments about system data below.

Section III: Wastewater System Data

If you do not provide wastewater system services then you have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

A. Wastewater System Data (Attach a description of your wastewater system.)

- Design capacity of wastewater treatment plant(s): _____ gallons per day.
- List the active wastewater connections by major water use category.

Water Use Category*	Active Wastewater Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

- What percent of water is serviced by the wastewater system? ____%
- For the previous five years, enter the number of gallons of wastewater that was treated by the utility.

Month	Total Gallons of Treated Wastewater				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

4. Can treated wastewater be substituted for potable water?
- Yes No

B. Reuse Data

1. Provide data on the types of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	
Agricultural	
Discharge to surface water	
Evaporation pond	
Other	
TOTAL	

C. Wastewater System Data Comment

Provide additional comments about wastewater system data below.

You have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

APPENDIX C

Water Conservation Plan 5- and 10-year goals (TWDB-1964)

WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: _____

Water Conservation Plan Year: _____

	Historic 5yr Average	Baseline	5-yr Goal for year _____	10-yr Goal for year _____
Total GPCD ¹				
Residential GPCD ²				
Water Loss (GPCD) ³				
Water Loss (Percentage) ⁴	%	%	%	%

1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

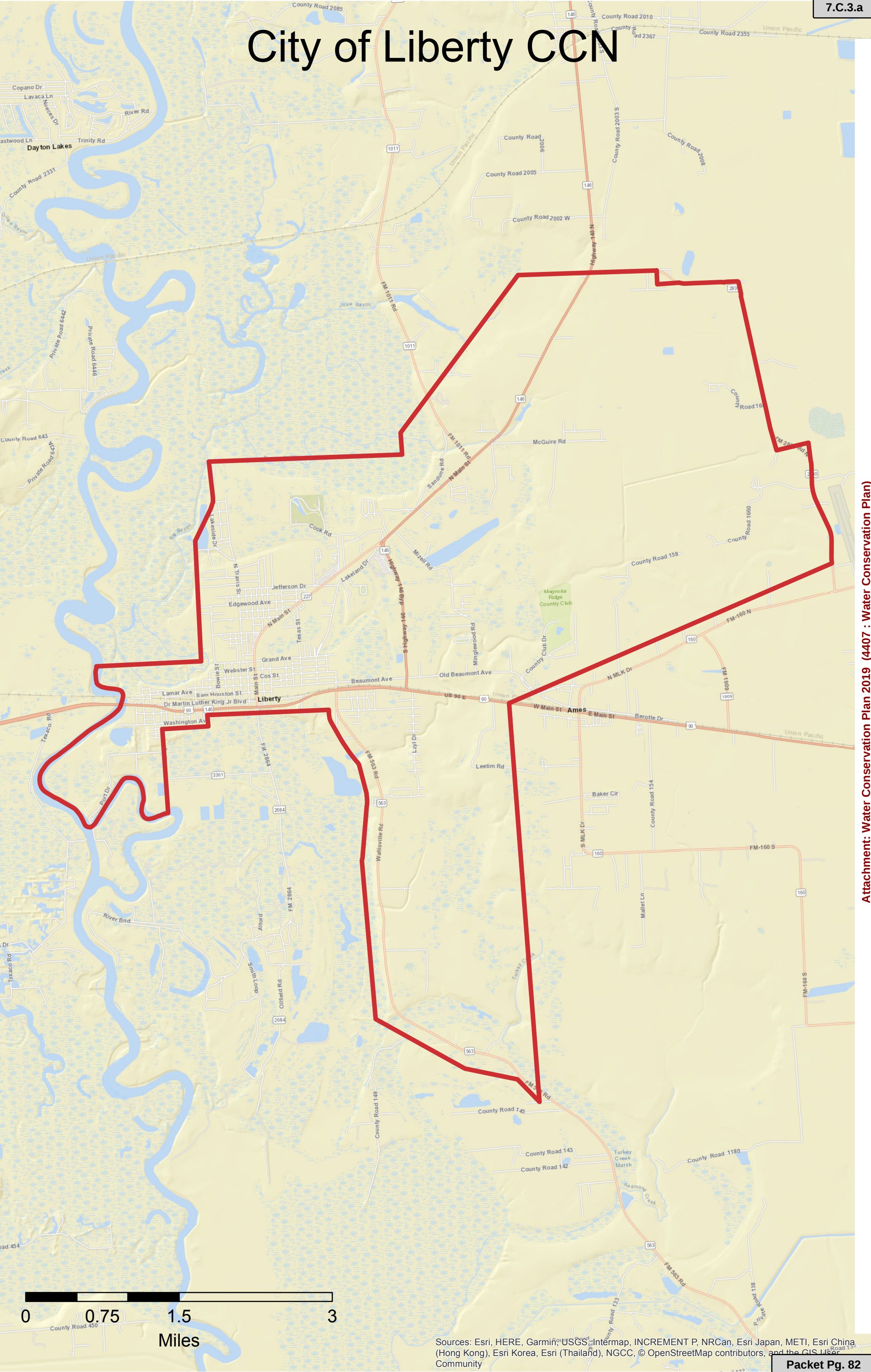
EXHIBIT 1

CCN BOUNDARY

Attachment: Water Conservation Plan 2019 (4407 : Water Conservation Plan)

\\SPI-DC1\\f-drive\\City of Liberty\\19016 2018 Water Conservation update\\DOC\\WC Appendix.docx

City of Liberty CCN





The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.4

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Bids & Proposals

COUNCIL ACTION (ID # 4408)

DOC ID: 4408

Subject: Energy Efficient Lighting and HVAC Projects

Background: In April 2018, the firm of ESA Consulting Engineers, conducted an energy assessment study of the City Hall, Public Works Service Center, Fire and Police Department Buildings. The study was financed by the State Energy Conversation Office (SECO) and focused on energy efficiency and system operations. The results of the study indicated that significant decreases in annual energy costs, as well as major maintenance cost reductions, could be achieved through the replacement of interior lighting and HVAC systems and controls at these city buildings. The study recommended the replacement of 330 light fixtures at all four buildings and 12 HVAC systems and controls at City Hall, the Public Works Service Center and the Fire Department. The estimated payback for the lighting fixtures and HVAC system and controls is 5 and 9 years respectively. On August 28, 2018, City Council authorized the engineering firm of ESA Consulting Engineers to prepare the plans and specifications. ESA Consulting Engineers submitted a proposal to perform the services for 10% of the construction costs. With an estimated cost of construction at \$235,000.00, the engineering fee would be \$23,500.00. Bids were received on March 7, 2019, for the Efficient Lighting and HVAC Projects. The apparent low bidder for the Lighting is Magnolia Lighting at a cost of \$57,142.90. The HVAC apparent low bides is BK Mechanical in the amount of \$140,644.00. The total cost of both projects is \$197,786.90 or \$37,213.10 below the estimated construction cost. This will also reduce the engineer's fee by approximately \$3,721.00.

Fiscal Impact: Cambridge Funds have been previously authorized by City Council.

Staff Recommendation: Staff recommends approval of the award of bid for both projects.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.5

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 4411)

DOC ID: 4411 A

Subject: Industrialized Housing and Building Regulations

Background: The City's current Code of Ordinances does not include regulation governing industrialized housing or buildings. These types of structures are often referred to as modular houses or buildings. The State of Texas Occupation Code provides municipalities with the authority to review for compliance with building codes, require all local permits and licenses be obtained prior to construction, require, in accordance with State Commission rules, and all modules or modular components bear an approved decal or insignia indicating inspection by the Texas Department of Licensing and Regulations. The Department has adopted the 2015 International Building Codes and the 2014 NEC, as amended, for Industrialized Housing and Buildings.

Fiscal Impact: NA

Staff Recommendation: Staff recommends approval of the ordinance adopting the Industrialized Housing and Buildings regulations of the Texas Department of Licensing and Regulations.

AN ORDINANCE CREATING CHAPTER 3.11 OF THE CODE OF ORDINANCES, REGULATING INDUSTRIALIZED HOUSING; PROVIDING FOR A PENALTY FOR VIOLATIONS; 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, Chapter 1202 of the Texas Occupation Code authorizes municipalities to adopt regulations pertaining to industrialized housing and buildings; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to regulate industrialized housing and buildings within the city limits.

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

Section 1: Section 3.11 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 3.11.001 Definition of Industrialized Housing

(a) Industrialized housing is a residential structure that is:

(1) Designed for the occupancy of one or more families;

- (2) Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and
 - (3) Designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.
- (b) Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) Industrialized housing does not include:
- (1) A residential structure that exceeds four stories or 60 feet in height;
 - (2) Housing constructed of a sectional or panelized system that does not use a modular component; or
 - (3) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

Section 3.11.002 Definition of Industrialized Building

- (a) An industrialized building is a commercial structure that is:
- (1) Constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site; and
 - (2) Designed to be used as a commercial building when the module or the modular component is transported to the commercial site and erected or installed.
- (b) An industrialized building includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) An industrialized building includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include:
- (1) A commercial structure that exceeds four stories or 60 feet in height; or
 - (2) A commercial building or structure that is:
 - (A) Installed in a manner other than on a permanent foundation; and
 - (B) Either:
 - (i) Not open to the public; or
 - (ii) Less than 1,500 square feet in total area and used other than as a school or a place of religious worship

Section 3.11.003 Regulations applicable to both Industrialized Houses and Buildings

- (a) All industrialized houses and buildings shall comply with the city's subdivision ordinance.
- (b) All industrialized houses and buildings must comply with the building codes set forth by the State of Texas that are applicable to industrialized houses and buildings.

- (c) The City shall require and review, for compliance with mandatory building codes, a complete set of designs, plans, and specifications bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of industrialized housing or buildings in the City.
- (d) The City requires that all applicable local permits and licenses be obtained before construction begins on a building site.
- (e) The City requires, in accordance with the Texas Commission of Licensing and Regulation rules, that all modules or modular components bear an approved decal or insignia indicating inspection by the Texas Department of Licensing and Regulation.
- (f) The City shall inspect:
 - a. The erection and installation of industrialized houses or buildings to ensure compliance with mandatory building codes and the Texas Commission of Licensing and Regulation's rules.
 - b. All foundations and other on-site construction, to ensure compliance with approved designs, plans, and specifications.
- (g) Prior to occupancy the City shall make a final inspection or test in accordance with mandatory building codes. The City can require correction of any deficiency identified by the test or discovered in the final inspection.
- (h) The owner of any industrialized building or house that appears to have been modified or altered after receiving its decal or insignia indicating that the building complies with the mandatory building codes must ensure that the modified or altered building or house complies with the requirements and standards of the appropriate building code, as amended.
 - a. The City shall have a right to inspect any industrialized houses or buildings that have been altered or modified to ensure that they meet the appropriate building codes.

Section 3.11.004 Regulation of Industrialized Housing

- (a) A single-family or duplex industrialized house must comply with all local permits and license requirements that are applicable to other single-family or duplex dwellings.
- (b) Any industrialized housing shall:
 - a. Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for Liberty County;
 - b. Comply with all applicable aesthetic standards, side and rear yard offsets, subdivision control, architectural landscaping, building setbacks, square footage, and other site requirements set out in the City's ordinances;
 - c. Have exterior sidings, roofing, roof pitch, foundation fascia, and fenestration compatible with the dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; and

- d. Be securely fixed to a permanent foundation.
- (c) Any owner or authorized agent who intends to construct, erect, install, or move any industrialized housing into the City shall first make application to the building inspector and obtain the required permits. In addition to any other information otherwise required for said permits, the application shall:
- a. Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located by address, lot and block number and show the taxable value for each such dwelling as determined by the most recent certified tax appraisal for Liberty County;
 - b. Describe and provide front view photographs of the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each dwelling located within 500 feet of the lot on which the industrialized housing is to be located;
 - c. Show proof of the value of the improved property by providing:
 - i. A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, including the value of the lot, if the lot is included in the sale; or
 - ii. A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located, if the lot is not included in the sale of the housing unit or if the value of the lot is not include on the sales receipt.
 - d. Describe the permanent foundation and method of attachment proposed for the industrialized housing;
 - e. Indicate the deed restrictions otherwise applicable to the real property on which the industrialized housing is to be located.
- (d) Failure to provide any documentation required will be considered grounds to deny a permit application.

Section 3.11.005 Offenses

- (a) A person commits an offense if the person:
 - a. Causes or permits any industrialized housing or building to be constructed, erected, installed, or moved into the city without first submitting applications to the building inspector and obtaining all required permits;
 - b. Causes or permits any industrialized housing or building which does not comply with this section to be constructed, erected, installed, or moved into the city; or
 - c. Violates any provision of this section.
- (b) Any violation of this ordinance shall be considered a class “c” misdemeanor, and the violator shall be issued a fine not to exceed \$500 per day.
- (c) A certificate of occupancy shall not be issued unless this ordinance is complied with.

Section 2: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and after it is published in the official public newspaper of the City of Liberty on two separate occasions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of
Liberty, this 9th day of April, 2019.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.6

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Water Issues

COUNCIL ACTION (ID # 4409)

DOC ID: 4409

Background: In 2017, a developer contacted the City regarding the potential construction of eight homes on Holly Street. These homes were to be constructed on a vacant piece of property located near the Holly Street and N. Milam intersection. During the platting process, it was determined that the existing drainage and waterlines were not able to handle the storm water runoff and water demand of the new homes. In November 2017, City Council approved the hiring of an engineer to design the drainage and water improvements on Holly Street. Upon completion of the plans and specifications, bids were received on March 26, 2019, to construct these improvements. There were four bids received ranging from \$896,753 to \$1,025,356.00. the apparent low bid was submitted by WadeCon, LLC of Kingwood, Texas. When the scope of work for this project was originally being prepared, it was anticipated to be just a drainage project. However, since the existing 2-inch waterline was going to be replaced in Phase II of the Water System Improvements, it was decided to go ahead and perform this work now while the other construction was taking place. The cost for each individual element of the project is as follows: Streetscape - \$193,375.00; Storm Sewer - \$454,548.00; Water - \$148,330 and General Construction Costs - \$100,500.00. The developer of the eight lots has agreed to pay for the difference in cost for having to upsize the storm sewer for his development. This cost is estimated at \$55,000.00. A copy of the bid tabulation is enclosed.

Fiscal Impact: The Project, including engineering, would be funded by the 2016 Bond Proceeds and Cambridge Funds. The amount of 2016 Bond Proceeds and Cambridge Funds would be \$529,000.00 and \$387,100.00, respectively.

Staff Recommendation: Staff recommend award of the Holly Street Drainage and Water Improvements to WadeCon, LLC in the amount of \$896,753.00.

Bids Received: 02:00 P.M.
March 26, 2019

STRAND ASSOCIATES, INC.®
1906 Niebuhr Street
Brenham, TX 77833

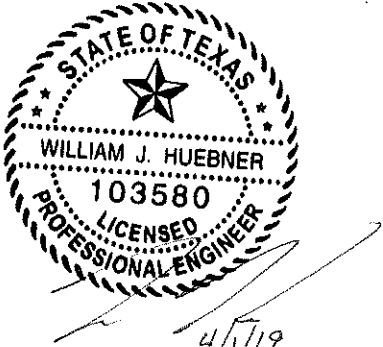
2018 HOLLY STREET DRAINAGE AND WATER IMPROVEMENTS
CONTRACT 2018-01
CITY OF LIBERTY, TEXAS

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Computed Total Bid
WadeCon, LLC 1525 Lakeville Drive, Suite 115 Kingwood, TX 77339	5%	Yes	\$896,753.00
5-T Utilities, Inc. P.O. Box 1318 Huntsville, TX 77342	5%	Yes	\$937,864.11 *\$922,294.47
MK Constructors P.O. Box 1208 Vidor, TX 77670	5%	Yes	\$1,024,400.00
Brystar Contracting, Inc. 8385 Chemical Road Beaumont, TX 77705	5%	Yes	\$1,025,356.00

*CONTRACTOR'S COMPUTED TOTAL

Reviewed by:



Bids Received: 2:00 P.M., March 26, 2019

STRAND ASSOCIATES, INC.*
 1906 Niebuhr Street
 Brenham, TX 77833

2018 HOLLY STREET DRAINAGE AND WATER IMPROVEMENTS
 CONTRACT 2018-01
 CITY OF LIBERTY, TEXAS
 BID TABULATION BREAKDOWN

				WadeCon, LLC 1525 Lakeville Dr., Suite 115 Kingwood, TX 77339		5-T Utilities, Inc. P.O. Box 1318 Huntsville, TX 77342		MK Constructors P.O. Box 1208 Vidor, TX 77670		Brystar Contracting, Inc. 8385 Chemical Road Beaumont, TX 77705	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Streetscape											
1.	Concrete Curb and Gutter Removal	210	LF	\$ 20.00	\$ 4,200.00	\$ 100.00	\$ 21,000.00	\$ 13.00	\$ 2,730.00	\$ 12.00	\$ 2,520.00
2.	Furnish and Install Flexible Base	1,005	T	\$ 60.00	\$ 60,300.00	\$ 45.00	\$ 45,225.00	\$ 48.00	\$ 48,240.00	\$ 70.00	\$ 70,350.00
3.	Furnish and Install Asphalt Pavement Repair	305	SY	\$ 55.00	\$ 16,775.00	\$ 16.50	\$ 5,032.50	\$ 31.00	\$ 9,455.00	\$ 40.00	\$ 12,200.00
4.	Furnish and Install Asphalt Overlay	3,750	SY	\$ 18.00	\$ 67,500.00	\$ 24.20	\$ 90,750.00	\$ 24.30	\$ 91,125.00	\$ 22.00	\$ 82,500.00
5.	Furnish and Install 24-IN Concrete Curb and Gutter	210	LF	\$ 60.00	\$ 12,600.00	\$ 60.00	\$ 12,600.00	\$ 34.00	\$ 7,140.00	\$ 36.00	\$ 7,560.00
6.	Ditch Grading	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 6,000.00	\$ 6,000.00	\$ 950.00	\$ 950.00	\$ 3,000.00	\$ 3,000.00
7.	Seeding	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,500.00	\$ 5,500.00	\$ 2,500.00	\$ 2,500.00	\$ 500.00	\$ 500.00
8.	Erosion Control	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 4,800.00	\$ 4,800.00	\$ 1,350.00	\$ 1,350.00	\$ 4,800.00	\$ 4,800.00

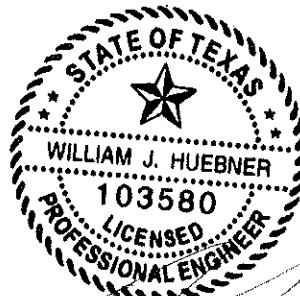
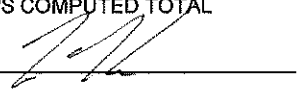
				WadeCon, LLC 1525 Lakeville Dr., Suite 115 Kingwood, TX 77339		5-T Utilities, Inc. P.O. Box 1318 Huntsville, TX 77342		MK Constructors P.O. Box 1208 Vidor, TX 77670		Brystar Contracting, Inc. 8385 Chemical Road Beaumont, TX 77705	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Storm Sewer											
9.	Furnish and Install Concrete Box Culvert 2-FT by 5-FT	884	LF	\$ 292.00	\$ 258,128.00	\$ 310.95	\$ 274,879.80	\$ 379.00	\$ 335,036.00	\$ 370.00	\$ 327,080.00
10.	Furnish and Install Concrete Box Culvert 2-FT by 4-FT	432	LF	\$ 210.00	\$ 90,720.00	\$ 265.24	\$ 114,583.68	\$ 350.00	\$ 151,200.00	\$ 340.00	\$ 146,880.00
11.	Furnish and Install Concrete Box Culvert 2-FT by 3-FT	20	LF	\$ 250.00	\$ 5,000.00	\$ 233.77	\$ 4,675.40	\$ 700.00	\$ 14,000.00	\$ 330.00	\$ 6,600.00
12.	Furnish and Install 18-IN RCP Storm Sewer	80	LF	\$ 100.00	\$ 8,000.00	\$ 80.66	\$ 6,452.80	\$ 196.00	\$ 15,680.00	\$ 110.00	\$ 8,800.00
13.	Furnish and Install 15-IN RCP Storm Sewer	120	LF	\$ 90.00	\$ 10,800.00	\$ 79.46	\$ 9,535.20	\$ 162.00	\$ 19,440.00	\$ 102.00	\$ 12,240.00
14.	Furnish and Install Storm Sewer Manhole Riser	7	EA	\$ 1,200.00	\$ 8,400.00	\$ 2,918.70	\$ 20,430.90	\$ 2,600.00	\$ 18,200.00	\$ 1,800.00	\$ 12,600.00
15.	Furnish and Install 2-FT by 3-FT Storm Sewer Inlet	19	EA	\$ 3,000.00	\$ 57,000.00	\$ 4,559.00	\$ 86,621.00	\$ 4,322.00	\$ 82,118.00	\$ 4,500.00	\$ 85,500.00
16.	Furnish and Install Precast Storm Sewer End Treatment, Cut-Off Wall, and Grate	1	EA	\$ 15,000.00	\$ 15,000.00	\$ 15,025.00	\$ 15,025.00	\$ 12,500.00	\$ 12,500.00	\$ 12,000.00	\$ 12,000.00
17.	Storm Sewer Rlprap	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 8,000.00	\$ 8,000.00	\$ 1,300.00	\$ 1,300.00	\$ 4,500.00	\$ 4,500.00
Water Main											
18.	Furnish and Install 6-IN AWWA C-900 DR 18 PVC Water Main W/Tracer Wire	1,952	LF	\$ 35.00	\$ 68,320.00	\$ 60.54	\$ 118,174.08	\$ 50.00	\$ 97,600.00	\$ 50.00	\$ 97,600.00

Attachment: Bid Tab-Holly St Drainage (4409 : Award of Bid-Holly Street Drainage)

				WadeCon, LLC 1525 Lakeville Dr., Suite 115 Kingwood, TX 77339		5-T Utilities, Inc. P.O. Box 1318 Huntsville, TX 77342		MK Constructors P.O. Box 1208 Vidor, TX 77670		Brystar Contracting, Inc. 8385 Chemical Road Beaumont, TX 77705	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
19.	Furnish and Install 6-IN AWWA C-900 DR 18 PVC Water Main by Bore (No Casing) W/Tracer Wire	93	LF	\$ 100.00	\$ 9,300.00	\$ 40.00	\$ 3,720.00	\$ 49.00	\$ 4,557.00	\$ 120.00	\$ 11,160.00
20.	Furnish and Install 6-IN AWWA C-900 DR 18 PVC Water Main In Casing (No Bore)	80	LF	\$ 100.00	\$ 8,000.00	\$ 63.26	\$ 5,060.80	\$ 48.00	\$ 3,840.00	\$ 80.00	\$ 6,400.00
21.	Furnish and Install 6-IN by 6-IN Tapping Sleeve and Valve	2	EA	\$ 3,500.00	\$ 7,000.00	\$ 2,380.00	\$ 4,760.00	\$ 3,600.00	\$ 7,200.00	\$ 4,500.00	\$ 9,000.00
22.	Furnish and Install Fire Hydrant Unit	5	EA	\$ 5,000.00	\$ 25,000.00	\$ 3,795.23	\$ 18,976.15	\$ 5,025.00	\$ 25,125.00	\$ 4,600.00	\$ 23,000.00
23.	Furnish and Install 6-IN DIA Gate Valve with Valve Box	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 838.13	\$ 838.13	\$ 1,500.00	\$ 1,500.00	\$ 950.00	\$ 950.00
24.	Furnish and Install 1-IN Poly Water Service	607	LF	\$ 30.00	\$ 18,210.00	\$ 8.25	\$ 5,007.75	\$ 26.00	\$ 15,782.00	\$ 38.00	\$ 23,066.00
25.	Connect to Existing Water Meter	15	EA	\$ 200.00	\$ 3,000.00	\$ 300.00	\$ 4,500.00	\$ 490.00	\$ 7,350.00	\$ 510.00	\$ 7,650.00
26.	Furnish and Install New Water Meter Box	8	EA	\$ 500.00	\$ 4,000.00	\$ 155.00	\$ 1,240.00	\$ 35.00	\$ 280.00	\$ 250.00	\$ 2,000.00
27.	Abandon Existing Water Main	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 975.00	\$ 975.00	\$ 3,600.00	\$ 3,600.00	\$ 1,200.00	\$ 1,200.00
28.	Remove Existing Fire Hydrant and Deliver to City's Warehouse	2	EA	\$ 500.00	\$ 1,000.00	\$ 900.00	\$ 1,800.00	\$ 1,050.00	\$ 2,100.00	\$ 600.00	\$ 1,200.00
							*\$900.00				
Miscellaneous											

				WadeCon, LLC 1525 Lakeville Dr., Suite 115 Kingwood, TX 77339		5-T Utilities, Inc. P.O. Box 1318 Huntsville, TX 77342		MK Constructors P.O. Box 1208 Vidor, TX 77670		Brystar Contracting, Inc. 8385 Chemical Road Beaumont, TX 77705	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
29.	Mobilization and Administration	1	LS	\$ 75,000.00	\$ 75,000.00	\$ 27,668.84	\$ 27,668.84	\$ 33,702.00	\$ 33,702.00	\$ 30,000.00	\$ 30,000.00
30.	Replace Sanitary Sewer	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 1,032.08	\$ 1,032.08	\$ 4,600.00	\$ 4,600.00	\$ 3,500.00	\$ 3,500.00
31.	Exploratory Excavation	2	EA	\$ 1,500.00	\$ 3,000.00	\$ 2,500.00	\$ 5,000.00	\$ 500.00	\$ 1,000.00	\$ 2,400.00	\$ 4,800.00
32.	Clearing and Grubbing	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 8,000.00	\$ 8,000.00	\$ 3,200.00	\$ 3,200.00	\$ 4,200.00	\$ 4,200.00
ENGINEER'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 32					\$ 896,753.00		\$ 937,864.11		\$ 1,024,400.00		\$1,025,356.00
CONTRACTOR'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 32					\$ 896,753.00		\$922,294.47		\$ 1,024,400.00		\$1,025,356.00

* CONTRACTOR'S COMPUTED TOTAL

Reviewed by 

4/1/19



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.7

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Utility Rates

ORDINANCE (ID # 4413)

DOC ID: 4413 A

Subject: CenterPoint Rate Increase

Background: On March 28, 2019, CenterPoint Energy Texas filed a Gas Reliability Infrastructure Program (GRIP) adjustment with communities in the Beaumont/East Texas Division of the Company. The GRIP Statute authorizes gas utility companies to request annual rate increases associated with year-to-year changes in increment investment. The changes in investment are not subject to reasonableness review in the GRIP filing. Instead all amounts collected under a GRIP filing are considered interim rates subject to review and refund in the Company's next rate base proceeding. The GRIP Statute provides for the GRIP rate surcharge will become effective 60 days from the date of the company's filing or May 27, 2019, unless suspended by the Cities. Cities may suspend the GRIP rate increase for an additional 45 days beyond the Company's effective date while reviewing the GRIP application. The Cities review of CenterPoint's GRIP filing is limited to a ministerial review of the filing for compliance with the statute.

Fiscal Impact: The citizens of Liberty and the City will be impacted by any increase in rates.

Staff Recommendation: Staff recommends approval of the ordinance.

ORDINANCE OF THE CITY OF LIBERTY, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 28, 2019; 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 THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, on or about March 28, 2019, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") filed an Annual GRIP adjustment for the Beaumont/East Texas Division with the City of Liberty ("City") to increase gas rates in the Beaumont/East Texas Division Service Area pursuant to *Gas Utility Regulatory Act*, TEX. UTIL. CODE ("Gas Utility Regulatory Act") § 104.301; and

WHEREAS, the Company proposed an effective date for the proposed increase of May 27, 2019, unless the City suspends the date for a period no longer than forty-five (45) days; and

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

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

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

WHEREAS, the City finds the need to suspend the effective date of CenterPoint's proposed rate increase for 45 days beyond the Company's proposed effective date until July 10, 2019 in order to review the Company's filing for compliance with Gas Utility Regulatory Act § 104.301; and

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

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

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

Section 2. The effective date of the Company's proposed GRIP rate increase, and the proposed tariffs related thereto, is hereby suspended until July 10, 2019.

Section 3. To the extent the City finds that the rates proposed by CenterPoint's filing comply with Gas Utility Regulatory Act § 104.301, then the rates will become effective by operation of law on July 10, 2019.

Section 4. The meeting at which the ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This Ordinance shall become effective from and after its passage.

Section 6. 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 (2) separate days is hereby dispensed with.

PASSED AND ADOPTED this 9th day of April, 2019.

Carl Pickett, Mayor

Ordinance (ID # 4413)

City Council Meeting

April 9, 2019

Page 3

ATTEST:

Dianne Tidwell, City Secretary

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

April 4, 2019

Via E-Mail

Mr. Richard Ferguson
City Attorney – City of Anahuac
City Attorney – City of Sour Lake
13201 Northwest Freeway, Suite 300
Houston, Texas 77040

Mr. Kyle Hayes
City Manager – City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704

Ms. Kelly McDonald
City Manager – City of Cleveland
907 E. Houston
Cleveland, Texas 77327

Ms. Angela Smith
City Secretary – City of Cleveland
907 E. Houston
Cleveland, Texas 77327

Mr. Leonard Schneider
City Attorney – City of Huntsville
Liles Parker, PLLC
2261 Northpark Dr., Suite 445
Kingwood, TX 77339
Mr. Brandon Davis
City Attorney – City of Liberty
1517 Trinity
Liberty, Texas 77575

Mr. Tyrone Cooper
City Attorney – City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704

Mr. Paul Fukuda
City Attorney – Bridge City
260 Rachal
Post Office Box 846
Bridge City, Texas 77611

Mr. David Olson
City Attorney – City of Cleveland
Wortham Tower, Suite 600
2727 Allen Parkway
Houston, Texas 77019

Mr. Aron Kulhavy
Interim City Manager – City of Huntsville
1212 Ave. M
Huntsville, Texas 77340

Mr. Tom Warner
City Manager – City of Liberty
1829 Sam Houston
Liberty, Texas 77575

Mr. Christopher Duque
City Manager – City of Nederland
P.O. Box 967
Nederland, Texas 77627

Attachment: CenterPoint Rate Suspension Ltr-Lawton Law Firm (4413 : CenterPoint-Rate Suspension)

Mr. Jesse Branick
City Attorney – City of Nederland
221 Hwy. 69 South, Suite 100 (office)
Nederland, Texas 77627

Mr. Kelvin Knauf
Interim City Manager – City of Orange
803 W. Green Avenue, Room 201
Orange, Texas 77630

Mr. Rodney Price
City Attorney – City of Pine Forest
P.O. Box 310
Vidor, Texas 77670

Mr. Solomon Freimuth
City Attorney – City of Silsbee
P.O. Box 186
Port Neches, Texas 77651

Ms. DeeAnn Zimmerman
City Manager – City of Silsbee
105 South 3rd Street
Silsbee, Texas 77656

Mr. Jack Provost
City Manager – City of Sour Lake
625 Hwy 105 W
Sour Lake, Texas 77659

Re: **CenterPoint Energy 2019 Annual GRIP Adjustment for the Beaumont/East Texas Division**

Dear Cities:

On March 28, 2019, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (“CenterPoint” or “Company”) filed a Gas Reliability Infrastructure Program (“GRIP”) adjustment factor with each of your communities in the Beaumont/East Texas Division of the Company. The Company is authorized to make annual GRIP rate change requests pursuant to Texas law passed in 2003, Gas Utility Regulatory Act, TEX. UTIL. CODE § 104.301 (“GRIP Statute”) also see Section 7.7101 of the Railroad Commission of Texas (“Commission”) Gas Services Division Rules. The GRIP Statute authorizes gas utility companies to request annual rate increases associated with year-to-year changes in incremental investment. The changes in investment are not subject to reasonableness review in the GRIP filing. Instead all amounts collected under a GRIP filing are considered interim rates subject to review and refund in the Company’s next base rate proceeding.

The GRIP Statute provides that the proposed GRIP rate surcharge will become effective 60 days from the date of the Company’s filing or May 27, 2019, unless suspended by the Cities. Cities may suspend the GRIP rate increase for an additional 45 days beyond the Company’s proposed effective date of May 27, 2019 while reviewing the GRIP application. Attached to this letter is a Rate Ordinance for your consideration. This Rate Ordinance will suspend the GRIP rate effective date until **July 10, 2019. Please remember if your City wishes to suspend the proposed rates you must take action by passing the attached Rate Ordinance prior to May 27, 2019.** Otherwise the Company’s requested rates will go into effect on May 27, 2019.

The review process of a GRIP filing is generally a ministerial review limited to ensuring that the GRIP filing complies with the GRIP Statute. See *Atmos Energy Corp. v. Cities of Allen*, 353 S.W. 3d 156 (Tex. 2011).

During the suspension period any issues related to whether the GRIP filing comports with the GRIP filing rules can be reviewed so that Cities may make a final decision on this GRIP proposal. **Please send a completed copy of the final Rate Ordinance to us either by mail or email.**

If there are any questions or concerns, please do not hesitate to call.

Sincerely,

/s/ Daniel J. Lawton

Attachment: CenterPoint Rate Suspension Ltr-Lawton Law Firm (4413 : CenterPoint-Rate Suspension)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.8

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 4410)

DOC ID: 4410

Subject: Charter Review Commission Appointments

Background:

City Charter requires that Council make appointments to the Charter Review Commission in each odd-numbered year. This Commission is comprised of five citizens from the City of Liberty. Term of office is six months; however, upon written request of a majority of the Commission members, the City Council may extend the commission's term of office for a period not to exceed 90 days.

The Charter Review Commission Members may serve only two (2) consecutive terms. (May, 2018). Members may serve only two consecutive terms. The City's "Policy on Board and Commission Member Appointment and Eligibility" Section III(f) states that "Board and Commission Members shall not serve concurrently on more than one board or commission."

2017 Commission Members: Jaime Carter, Victor Barranco, Marsha LaFour, Paul Glazener and Courtney Daniel. The only 2017 member eligible to serve again is Paul Glazener. The remaining members are ineligible due to term limits or service on other boards.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.9

Meeting: 04/09/19 06:00 PM

Department: Administration
Category: Technology

INFORMATION ITEM (ID # 4414)

DOC ID: 4414

Subject: Information Technology Assessment

Background: In 2014, the City purchased a city-wide phone system and network for City Hall, Library, Police, Fire & Service Center at an approximate cost of \$60,970. Even though the phone equipment was new, the model purchased was at the end of its service life. As a result, it has become necessary to upgrade the phone system to continue to receive support and maintenance. Also, when the phone system was purchased, upgrades to the network were made at a cost of approximately \$64,000. Most of the funds for the network upgrades were dedicated to hardware, such as servers, switches and cable drops at the various facilities and the remaining for programming. Since the phone system was installed, another \$10,400 has been spent on phone system repairs and programming. In addition to the phone and network issues, the City's other servers are reaching the end of their useful life and many of the individual personal computers are at or beyond their useful life. Rather than continuing to spend additional funds on information technology (IT) at this time, it would be prudent to evaluate the City's organization and deployment of information technology. Due to the large investment and rapid changes in technology, an outside firm with expertise in assessing municipal systems, should be retained to provide the City guidance with respect to the City's IT system.

Fiscal Impact: The estimated cost of the evaluation is unknown.

Staff Recommendation: Staff recommends soliciting proposal for a company to evaluate the information technology system and make recommendations on future improvements.