



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, March 10, 2020

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 ProTem Diane Huddleston	☐	☐	☐	
Council Member Dennis Beasley	☐	☐	☐	
Council Member Libby Simonson	☐	☐	☐	
Council Member David Arnold	☐	☐	☐	
Council Member Chipper Smith	☐	☐	☐	
Council Member Neal Thornton	☐	☐	☐	

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 # 4706)

City Manager's Report - T. Warner, City Mgr. - City Project & Activities - Jubilee - EPA Flood Resilience Workshop - City Hall Interior Repairs & Improvements, Holly Street Drainage & Water Project - Sanitary Sewer Improvement Project - Main "B" Levee Repairs - TxDOT U.S. 90 Public Meeting - Inspection Permitting Update

- City Manager's Report March 2020 (DOCX)

B. Information Item (ID # 4707)

Finance Report - N. Herrington, Asst. City Mgr./CFO

C. Information Item (ID # 4722)

Department Reports - Monthly Dept. Activities

- Fire Dept. Report (XLS)
- Inspection Dept. Report (XLSX)
- Library Narrative Report (DOCX)
- Library Stats Report (XLSX)
- Library Volunteer Report (XLSX)
- Police Dept. Report (XLS)
- Public Works Report (DOCX)
- Public Works Construction Rpt (DOCX)

D. Information Item (ID # 4708)

Sam Rayburn Municipal Power Agency - Mayor Pickett

E. Information Item (ID # 4709)

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, January 28, 2020
2. Tuesday, February 11, 2020
3. Tuesday, February 18, 2020
4. Thursday, February 20, 2020

B. Council Action 2020-16

Consider approval of a Service Agreement between the City of Liberty and the Ames Water Supply Corporation.

- Ames Water Supply Service Agreement - Exhibit A (PDF)

C. Council Action 2020-17

Consider approval of an Interlocal Cooperation Contract with the Texas Department of Public Safety for the Fail to Appear Program.

- Interlocal Cooperation Contract-Failure to Appear (PDF)

D. Council Action 2020-18

Consider acceptance of the 2018-2019 Fiscal Year Audit, as presented on February 20, 2020 by Swaim, Brents & Associates.

E. Resolution 2020-1

Consider a Resolution designating authorized signatories for contractual documents and documents requesting funds relating to the Community Development Block Grant Program (CDBG).

F. Resolution 2020-2

Consider a Resolution approving the attached policies in connection with the City of Liberty, Texas participation in Federally Funded Community Development Block Grant (CDBG) Projects and adherence to the regulations described therein.

- Civil Rights Resolution Info (PDF)

G. Council Action 2020-19

Consider designating various library books, no longer in circulation, as surplus property.

VII. REGULAR AGENDA**A. Regular Session****1. Ordinance 2020-9**

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS DENYING THE STATEMENT OF INTENT OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS TO INCREASE RATES IN THE BEAUMONT/EAST TEXAS DIVISION; REQUIRING REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

2. Council Action 2020-21

Consider approval of an agreement with MP Consulting Services for consulting and review of the City's Insurance Services Office (ISO) rating.

3. Resolution 2020-3

Consider a Resolution authorizing the City Manager to apply for and accept funding from the Texas Department of Transportation and to execute all documents necessary to install an Automated Weather Observing System (AWOS) at the Liberty Municipal Airport.

4. Ordinance 2020-10

CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3.12 OF THE CODE OF ORDINANCES, REGULATING PARKING WITHIN THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

5. Council Action 2020-22

Consider authorizing the expenditure of Cambridge Funds to repair a waterline on Main Street, under Main "B".

B. Executive Session**Tx. Gov. Code §551.071 - Private Consultation with Attorney.**

To seek advice regarding contemplated / pending litigation.

Tx. Gov. Code §551.087 - Deliberation Regarding Economic Development Negotiations.

To deliberate commercial or financial information received from a business prospect.

C. Reconvene into Regular Session**1. Council Action 2020-20**

Consider approving a settlement agreement, regarding contemplated/pending litigation, as discussed in the Executive Session.

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

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 6th day of March, 2020 at 4:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.


Dianne Tidwell, City Secretary

NOTICE

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

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2020.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4706)

DOC ID: 4706

Subject: City Manager Report - City Projects and Activities

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: March 10, 2020

Re: City Manager Report

1. The 35th Annual Liberty Jubilee is scheduled for March 27 and March 28, 2020. Special Guest for this year's Street Dance is Texas Riot. The Featured performer is Sundance Head. In 2007, Sundance Head was a finalist on America's Got Talent and the winner on The Voice in 2016. In addition to the Street Dance on Friday night and musical entertainment all day Saturday, the Jubilee will also have craft, food and public awareness booths, carnival rides, barbeque cook-off, book and bake sale, gaming trailer, laser tag and 5k run and car show on Saturday.
2. On April 1 and April 2, 2020, United States Environmental Protection Agency (EPA), the Water Control District No. 5 (WCID #5) and the cities of Dayton and Liberty will be hosting a Flood Resilience Building Blocks Workshop. The Workshop will be held at the Dayton Community Center from 8:00 a.m. to 5:00 p.m. on April 1st and from 8:00 a.m. to 4:30 p.m. on April 2nd. Additionally, there will be a community meeting from 6:00 p.m. to 8:30 p.m. on April 1st. The workshop will focus on green infrastructure, open space & nature-based systems; resilience assessments and action plans.
3. The City Hall Interior Repairs and Improvements were completed on February 26, 2020. The final project cost was \$118,863.12 or \$3,963.12 above the bid price. The additional cost was for a second window at the Municipal Court counter and wainscoting changes outside the Liberty Center. The project was funded with \$100,000.00 in Cambridge Funds and \$18,863.12 from the City Hall General Fund Budget.
4. The Holly Street Drainage and Water Project is approximately 95% complete. The contractor completed the installation of the asphalt payment on February 29, 2020. The construction cost on this project is estimated at \$955,253. The total project cost project for engineering and construction is approximately \$1,031,490.50.
5. The Sanitary Sewer Improvement Project is approximately 87% complete as of December 31, 2019. The monthly estimate for work performed in January 2020, has not been submitted to the City as of February 28, 2020. The contractor has completed the installation of the manholes and sanitary sewer lines on Travis Street and behind the LISD Middle and High Schools. The sanitary sewer lines on Highway 90 have been completed as well as the driveway and curb repairs. The contractor is continuing to work on the McGuire, Bypass and Beaumont Avenue Lift Stations and the Texas Avenue sanitary and storm sewer lines. The

Attachment: City Manager's Report March 2020 (4706 : City Manager's Report)

projected completion date for this project is April 2020. The total estimated construction cost for this project is \$5,389,342.57.

6. The Main B Levee Repairs was approved as substantially complete on February 18, 2020. The contractor is currently addressing issues on the final punch list. FEMA is currently reviewing the City's request for the change in the scope of work. If approved, FEMA will pay 90% of the total project cost. The total estimated construction cost for this project is \$754,814.20. The total cost of the project for engineering and construction is \$896,875.20.
7. On March 3, 2020, the Texas Department of Transportation (TxDOT) held a Public Meeting on the Proposed Widening of US 90 from FM 563 to SH 61. During the meeting, TxDOT discussed the proposed improvements which will include the widening of the existing roadway from a two-lane undivided facility to a four-lane with a possible divided median and left turn lanes throughout the corridor.
8. In February, Inspections issued a building permit for the construction of the hotel on the northwest corner of Hwy 146 and FM 1011. The permit fees for this project totaled \$7,416.25. Also, Inspections was notified by WCID #5 that the drainage plan for the convenience store to be constructed on the southeast corner of Hwy 90 and FM 2834 had been approved.
9. The following is a status of the current Electric Projects:

<u>Project</u>	<u>Complete</u>	<u>Estimated Cost</u>	<u>Spent to Date</u>
a. Pine Place Subdivision	55%	\$ 46,953	\$ 25,626
b. Featherstone Subdivision	58%	\$105,920	\$ 61,776
c. Whittington Subdivision	79%	\$206,725	\$163,193
d. Live Front Transformer	19%	\$323,456	\$ 61,582
e. Beaumont #3 Lateral	122%	\$182,325	\$222,827
f. UG Primary	4%	\$250,000	\$ 10,434
g. OH Transformer Platform	25%	\$ 91,450	\$ 22,991
h. Regency Place	42%	\$279,040	\$115,903
i. Travis Park	68%	\$380,505	\$258,529
j. UG Street Lighting	73%	\$155,000	\$112,549
k. Beaumont #2 Laterals	79%	\$414,254	\$327,551
l. Beaumont #4 Laterals	94%	\$308,344	\$288,332
m. Beaumont #5 Laterals	11%	\$764,156	\$ 93,380
n. Liberty #1 Laterals	0%	\$345,881	
o. Liberty #3 Laterals	0%	\$371,354	
p. Street Light Conversion	120%	\$ 82,500	\$ 99,169
Totals		\$4,307,863	\$1,863,842



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4707)

DOC ID: 4707

Subject: Finance Report

Background: This agenda item affords the Asst. City Mgr./CFO 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: 03/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4722)

DOC ID: 4722

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: February 1 to February 29, 2020

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 38 Mutual Aid 8

Number Of Runs: (EMS Only) 911 Calls 111 Mutual Aid 5
 Transfers-Out of Town 77 Transfers-In Town 13 Dialysis 38

Other Information:

Total of payments that have been received at the Fire Department for EMS is: \$70,621.35

EMS Payments received at Fire Department: Year to Date (fiscal): \$287,362.40

Year to Date (calendar): \$135,838.22

Attachment: Fire Dept. Report (4722 : Department Reports)

CITY OF LIBERTY
INSPECTION PERMITTING
MONTHLY REPORT

<u>REVENUE</u>	<u>FOR MONTH</u>	<u>YEAR TO DATE</u>
1 <u>INSPECTION AND PERMIT REVENUE</u>	<u>\$12,945.25</u>	<u>\$23,130.29</u>
2 <u>TAP FEES AND CONNECTIONS</u>		
3 <u>ALCOHOL LICENSE</u>		
4 <u>COIN OPERATED MACHINE LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>
5 <u>OCCUPATIONAL LICENSE</u>	<u>\$0.00</u>	<u>\$0.00</u>
6 <u>OUTDOOR SALES</u>	<u>\$0.00</u>	<u>\$0.00</u>
7 <u>SOLICITOR'S PERMITS</u>	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL	<u>\$12,945.25</u>	<u>\$23,130.29</u>

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ACTIVITIES

1 <u>PERMITS ISSUED</u>	<u>33</u>	<u>86</u>
2 <u>PLAN REVIEW CONDUCTED</u>	<u>2</u>	<u>8</u>
3 <u>INSPECTIONS CONDUCTED</u>	<u>60</u>	<u>166</u>
4 <u>CERTIFICATES OF OCCUPANCY ISSUED</u>	<u>0</u>	<u>0</u>
5 <u>ADDRESSES ISSUED OR CHANGED</u>	<u>1</u>	<u>1</u>
6 <u>DANGEROUS BUILDINGS VIOLATIONS</u>	<u>0</u>	<u>0</u>
7 <u>DEBRIS VIOLATIONS</u>	<u>0</u>	<u>0</u>
8 <u>JUNK VEHICLE VIOLATIONS</u>	<u>0</u>	<u>0</u>
9 <u>VEGETATION VIOLATIONS</u>	<u>0</u>	<u>0</u>
10 <u>UNSAFE/UNSANITARY CONDITIONS</u>	<u>1</u>	<u>0</u>
11 <u>RV VIOLATIONS</u>	<u>0</u>	<u>0</u>
12 <u>BANDIT SIGNS PICKED UP</u>	<u>0</u>	<u>75</u>
13		

TOTAL	<u>97</u>	<u>336</u>
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Liberty Municipal Library February 2020 Report

The library staff celebrated Valentine's Day on February 13 with a party for area children. **Children's Librarian Katie Edgell and Bilingual Library Technician Maggie Varela** assembled all the Valentine crafts items, and **Administrative Assistant Amber Ursprung** helped with the game setup and crafts. Parties are always a group effort, and everyone did a great job. 31 people attended, and the Friends of the Library served refreshments.

Katie was especially busy with school tours in February. Four Met Head Start classes enjoyed tours and stories with a total of 89 children, parents and teachers attending. Katie also put together special displays that featured African American History Month, Valentine's Day, Love Your Pet Day, International Polar Bear Day and Super Tuesday. She designed and printed an attractive Story Time flyer to distribute to patrons. Story Time attendance was 100 for February.

Library Information Technician Kristin Gilley had an interesting encounter with a mother and her daughter. The 7- to 8-year-old girl needed information on zebras for a school project. When she typed ZEBRA into the online catalog, the search results included a long list of what her surprised mother called "trashy romance paperback novels". The books showed up in the girl's search because they were published by Zebra Books. Kristin helped the child find more appropriate books on zebras and all was well. Kristin put together displays for the adult/young adult area on African American History Month, Starbooks (coffee and tea related titles or covers), and both romance and broken heart novels for Valentines Day. She stamped, labeled and covered 221 books in February.

Technical Services Technician Gail Williamson: Several years ago, Liberty ISD brought twenty laptops to the library for students to use in an afterschool program. Eventually the computers were removed from the LISD inventory. We contacted LISD Superintendent Dr. Cody Abshier and asked if they needed them returned. We were thrilled when he said the library could keep the laptops. Liberty ISD sent their IT person over to make certain they were all in good running order and found that 18 of the 20 still work. Gail spoke with our volunteer computer teacher, Ann Rogers, and she would like to use several in her adult computer classes. Gail also spoke with Ann's daughter about how the computers could be used by preschoolers from local daycares. Gail took this idea to Katie and they are now brainstorming to find with the best possible use for the laptops. Many preschool children are likely quite familiar with technology, but due to family economic constraints many are not. This could give them that additional head start needed when they enter school.

Library Director Dana Abshier met with **Assistant City Manager Chris Jarmon** during the month and discussed a range of topics including Fine Amnesty Week. Dana was among a group of City employees who attended the Liberty Dayton Area Chamber of Commerce Banquet on February 25. She also was Bill Buchanan's guest on the Party Line Program on KSHN.com. **City Secretary Dianne Tidwell** asked Dana to present a program to the Rotary Club in March and Dana was very busy working on the presentation for several weeks. She also participated in two webinars.

Ann Rogers taught beginning computer classes in February with 22 people attending.

Amber Ursprung has been hard at work on 3-D art for the Summer Reading Program. She has completed painted dragon prize drawing coupon boxes, and her giant papier mâché dragon now has a tail and wings. Amber enjoyed participating in a webinar from the Texas State Library.

All library staff joined with other City employees to take CPR and First Aid classes at City Hall. The training was done by the Liberty Fire Department. We hope we will never need to use what we learned, but it is good to know we can provide help to someone who needs it.

City Council approved the library's proposal to offer Fine Amnesty Week during National Library Week in April. Anyone who returns overdue books during that week will owe no fines. We hope to get back a lot of materials that have been out for months, or even years.

After many frustrating months spent dealing with the library's very finicky timeclock, it was removed. Staff are now clocking in and out on their computers.

Roofing consultant Scott Simpson was onsite in February and put together a plan for repairing the roof. Two potential contractors also made site visits so they can prepare bids. In February we had a leak in the transition area between the old and new parts of the library. This isn't a new leak, but it appeared to be worse than in the past. We hope something can be done to stop the leaks.

A technology consultant was on site twice during the month to begin assessing the library's technology needs. We have two major staff computers that are down for the count, and we hope they can be replaced before the summer reading program begins. Both computers are mission critical. We've been using individual staff computers to scan in and check out books, and this will create a giant bottleneck this summer, our busiest time of the year. Amber Ursprung reports that one of the deceased computers has been named the Whataburger computer because the only thing the computer will do is display an orange screen with white vertical lines. No words, no images, just a Whataburger orange screen. We also lost several patron computers over the years that have not been replaced.

A transformer on Highway 90 blew on February 26, directly affecting the library. After power was restored, staff discovered that two printers did not come back on, nor did the cash register. Two surge protectors also no longer worked. We feared the worst, but Mike discovered that a breaker had tripped during the power outage. Thankfully, everything except the surge protectors came back up when the breaker was reset. We were greatly relieved.

We had several building maintenance issues in February. A recently installed lighting fixture in a staff work area went out, a bad clog in the breakroom sink had to be cleared by Festus Plumbing, and a belt had to be replaced on an air handling unit.

We are looking forward to the Friends of the Library Jubilee Book and Bake Sale, their major fundraiser of the year. All proceeds from the sale go directly to the library for materials and programs.

We are finalizing plans for the Summer Reading Program which will run from mid-June through late July. Many hours of thought and preparation go into the free program to make it an enjoyable experience for area children.

Liberty Municipal Library September 2019 through February 2020 Monthly Report

Circulation	September	October	November	December	January	February
Spanish Materials Circulation	73	51	48	59	80	97
Total Adult & YA Circulation All Formats	2,220	2,121	1,790	1,849	2,039	2,084
Total Juvenile Circulation All Formats	1,554	1,685	1,036	869	1,163	1,311
Total Circulation All Formats	3,774	3,086	2,826	2,718	3,202	3,395
Reference Services						
In-house Reference	147	141	121	244	417	400
Telephone Reference	108	171	125	168	175	178
Public Computer Assistance	104	118	101	185	178	142
Collection Statistics						
Total Volumes in Collection	51,436	51,626	51,850	52,075	52,412	52,678
Total Titles in Collection	61,328	61,532	61,743	62,049	62,452	62,724
Cataloging						
Books Cataloged	121	191	149	155	302	188
DVD/ Blu-Rays Cataloged	0	13	14	33	1	18
Audiobooks & Music CDs Cataloged	0	0	2	0	0	4
Periodical Cataloged	68	54	54	66	59	59
Building Use/ Programs/Public Relations						
Meeting Room/Pavilion Use	13	8	11	7	11	18
Story Time Attendance	102	53	42	68	122	100
Misc. Children's Programs/Tours Attendance	51	100	10	115	33	120
Adult Programs Attendance	40	44	33	24	42	67
Total Programs	10	11	10	7	9	17
Total Attendance All Programs	193	197	85	207	197	283
Patron Count/ Volunteers						
Total Active Accounts In-City Patrons	3,448	3,448	3,421	3,408	3,377	3,373
Total Active Accounts Out-of-City Patrons	5,225	5,219	5,205	5,209	5,189	5,141
Total Volunteers	13	4	1	6	1	7
Total Volunteer Hours	22	17	5	21.5	10	37
Patron Visits Count	3,671	3,022	2,471	2,074	2,653	2,636
Public Use Technology						
Wireless Users Estimate	21	10	21	17	20	26
Public Computers Users This Month	318	403	334	315	423	431
Hours of Patron Computer Use	258	282	217	241	341	311
Website Visits: Ploud, Online Catalog	908	2,994	1,683	2,246	1,740	1,492
Social Media: Facebook, Instagram	167	198	152	186	193	955

Attachment: Library Stats Report (4722 : Department Reports)

Liberty Municipal Library Volunteer Report for the Month of February 2020																																
	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																																0
Cash, Terry														3						3								2.5				8.5
Davis, Beverly													2.5																			2.5
Harbour, Cathy													2.5																			2.5
Pickett, Sandy													2.5																			2.5
Rogers, Ann											4	4						4	4													16
Sundgren, Gary													2.5																			2.5
Sundgren, Josh																																0
Sundgren, Stacy													2.5																			2.5
																																0
Total for month																																37

Attachment: Library Volunteer Report (4722 : Department Reports)

FEBRUARY// 2020 //

PUBLIC WORKS MONTHLY REPORT

STREETS DEPARTMENT -THE ROAD TO SUCCESS IS ALWAYS UNDER CONSTRUCTION

This Month's Notes

JAMES
REDDING –
STREETS
MANAGER

- Notes:
- Swept streets
- Replaced manhole ring and cover on Marshall
- Repaired pipe separation on Jefferson
- Checked flood control pumps every Monday
- Replaced Stop sign on Travis and Holly
- Repaired pipe separation on Washington
- Picked up tires and trash bags on Mizel Rd.
- Attended CPR and First Aid Class
- Patched around town
- Repaired 40 ft. of curb on Travis
- Repaired concrete cut on Grand and Maryland
- Cleaned inlets City Wide Zones 1-4
- Repaired barb wire fence and gate at Main C
- Replaced stop sign and post at Hough and McManus
- Attended CEU class in Beaumont
- Extended parking area at Park shop for fuel tanks
- Repaired street cuts
- Repaired concrete driveway on Oak St.
- Cleaned Bar screens at Main A and B
- Repaired concrete driveway on East St.
- Helped Water Dept. on water leak on Main St
- Cleaned up oil spill on Navigation



STREETS CHECKING SCHOOL ZONES – RAYMOND KOCIAN JR.

FIXING THESE STREETS

Streets:						
	Graded:					Miles
	Swept:				37	Hours
	Street cut repairs:				3	Each
	Curb & Gutter Repair:				40	Feet
Drainage:						
	Ditch Cleaning:					Feet
	Culvert Installation:					Feet
	Catch Basin/inlets cleaned:				736	Each
	Levee Inspection:				Yes	
	Flap gate Debris Removal:					
Spraying:						
	Herbicide:					Gallons
	Mosquito:					Miles
Signs:						
	Installed					Each
	Repaired/ Replaced				2	Each

PARKS DEPARTMENT

**TOM TULLOCK -
PARKS MANAGER**

THE QUICKER PICKER UPPERS!!!

Work completed

Work Completed:

Fields:

Work Performed: Picked up trash and maintained as needed. Mowed three 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. Installed new paper towel holders and toilet paper holders in restrooms.

Concession Stands:

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

Splash Pad:

Work Performed: Mowed and weedeated as needed. Maintained chemicals every day. Splash pad is shut down for the winter.

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.

-

Pocket Parks:

Work Performed: Picked up trash and other debris every day. Changed trash barrels as needed in all pocket parks.

Trees:

Work Performed: Cut down trees that had been twisted off or rotted throughout park. Picked up limbs as needed, trimmed all trees along road way in park.

Flags:

Work Performed: Checked flags every day for damage. Took down Big Flag because of wind. Will put it back up when winds calm down.

Notes:

1. Filled holes throughout park.
2. Put flags at half-staff for officer Whitten.
3. Had four new LED lights installed at the boys batting cages.
4. Had two new LED lights installed at the park shop and office for security.
5. Had pad built to set fuel tanks and metal building on at the park.
6. Had trees trimmed on the back fence line where the high lines are also had two trees cut down by the shop that were rotten.



PARKS MOWING THE PARK – SUMMER PART-TIME EMPLOYEES (JUNE 2019)

LIKE A GOOD NEIGHBOR, WATER DEPARTMENT IS THERE!!!!

**MARK REED – WATER / WASTE
WATER MANAGER**



WASTEWATER REPAIR N. TRAVIS BETWEEN JEFFERSON AND HOLLY ST.



WATER LEAK REPAIR(6") UNDER THE MAIN ST. BOX CULVERTS NEAR BAYTOWN SEAFOOD

REPAIRS COMPLETED

24	WATER REPAIRS
16	SEWER REPAIRS

LINE MAINTENANCE (CAMEL)

136.3	HOURS OF OPERATION
2500	FEET OF SEWER LINE CLEARED / CLEANED
5	MANHOLES CLEANED

WORK COMPLETED**MISC:**

1	MANHOLE REPAIRS	
18	SEWER STOPAGES	HARDIN & AMES READINGS CHECKED DAILY
4	METER REPAIRS	
4	RADIO REPLACEMENTS	
0	WATER TAPS	
0	SEWER TAPS	
4	CUSTOMER PROBLEMS	
69	LOCATE LINES	
69	TEXAS 811 LINE LOCATES	
1	METER BOXES REPLACED	
0	METER LIDS REPLACED	
0	CLEANOUTS REPLACED / INSTALLED	
0	PULLED METERS	
24	CUSTOMER REQUESTED TURN ON	
20	CUSTOMER REQUESTED TURN OFF	
11	CUT OFF SERVICE	
45	RECHECKS	

MONTHLY OPERATIONS

2 DAILY	FREQUENCY THAT WATER WELLS ARE CHECKED
40	DISINFECTANT WATER SAMPLES THAT ARE TAKEN
10	SAMPLES FOR MONTHLY MONITORING-CHLORINE REPORT
X2/WKLY	FRQUENCY THAT LIFT-STATIONS ARE CHECKED
MONTHLY	END LINE FLUSHING



**ELECTRICAL REPLACING POWER
POLE MLK AND FANNIN ST.**

ELECTRICAL DEPARTMENT

LIGHT IS ESSENTIAL

CHARLES YPMA – ELECTRICAL SUPERVISOR

The Electrical Department received 23 request this month and closed out 18 of them with 5 carrying overs to February. The requests range from power restoration, blown fuses, sagging power lines, loose guy wires to security and street lights out. The Electrical department performed all these tasks with the aid of Texas Elite Electrical Services, LLC.

COMPLETED WORK REQUESTS

MISC. MAINTENANCE	1
NO POWER	1
POWER LINE ISSUE	2
POLE ISSUE	1
SECURITY LIGHT	5
STREET LIGHT	8
TOTAL INCIDENTS RESOLVED	18

FEBRUARY // 2020 //

MONTHLY REPORT

CITY OF LIBERTY CONSTRUCTION PROJECTS REPORT



TEXAS ST. PAVEMENT REPAIRS

US 90 Sanitary Sewer Improvements-Phase I is at 89% completion

ALLCO INC.

The City of Liberty, Texas Sanitary Sewer System Improvement, Phase I Project involves improvements to the sanitary sewer trunk line along US 90 from Bowie to just east of FM 2684. This section included the install of the sanitary sewer trunk

Attachment: Public Works Construction Rpt (4722 : Department Reports)

line by pipe bursting (18" pipe), micro-tunneling method (24" and 30" pipe) and abandoning existing sewer lines along US 90. It also includes the replacement of sanitary sewer manholes. This part of the project is near completion.



BEAUMONT LIFT STATION

The Lift Station at McGuire Street is about 90% complete. The Beaumont Street Lift Station about 95% complete. The Lift Stations at Johnson and Lakeland Streets are complete. There was very little work completed this month due to the weather.



TEXAS STREET: PAVEMENT REPAIRS

Texas Street Improvements

Improvements activities along Texas Street have just started to increase. The contractor is removing 6" and 8" sanitary sewer lines and replacing with a 15" sewer line. The storm sewer improvements include removing existing 15" and 24" pipe and replacing them with 18", 24" and 30" pipe from Beaumont Street to just north of Newman St. The contractor has installed 95% of the pavement. This phase of the project is approximately 92% complete. The contractor has replaced old 15" sanitary sewer pipe with new 15" sanitary sewer pipe by pipe bursting method. Manholes have been removed and replaced. The project is being performed by ALLCO, Inc. out of Beaumont, Texas. The projected completion date is April 2020.

MAIN B LEVEE REPAIR PROJECT

LEVEE SLOPE AND PIPE REPAIR *BOWIE STREET*

CONSTRUCTION IS 98% COMPLETE

BY TLC & CONTRACTING

TCL Trucking and Contracting was awarded the contract and the start date was September 6th, 2019. The project is to perform repairs to the Main B Levee which include earth levee repairs and culvert repairs. The project shall be substantially completed in 120 calendar days and all work shall be completed in 165 calendar days. The project is substantially complete as of February 18th, 2020. TLC Trucking and Contracting is out Houston, Texas. The contractor installed select fill, rockfill toe stabilization, removed the coffer dam and dewatering pumps, completed the riprap this month.



MAIN B LEVEE REPAIR – REMOVAL OF COFFER DAM



RIVERSIDE OUTLET WITH FLAPGATE AND RIPRAP – INSPECTIONS BY JAMES REDDING

MONTHLY REPORT



COMPLETED LEVEE SLOPE REPAIRS.

HOLLY STREET

WATER AND STORM DRAINAGE IMPROVEMENT PROJECT 98% COMPLETE

WADECON, LLC

The Construction of the Holly Street involves upgrading the existing water line and storm drainage from North Travis heading west to the end of the Holly Street right of way. The contractor has installed the drainage culverts, inlets and waterline on the project. The contractor is currently working on the pavement restoration. The contractor started work on July 22nd, 2019. The work is being performed by Wadecon, LLC out of Kingwood, Texas. The project is substantially complete as of February 28th, 2020.



MONTHLY REPORT



HOLLY STREET FINISHED ASPHALT OVERLAY

Attachment: Public Works Construction Rpt (4722 : Department Reports)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.D

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4708)

DOC ID: 4708

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: 03/10/20 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 4709)

DOC ID: 4709

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

Special Called Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, January 28, 2020

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 January 28, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Absent	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. Mr. James K. Leonard, South Liberty Oilfield, addressed the Council regarding his concerns with the no-manufactured home zones and his property described as MG White/Mitchell Tract.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 4671)

City Manager's Report - City Mgr. T. Warner- Projects & Activities - Residential Solid Waste Automated Collection Service - Texas Back in Business (Hurricane Harvey Relief Funds) - FEMA Community Education Workshop - Hwy. 146 Sanitary Sewer Line Extension

Minutes Acceptance: Minutes of Jan 28, 2020 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

City Manager Tom Warner reported on current City activities and projects, also reporting that the complete City Manager's report is included in the agenda packet.

ATTACHMENTS:

- City Manager's Report Jan 28 2020 (DOCX)

2. Information Item (ID # 4672)

Finance Report - Asst. City Manager/CFO - N. Herrington

COMMENTS - Current Meeting:

Asst. City Manager/CFO Naomi Herrington reported on the City's financials as of December 31, 2019. Ms. Herrington reviewed the General Fund and status of the various other funds.

3. Information Item (ID # 4670)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Police Chief Gary Martin reported on the Police Department's fundraiser to assist Lt. Elaine Taylor win her fight with cancer.

City Secretary Dianne Tidwell reported that with the recent extension of the Airport Advisory Board, appointments will need to be made in the near future.

Mayor Pickett reported on a lawsuit regarding the Cambridge Project, stating however, that contracts are still in force until the lawsuit is settled.

IV. REGULAR AGENDA**A. Regular Session****1. Council Action 2020-6**

Consider approval of an agreement designating RBC Capital Markets as the City's Financial Advisors.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the agreement for financial advisor services is a five-year agreement, terms and fees the same as the 2014 agreement with RBC Capital Markets. After brief discussion, a motion was made to approve the agreement with RBC Capital Markets.

ATTACHMENTS:

- Financial Advisor Agreement-Jan 2020 (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Dennis Beasley, Council Member
SECONDER: Diane Huddleston, Mayor ProTem
AYES: Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT: Chipper Smith

2. Council Action 2020-7

Consider approval of the City's Plan of Finance, dated January 20, 2020, as presented by the City's Financial Advisor, RBC Capital Markets.

COMMENTS - Current Meeting:

Mr. Bob Henderson, RBC Capital Markets, was present to address the Council regarding a proposed plan of finance. Discussed were refunding opportunities to include the City's Series 2010A Certificates of Obligation to become "callable" on March 1, 2020, which meet the criteria for refunding.

After lengthy discussion, a motion was made to approve the Plan of Finance, as presented by Bob Henderson, RBC Capital Markets.

ATTACHMENTS:

- Plan of Finance-GO Refunding-Jan 2020 (DOC)

RESULT: APPROVED [UNANIMOUS]
MOVER: Dennis Beasley, Council Member
SECONDER: Neal Thornton, Council Member
AYES: Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT: Chipper Smith

3. Ordinance 2020-1

Consider adoption of an Ordinance Authorizing the Issuance of up to \$3,000,000 in Principal Amount of City of Liberty, Texas General Obligation Refunding Bonds, Series 2020, Authorizing the Execution of a Deposit Agreement, a Paying Agent/Registrar Agreement, a Purchase Contract and Other Instruments and Procedures Related Thereto, Delegating Authority to Certain City Officials to Select Outstanding Obligations to Be Refunded and Approve All Final Terms of the Bonds, Approving an Official Statement, and Calling Certain Obligations for Redemption.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$3,000,000 IN PRINCIPAL AMOUNT OF CITY OF LIBERTY, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020, AUTHORIZING THE EXECUTION OF A DEPOSIT AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT AND OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO, DELEGATING AUTHORITY TO CERTAIN CITY OFFICIALS TO SELECT OUTSTANDING OBLIGATIONS TO BE REFUNDED AND APPROVE ALL FINAL TERMS OF THE BONDS, APPROVING AN OFFICIAL STATEMENT, AND CALLING CERTAIN OBLIGATIONS FOR REDEMPTION."

Following brief discussion of the refunding, a motion was made to adopt the Ordinance, as presented.

ATTACHMENTS:

- ORD - 2020 Liberty GO Ref Bonds-1 (PDF)
- Paying Agent Ag - 2020 Liberty GO Ref Bonds-1 (PDF)
- Deposit Agreement - 2020 Liberty GO Ref Bonds-1 (PDF)
- Closing Docs - 2020 Liberty Ref Bonds-1 (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Dennis Beasley
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

4. Ordinance 2020-2

CONSIDER ADOPTION OF AN ORDINANCE AMENDING SECTION 3.08.032 OF THE CITY OF LIBERTY CODE OF ORDINANCES, RESTRICTING MOBILE HOMES AND MANUFACTURED HOMES WITHIN THE CITY OF LIBERTY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

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

“AN ORDINANCE AMENDING SECTION 3.08.032 OF THE CITY OF LIBERTY CODE OF ORDINANCES, RESTRICTING MOBILE HOMES AND MANUFACTURED HOMES WITHIN THE CITY OF LIBERTY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASSIONS.”

Following lengthy discussion of the no-manufactured home zone areas, a motion was made to adopt the Ordinance that the non-manufactured home zone be enlarged to include all the city, with the following areas excluded:

- Southwest area of the City generally bounded by Washington on the North, FM 2684 on the east, the southern city limits on the south, and the Trinity River on the west.
- Layl Drive and the Avenues (Avenue A to Avenue J) from Hwy. 90 to Avenue J.
- Minglewood area from Mimosa to Glenn Street.
- Twin Oaks Manufactured Home Subdivision
- Industrial Road - Shiver's Manufactured Home Park
- Beaumont Avenue - Garcia's Manufactured Home Subdivision.

ATTACHMENTS:

- Non-Manufactured Home Zone Map Jan 2020 (PDF)

RESULT:	ADOPTED [5 TO 0]
MOVER:	David Arnold, Council Member
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith
RECUSED:	Dennis Beasley

5. Ordinance 2020-3

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF LIBERTY, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2020; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; 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.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF LIBERTY, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2020; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; 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."

Each year, a coalition of cities join together through a municipal participation ordinance regarding regulatory rate proceedings involving Entergy, Texas, Inc. at the Public Utility Commission of Texas. This coalition has played a vital role in limiting Entergy's various rate increases to reasonable levels.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor ProTem
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

6. Ordinance 2020-4

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 1, GENERAL PROVISIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY CREATING ARTICLE 1.13 REGULATING FAIR

HOUSING IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 1, GENERAL PROVISIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY CREATING ARTICLE 1.13 REGULATING FAIR HOUSING IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASSIONS."

City Manager Tom Warner reported that as the result of a grant received from the General Land Office (GLO), the City is required to adopt and distribute Fair Housing Practices, designate a Fair Housing Month, and place this information on the City's website. The GLO Grant was for replacement of the sanitary sewer line from Beaumont Avenue, at Texas Street, south to Hwy. 90.

A motion was made to adopt the Ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor ProTem
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

7. Council Action 2020-8

Consider approval of the designation of February, 2020 as Fair Housing Month.

COMMENTS - Current Meeting:

As part of the grant received from the General Land Office, as discussed in the previous agenda item, the City must designate one month as Fair Housing Month.

A motion was made to designate February, 2020 as Fair Housing Month.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

8. Ordinance 2020-5

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 4, BUSINESS REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 4.11, DIVISION 3 REGULATING GAME ROOMS IN THE CITY; ADDING DIVISION 4 DEFINING AND REGULATING AMUSEMENT REDEMPTION ESTABLISHMENTS IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF

THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING CHAPTER 4, BUSINESS REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 4.11, DIVISION 3 REGULATING GAME ROOMS IN THE CITY; ADDING DIVISION 4 DEFINING AND REGULATING AMUSEMENT REDEMPTION ESTABLISHMENTS IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS."

Discussion was held regarding the definition of a game room and the number of machines that define same, and the challenge as to whether the definition of the game room of six machines applies only to counties. The requirement for permits for establishment of less than six machines has been removed from the ordinances, as well as the operator and property owner acknowledging the potential penalties for operating an illegal game room.

A motion was made to adopt the ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

9. Council Action 2020-9

Consider approval of a Release of Easement and Conveyance of Substitute Easement for the Wastewater Treatment Plant outfall.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the City's Hazard Mitigation Grant Program Funds to construct a levee and floodwall around the Wastewater Treatment Plant, which also requires the replacement of an outfall pipe from the plant to the Trinity River. To avoid placing this pipe in an easement classified as wetlands by the U.S. Corps of Engineers, relocation of the easement to the south moves the route of the outfall to an area not classified as wetlands. Property owner, Jesse Lopez, has agreed to a release of the existing easement and conveyance of a substitute easement.

A motion was made to approve the Release of Easement and Conveyance of Substitute Easement for the Wastewater Treatment Plant outfall.

ATTACHMENTS:

- Release of Easement (PDF)
- Release of Easement-Map (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

10. Ordinance 2020-6

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR A NEW FEE FOR RESIDENTIAL SOLID WASTE COLLECTION CONTAINERS AND CHANGING FROM COMMERCIAL ONCE A WEEK PICKUP TO TWICE A WEEK PICKUP ; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

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

"AN CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR A NEW FEE FOR RESIDENTIAL SOLID WASTE COLLECTION CONTAINERS AND CHANGING FROM COMMERCIAL ONCE A WEEK PICKUP TO TWICE A WEEK PICKUP ; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

City Manager Tom Warner reported that this ordinance sets the fees to be charged for residential solid waste collection containers and twice-a-week solid waste collection for commercial accounts. A motion was made to adopt the ordinance.

ATTACHMENTS:

- Master Fee Schedule Changes (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Arnold, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

V. WORK SESSION

1. Work Session (ID # 4682)

The City Council will conduct a Work Session to discuss the extension of the Community Development Advisory Board.

COMMENTS - Current Meeting:

After lengthy discussion of the focus of the Community Development Advisory Board and its similarity to current and proposed economic development projects, consensus of the Council was not to renew the term of this Board.

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:46 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jan 28, 2020 6:00 PM (Minutes Approval)



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, February 11, 2020

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 February 11, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. 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 and Public Works Director Damon Jones, respectively.

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.

Minutes Acceptance: Minutes of Feb 11, 2020 6:00 PM (Minutes Approval)

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

V. Executive Session

Tx. Gov. Code §551.071 - Private Consultation with Attorney.

To seek advice regarding contemplated / pending litigation.

At 6:06 p.m., Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

At 6:49 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

VI. PRESENTATIONS / REPORTS

A. Information Item (ID # 4684)

City Manager's Report - City Mgr. T. Warner - Projects & Activities - LCDC/City Joint Meeting - Special Called Meeting - Liberty Dayton Chamber of Commerce Awards Banquet - Unified Development Ordinance Proposals - City Hall Repairs - Holly Street - Main B Levee Repairs - Electrical Projects

COMMENTS - Current Meeting:

City Manager Tom Warner reported on current City activities and projects, also reporting that the complete City Manager's report is included in the agenda packet.

ATTACHMENTS:

- City Manager's Report Feb 2020 (DOCX)

B. Information Item (ID # 4685)

Finance Report - Asst. City Mgr./CFO N. Herrington

COMMENTS - Current Meeting:

A Financial Report was not given.

C. Information Item (ID # 4695)

Department Reports

COMMENTS - Current Meeting:

City Manager Tom Warner stated that the monthly reports, submitted by the various City Departments, were presented for Council's review.

ATTACHMENTS:

- Fire Dept. Report (XLS)
- Inspection Dept. Report (XLSX)
- Library Narrative Report (DOCX)
- Library Stats Report (XLSX)
- Library Volunteer Report (XLSX)

- Police Dept. Report (XLS)
- Public Works Report (DOCX)
- Public Works Construction Report (DOCX)

D. Information Item (ID # 4686)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, reported on the lawsuit involving the Cambridge Project Trust, also stating the Agency's next meeting would be held on February 18.

E. Information Item (ID # 4687)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Councilperson Huddleston inquired about a possible written drainage maintenance program.

City Secretary Dianne Tidwell reminded Council that appointments to the Airport Advisory Board will be on the March Council Agenda.

Mayor Pickett commented on a TxDOT Meeting, to be held March 3, in regard to the widening of Hwy. 90. Mayor Pickett also commented on the funeral service for Liberty County Sheriff's Deputy Richard Whitten, killed in the line of duty, and the spirit of cooperation among the local law enforcement agencies.

VII. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

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

A. Minutes Approval

1. Tuesday, January 14, 2020

VIII. REGULAR AGENDA

A. Regular Session

1. Council Action 2020-10

Consider award of bids submitted for various Tax Resale Properties.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported on bids submitted for various tax resale properties as follows:

William Duncan League - .39 acres, Part of lots 57 and 63, Wilson-Bullard Survey, Abstract 28 - \$674.00

Wilson Subdivision - Undivided 1/3 interest in .50 acres, more or less, South 1/2 of Lot 13 - \$474.00

Bill Davis Subdivision - Approx. 0.3719 acres - Lot 1,2 (N/2) - \$50,161.00

Oak Place - .2019 acres - Block A & Block B - 13 Lots - \$3,462.00 each - \$45,006.00

Mr. Davis further reported on various costs, (publication fees, filing fees), and the amount to be distributed to the City for each property. If approved, these properties will be placed back onto the tax roll.

A motion was made to approve the sale of the properties as submitted.

ATTACHMENTS:

- Property -William Duncan League (PDF)
- Property -Wilson Subdivision (PDF)
- Property-Bill Davis Subdivision (PDF)
- Property - Oak Place (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Arnold, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

2. Council Action 2020-11

Consider approval to offer a fine forgiveness, April 19-25, 2020, in conjunction with National Library Week.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the Liberty Municipal Library would like to offer a fine forgiveness week to encourage patrons to visit the Library and return overdue materials, in conjunction with National Library Week, April 19-25, 2020. By offering fine forgiveness week, it is hoped that many overdue items are returned, while also encouraging patrons to visit and utilize the library.

A motion was made to approve the Liberty Municipal Library's Fine Forgiveness Week.

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor ProTem
SECONDER: Libby Simonson, Council Member
AYES: Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

3. Council Action 2020-12

Consider award of bid for the Public Works Service Center Tropical Depression Imelda Restoration Project.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on bids received for the restoration of the Public Works Service Center, as a result of Tropical Depression Imelda. Two bids were submitted from Basco Construction and Myron McDowell Construction in the amounts of \$73,061.00 and \$69,838.00, respectively.

Following discussion of the scope of the project and bids submitted, a motion was made to award the bid to Myron McDowell Construction.

ATTACHMENTS:

- SERVICE CENTER BID TAB (XLSX)

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

4. Council Action 2020-13

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

COMMENTS - Current Meeting:

City Manager Tom Warner reported on a list of various items to be sold as surplus at an online auction to be held in March, with revenues from the sale of these items going to General Fund in the Revenue Account, Sale of Assets.

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

ATTACHMENTS:

- Auction Items-Feb 2020 (XLSX)

RESULT: APPROVED [UNANIMOUS]
MOVER: Chipper Smith, Council Member
SECONDER: Diane Huddleston, Mayor ProTem
AYES: Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

5. Ordinance 2020-7

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE

2nd DAY OF MAY, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND AN ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; 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. CONSIDERE LA ADOPCION DE UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LIBERTY, TEXAS, QUE ORDENA LA CELEBRACIÓN DE UNAS ELECCIONES MUNICIPALES GENERALES PARA EL DÍA 2 DE MAYO DE 2020 CON EL PROPÓSITO DE ELEGIR UN ALCALDE Y TRES CONCEJALES; QUE AUTORIZA UN ACUERDO DE ELECCIÓN CONJUNTA CON EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY Y UN CONTRATO DE SERVICIOS ELECTORALES POR Y ENTRE LA CIUDAD DE LIBERTY Y EL ADMINISTRADOR ELECTORAL DEL CONDADO DE LIBERTY; QUE DISPONE VOTACIÓN ANTICIPADA; QUE DISPONE DOS DÍAS DE DOCE HORAS DE VOTACIÓN ANTICIPADA; QUE DISPONE LA PUBLICACIÓN Y LA NOTIFICACIÓN DE LAS ELECCIONES; QUE ESTABLECE OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LAS ELECCIONES; QUE DISPONE UNA CLÁUSULA DE SEPARABILIDAD; QUE DISPONE UNA FECHA DE ENTRADA EN VIGOR; Y QUE DISPENSA DEL REQUISITO DE LA SECCIÓN 3.10 DE LOS ESTATUTOS DE AUTONOMÍA DE QUE ESTA ORDENANZA SEA LEÍDA EN DOS DÍAS SEPARADOS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 2nd DAY OF MAY, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND AN ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; 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 Secretary Dianne Tidwell reported on the General Election for the purpose of electing a Mayor and three Council Members, contracting with the Liberty County Election Administrator's Office for conduct of the election and various duties of both entities. This document is also available in the Spanish language. Those Council Members whose terms expire, in May, are Mayor Carl Pickett and Council Members David Arnold, Chipper Smith and Neal Thornton.

A motion was made to adopt the Ordinance ordering a General Election for May 2, 2020, as presented.

El alcalde Pickett leyó el título de la Ordenanza en el registro como sigue:

“UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LIBERTY, TEXAS, QUE ORDENA LA CELEBRACIÓN DE UNAS ELECCIONES MUNICIPALES GENERALES PARA EL DÍA 2 DE MAYO DE 2020 CON EL PROPÓSITO DE ELEGIR UN ALCALDE Y TRES CONCEJALES; QUE AUTORIZA UN ACUERDO DE ELECCIÓN CONJUNTA CON EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY Y UN CONTRATO DE SERVICIOS ELECTORALES POR Y ENTRE LA CIUDAD DE LIBERTY Y EL ADMINISTRADOR ELECTORAL DEL CONDADO DE LIBERTY; QUE DISPONE VOTACIÓN ANTICIPADA; QUE DISPONE DOS DÍAS DE DOCE HORAS DE VOTACIÓN ANTICIPADA; QUE DISPONE LA PUBLICACIÓN Y LA NOTIFICACIÓN DE LAS ELECCIONES; QUE ESTABLECE OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LAS ELECCIONES; QUE DISPONE UNA CLÁUSULA DE SEPARABILIDAD; QUE DISPONE UNA FECHA DE ENTRADA EN VIGOR; Y QUE DISPENSA DEL REQUISITO DE LA SECCIÓN 3.10 DE LOS ESTATUTOS DE AUTONOMÍA DE QUE ESTA ORDENANZA SEA LEÍDA EN DOS DÍAS.”

La Secretaria de la Ciudad, Dianne Tidwell, informó sobre las Elecciones Generales con el propósito de elegir a un Alcalde y a tres Miembros del Consejo, para lo cual hizo un contrato con la Oficina del Administrador de Elecciones del Condado de Liberty para llevar a cabo la elección y diversas funciones de ambas entidades. Este documento también está disponible en español. Los miembros del Consejo cuyos términos expiran en mayo, son el alcalde Carl Pickett y los miembros del Consejo David Arnold, Chipper Smith y Neal Thornton.

Se hizo una moción para adoptar la Ordenanza que ordena una Elección General para el 2 de mayo de 2020, tal como se presentó.

ATTACHMENTS:

- Election Services Contract (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

6. Ordinance 2020-8

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND AN ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; 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. CONSIDERE LA ADOPCION DE UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LIBERTY, TEXAS, QUE ORDENA LA CELEBRACIÓN DE UNAS ELECCIONES ESPECIALES PARA EL DÍA 2 DE MAYO DE 2020 CON EL PROPÓSITO DE SOMETER A CONSIDERACIÓN DE LOS VOTANTES LAS PROPUESTAS DE ENMIENDAS A LOS ESTATUTOS DE AUTONOMÍA; QUE AUTORIZA UN ACUERDO DE ELECCIÓN CONJUNTA CON EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY Y UN CONTRATO DE SERVICIOS ELECTORALES POR Y ENTRE LA CIUDAD DE LIBERTY Y EL

ADMINISTRADOR ELECTORAL DEL CONDADO DE LIBERTY; QUE DISPONE VOTACIÓN ANTICIPADA; QUE DISPONE DOS DÍAS DE DOCE HORAS DE VOTACIÓN ANTICIPADA; QUE DISPONE LA PUBLICACIÓN Y LA NOTIFICACIÓN DE LAS ELECCIONES; QUE ESTABLECE OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LAS ELECCIONES; QUE DISPONE UNA CLÁUSULA DE SEPARABILIDAD; QUE DISPONE UNA FECHA DE ENTRADA EN VIGOR; Y QUE DISPENSA DEL REQUISITO DE LA SECCIÓN 3.10 DE LOS ESTATUTOS DE AUTONOMÍA DE QUE ESTA ORDENANZA SEA LEÍDA EN DOS DÍAS SEPARADOS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND AN ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY AND THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; 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 Secretary Dianne Tidwell reported on the Special Election for the purpose of submitting to the voters amendments to the City's Home Rule Charter, contracting with the Liberty County Election Administrator's Office for conduct of the election and various duties of both entities. This document is also available in the Spanish language.

A motion was made to adopt the Ordinance ordering a Special Election for proposed amendments to the Home Rule Charter, as presented.

El alcalde Pickett leyó el título de la Ordenanza en el registro como sigue:

"UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LIBERTY, TEXAS, QUE ORDENA LA CELEBRACIÓN DE UNAS ELECCIONES ESPECIALES PARA EL DÍA 2 DE MAYO DE 2020 CON EL PROPÓSITO DE SOMETER A CONSIDERACIÓN DE LOS VOTANTES LAS PROPUESTAS DE ENMIENDAS A LOS ESTATUTOS DE AUTONOMÍA; QUE AUTORIZA UN ACUERDO DE ELECCIÓN CONJUNTA CON EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY Y UN CONTRATO DE SERVICIOS ELECTORALES POR Y ENTRE LA CIUDAD DE LIBERTY Y EL ADMINISTRADOR ELECTORAL DEL CONDADO DE LIBERTY; QUE DISPONE VOTACIÓN ANTICIPADA; QUE DISPONE DOS DÍAS DE DOCE HORAS DE VOTACIÓN ANTICIPADA; QUE DISPONE LA PUBLICACIÓN Y LA NOTIFICACIÓN DE LAS ELECCIONES; QUE ESTABLECE OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LAS ELECCIONES; QUE DISPONE UNA CLÁUSULA DE SEPARABILIDAD; QUE DISPONE UNA FECHA DE ENTRADA EN VIGOR; Y QUE DISPENSA DEL REQUISITO DE LA SECCIÓN 3.10 DE LOS ESTATUTOS DE AUTONOMÍA DE QUE ESTA ORDENANZA SEA LEÍDA EN DOS DÍAS SEPARADOS."

La Secretaria de la Ciudad, Dianne Tidwell, informó sobre la Elección Especial con el propósito

de presentar a los votantes enmiendas a los Estatutos de la Ciudad, para lo cual hizo un contrato con la Oficina del Administrador de Elecciones del Condado de Liberty para llevar a cabo la elección y varios deberes de ambas entidades. Este documento también está disponible en español.

Se hizo una moción para adoptar la Ordenanza que ordena una Elección Especial para las enmiendas propuestas a los Estatutos de la Ciudad, tal como se presenta.

ATTACHMENTS:

- Charter Ballot Language & Approved Language (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neal Thornton, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

7. Council Action 2020-14

Consider approval of a Joint Election Agreement between the City of Liberty and the Liberty Independent School District. Considerar la aprobacion de un Acuerdo de Elecciones Conjuntas por parte de y entre la Ciudad de Liberty y el Distrito Escolar Independiente de Liberty.

COMMENTS - Current Meeting:

School Districts are required by mandate to hold their trustee elections jointly with a city or the county (Education Code §11.0581). This agreement fulfills this requirement for Liberty Independent School District.

A motion was made to approve the Joint Election Agreement between the City of Liberty and the Liberty Independent School District, to be conducted by the Liberty County Elections Administrator.

Los distritos escolares están obligados por mandato a celebrar sus elecciones de síndicos junto con una ciudad o el condado (Código de Educación §11.0581). Este acuerdo cumple con este requisito para el Distrito Escolar Independiente de Liberty.

Se hizo una moción para aprobar el Acuerdo de Elección Conjunta entre la Ciudad de Liberty y el Distrito Escolar Independiente de Liberty, que se realizará por el Administrador de Elecciones del Condado de Liberty.

ATTACHMENTS:

- Joint Election Agreement -LISD and City(DOC)

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

B. WORK SESSION

1. Information Item (ID # 4700)

A Work Session regarding residential solid waste collection.

COMMENTS - Current Meeting:

A work session was held regarding the new solid waste automated collection process. Discussed were issues relating to obtaining additional containers, assistance for those with disabilities, frequency of pickup, outreach and education for the citizens and other related issues.

C. Executive Session**Tx. Gov. Code §551.071 - Private Consultation with Attorney.**

To seek advice regarding contemplated / pending litigation.

Tx. Gov. Code §551.074 - Personnel Matters.

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

At 7:50 p.m., Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

D. Reconvene into Regular Session

At 8:29 p.m., Mayor Pickett closed the Executive Session and recovered the open meeting.

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

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:30 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Feb 11, 2020 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Mtng. & Joint Mtng.-LCDC

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, February 18, 2020

6:01 PM

City Hall - Liberty Center

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 February 18, 2020 at the City Hall - Liberty Center, 1829 Sam Houston Liberty, TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Absent	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

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

III. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 4702)

Minutes Acceptance: Minutes of Feb 18, 2020 6:01 PM (Minutes Approval)

Discussion of the Draft Golf Course Master Plan, as presented by Jeffrey Blume, Landscape/Golf Course Architect.

COMMENTS - Current Meeting:

A joint meeting of the City Council and the Liberty Community Development Corporation was held to examine and review a draft Master Plan for the Liberty Municipal Golf Course, as presented by Jeffrey Blume. This document is a significant tool in endeavoring to meet the priorities of all involved. Lengthy discussion was held regarding specific renovations, related cost estimates, timeline for completion, and related issues, for a total cost of \$3,982,500.00.

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:51 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Feb 18, 2020 6:01 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

Thursday, February 20, 2020

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 February 20, 2020 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Absent	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. Mayor Pickett expressed condolences for the family of a previous City employee, B.J. Varnadore, a thirty-one year employee.

III. REGULAR AGENDA

A. Regular Session

1. Council Action 2020-15

Minutes Acceptance: Minutes of Feb 20, 2020 12:00 PM (Minutes Approval)

Consider acceptance of the Annual Audit Report for the Fiscal Year 2018-2019, as presented by Swaim, Brents and Associates.

COMMENTS - Current Meeting:

Lee Ann Brents, Swaim, Brents & Associates, presented the City's Annual Audit for Fiscal Year 2018-2019. The auditor has examined the City's financial documents and internal controls by assessing efficiency and operating effectiveness. Ms. Brents reviewed, in summary, the audit document. Ms. Brents reported on the City's assets, liabilities, net position, and additional related information. Ms. Brents commented on the employees' cooperation and willingness to assist the auditors.

RESULT: NO ACTION TAKEN

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:46 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Feb 20, 2020 12:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.B

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION 2020-16

DOC ID: 4710

Department: Golf Course

Subject: Ames Water Supply Corporation Service Agreement

Background: The Liberty Municipal Golf Course currently receives water from the Ames Water Supply Corporation (AWSC). The AWSC was recently informed by the Texas Commission on Environmental Quality (TCEQ) that AWSC must have a signed service agreement for every account.

The service agreement for the Liberty Municipal Golf Course is attached for your review.

Funding Source: Golf Course Fund

Staff Recommendation: Approval of the agreement

Ames Water Supply Corporation
PO Box 1598 451 Donatto
Ames, Texas 77575

January 26, 2020

Dear Patron:

An update on current issues as it concerns Ames Water Supply

1. We are aware of the pressure differences throughout our city. We are experiencing a growth in the number of houses on this system and expect it to continue. In order to meet future demands, we are actively working on getting financial assistance to construct a second well on the south side of the city. Site selection has been done contingent on electrical service availability to the well area.
2. We have contracted Innovative Utility Operations (IUO) to do daily operations on our water system. They will soon be doing all the work related to this water system.

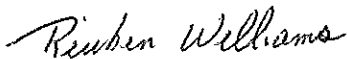
The last day to get your name on the ballot for this year's election is Friday, February 21st at 12:00 p.m. Up for re-election are:

Position 4 held by Reuben Williams

Position 5 held by Warren Lemelle, Sr.

During a recent TCEQ inspection we were informed that we must have a signed Service Agreement for every account. Enclosed you will find a service agreement. Please sign and return the enclosed agreement to our office. Failure to update will result in a penalty violation.

Thank You,



Reuben Williams

Ames Water Supply Corporation
P.O. Box 1598
Liberty, TX 77575

1. PURPOSE

The Ames Water Supply Corporation is responsible for protecting the drinking water supply from contamination or pollution which could result from improper system construction or configuration on the retail connection owner's side of the meter. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The public water system enforces these restrictions to ensure the public health and welfare. Each retail customer must sign this agreement before the Ames Water Supply Corporation will begin service. In addition, when service to an existing retail connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.

2. SERVICE AGREEMENT

The following are the terms of the service agreement between the Ames Water Supply Corporation and _____ (Customer's name)

- A. The water system will maintain a copy of this agreement as long as the customer and/or the premises is connected to the water system.
- B. The customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the water system or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the water system's normal business hours.
- C. The water system shall notify the customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the periodic re-inspection.
- D. The customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on his premises.
- E. The customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the water system. Copies of all testing and maintenance records shall be provided to the water system.

3. RESTRICTIONS

The following unacceptable practices are prohibited by state regulations.

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

- C. No connection which allows water to be returned to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use

4. **ENFORCEMENT**

If the customer fails to comply with the terms of the service agreement, the water system shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the customer.

CUSTOMER'S SIGNATURE: _____

CUSTOMER NAME (PRINTED): _____

DATE: _____



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.C

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Contracts

COUNCIL ACTION 2020-17

DOC ID: 4711 A

Department: Municipal Court

Subject: Interlocal Contract with Texas Department of Public Safety for Failure to Appear Program.

Background: The Texas Department of Public Safety (DPS) contracts with a private vendor to provide and establish an automated Failure to Appear (FTA) system that accurately stores information regarding violators subject to the provisions of Texas Transportation Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry. Municipal Court will supply information to the DPS, through its Vendor, necessary to deny renewal of the driver license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgement ordering payment of a fine and cost in the manner ordered by the Municipal Court. The failure to appear are in matters involving any offense that Municipal Court has jurisdiction of under Texas Code of Criminal Procedure, Chapter 4.

Funding Source: NA.

Staff Recommendation: Staff recommends approval of the contract between the Texas Department of Public Safety and the City.

**Interlocal Cooperation Contract
Failure to Appear (FTA) Program**

State of Texas
County of Liberty

I. PARTIES AND AUTHORITY

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the MUNICIPAL Court of the [City or County] of LIBERTY (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov't Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated FTA system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

Court will supply information to DPS, through its Vendor, that is necessary to deny renewal of the driver license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court in a matter involving any offense that Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and will automatically renew on the anniversary date of execution for up to three additional years unless terminated earlier.

V. COURT RESPONSIBILITIES

A. Written warnings

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied

renewal of the person's driver license. The written warning may be printed on the citation or on a separate instrument.

B. FTA Report

An FTA Report is a notice sent by Court requesting a person be denied renewal in accordance with this Contract. The Court may submit an FTA Report to Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person's failure to appear. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

C. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days, from the time and date that the Court receives appropriate payment or other information that satisfies the person's obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required \$10.00 reimbursement fee. If the person is acquitted of the underlying offense for which the original FTA Report was filed, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or

5. other suitable arrangement to pay the fine and cost within the Court's discretion.

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

D. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract.

E. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate \$6.00 of each \$10.00 reimbursement fee received for payment to the Vendor and \$4.00 for credit to the general fund of the municipal or county treasury.

F. Non-Waiver of Fees

Court will not waive the \$10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless the person is deemed to be indigent, or the person is acquitted of the charges for which the person failed to appear.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

G. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of \$6.00 per person for each violation which has been reported to the Vendor and for which the Court has subsequently collected the statutorily required \$10.00 reimbursement fee. In the event that the person has been acquitted of the underlying charge or is indigent, no payment will be made to the Vendor or required of the Court.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees collected by Court.

VII. GENERAL TERMS AND CONDITIONS

- A. Compliance with Law.** The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.
- B. Contract Amendment.** DPS and Court may amend this Contract through a written amendment signed by an authorized signatory on behalf of the respective party.
- C. Notice.** The respective party will send the other party notice as noted in this section.

Court	Department of Public Safety
Attn.:	Enforcement & Compliance Service
Address:	5805 North Lamar Blvd.
Address:	Austin, Texas 78752-0001
Fax:	(512) 424-5311 [fax]
Email:	Driver.Improvement@dps.texas.gov
Phone:	(512) 424-7172

- D. Termination.** Either party may terminate this Contract with 30 days' written notice. DPS may also terminate this Contract for cause if Court doesn't comply with Section V.F., *Non-Waiver of Fees*. After termination, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all

DPS # DLD20180628 (Revised 01/2020)

outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

VIII. CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*

Department of Public Safety

Authorized Signature

Driver License Division Chief or Designee

Title

Date

Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person's title and date.

Attachment: Interlocal Cooperation Contract-Failure to Appear (CA-2020-17 : Fail to Appear Program)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.D

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Financial Reports

COUNCIL ACTION 2020-18

DOC ID: 4712

Department: Administration

Background: Tx. Local Gov. Code Chapter 103 “requires that a municipality shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit”. This task was recently completed by Swaim, Brents & Associates. The resulting FY 2018-2019 Audit was presented to the City Council on February 20, 2020. However, the acceptance of the audit document was inadvertently missed at the February Meeting. This agenda item allows the Council to vote to accept the annual audit, as previously presented.

Funding Source: General Fund

Staff Recommendation: Staff recommends acceptance of the FY 2018-2019 Audit, as presented on February 20, 2020.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Grant Issues

6.E

RESOLUTION 2020-1

DOC ID: 4713

Department: City Manager

Subject: Community Development Block Grant Funding

Background: The City of Liberty has received funding through the Community Development Block Grant Disaster Recovery (CDBG-RD) Program for Hurricane Harvey. In order to be in compliance with all the rules related to the grant funding, the City must designate certain individuals as authorized signatories for contractual and financial documents. The city is designating the Mayor and City Secretary as signatories for contractual documents and the Mayor, City Secretary, City Manager and Assistant City Manager/CFO as signatories for financial documents.

A copy of the depository/authorized signatories document is attached for your review.

Funding Source: n/a

Staff Recommendation: Approval of the resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG).

WHEREAS, the City of Liberty, Texas has received a Community Development Block Grant award to provide infrastructure improvements, and;

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds and;

WHEREAS, an original signed copy of the CDBG *Depository/Authorized Signatories Designation Form* is to be submitted with a copy of this Resolution; and

WHEREAS, the City of Liberty, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised *Depository/Authorized Signatories Designation Form*.

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

The Mayor and City Secretary are authorized to execute contractual documents associated to the Community Development Block Grant Program.

The Mayor, City Secretary, City Manager and Assistant City Manager/CFO will be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the Community Development Block Grant Program.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Liberty on this the 10th day of March, 2020.

CITY OF LIBERTY, TEXAS

CARL PICKETT
Mayor

ATTEST:

DIANNE TIDWELL
City Secretary

**The City of Liberty**

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Grant Issues

RESOLUTION 2020-2

DOC ID: 4714 B

Department: City Manager

Subject: Community Development Block Grant Funding

Background: The City of Liberty has received funding through the Community Development Block Grant Disaster Recovery (CDBG-RD) Program for Hurricane Harvey. In order to be in compliance with all the rules related to the grant funding, the City must approve various Civil Rights policies. These policies include a (1) citizen participation plan and grievance procedure; (2) section 3 policy; (3) excessive force policy; (4) section 504 policy and grievance procedures; (5) limited English proficiency plan; (6) fair housing policy; and (7) code of conduct policy.

A copy of the policies are attached for your review.

Funding Source: n/a

Staff Recommendation: Approval of the resolution

A RESOLUTION ADOPTING THE ATTACHED POLICIES IN CONNECTION WITH THE CITY OF LIBERTY, TEXAS PARTICIPATION IN FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN.

Whereas, the City of Liberty, Texas, (hereinafter referred to as "City") has been awarded federal funding through a Community Development Block Grant (CDBG);

Whereas, the City, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG project area;

Whereas, the City, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6),

must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG project;

Whereas, the City, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the City, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the CDBG contract, to affirmatively further fair housing;

Whereas, the City, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Citizen Participation Plan and Grievance Procedures;
2. Section 3 Policy;
3. Excessive Force Policy;
4. Section 504 Policy and Grievance Procedures;
5. Limited English Proficiency Plan;
6. Fair Housing Policy; and
7. Code of Conduct Policy

Passed and approved this 10th day of March, 2020.

CARL PICKETT
MAYOR

Attest:

DIANNE TIDWELL
CITY SECRETARY

Resolución No. ____**UNA RESOLUCIÓN ADOPTANDO LAS POLÍTICAS ADJUNTAS EN RELACIÓN CON LA CIUDAD DE LIBERTY, LA PARTICIPACIÓN DE TEXAS EN LOS PROYECTOS DE LA SUBVENCIÓN DE BLOQUES DE DESARROLLO COMUNITARIO FEDERALMENTE FINANCIADOS (CDBG) Y LA ADHESIÓN A LOS REGLAMENTOS DESCRITOS EN ESTE DOCUMENTO.**

Mientras que, Ciudad de Liberty, Texas, (en lo sucesivo "Ciudad") ha sido galardonado con CDBG financiación a través de una subvención de CDBG;

Considerando que, Ciudad, según sección 109 del título I de la ley de desarrollo comunitario y vivienda. (24 CFR 6); la ley de discriminación de edad de 1975 (42 U.S.C. 6101-6107); y la sección 504 de la ley de rehabilitación de 1973 (29 U.S.C. 794) y contratos de construcción superior a \$10.000, debe tomar medidas para garantizar que ninguna persona o grupo es negado beneficios como empleo, formación, vivienda y contratos generados por el CDBG actividad, sobre la base de raza, color, religión, sexo, origen nacional, edad o discapacidad;

Considerando que, Ciudad, en la consideración para la recepción y aceptación de fondos federales, se compromete a cumplir con normas federales y reglamentos incluyendo las normas y reglamentos de participación ciudadana y protección de los derechos civiles;

Mientras que, la Ciudad, conformidad con el artículo 3 de la ley de vivienda y desarrollo urbano de 1968, como enmendada y 24 CFR parte 135, se requiere, en la mayor medida posible, para proporcionar oportunidades de formación y empleo para bajar los residentes de ingreso y contrato de oportunidades de negocios en el área del proyecto CDBG;

Considerando que, la Ciudad, según 104(1) de la sección de vivienda y ley de desarrollo de comunidad, enmendado, y requisitos para la certificación del estado en 24 CFR 91.325(b)(6), deben adoptar una política de fuerza excesiva prohíbe el uso de fuerza excesiva contra manifestaciones derechos civiles no violentas;

Considerando que la Ciudad, de acuerdo con la Orden Ejecutiva 13166, debe tomar medidas razonables para garantizar el acceso significativo a los servicios en programas y actividades con asistencia federal por personas con dominio limitado del inglés (LEP) y debe tener un plan LEP específico de la localidad y beneficiarios para cada proyecto CDBG;

Mientras que la Ciudad, según la sección 504 de la Rehabilitation Act de 1973, no discrimina por motivos de discapacidad y se compromete a asegurar que personas calificadas con discapacidades tengan acceso a programas y actividades que reciben fondos federales; y

Considerando que, la Ciudad, según la sección 808(e)(5) de la ley de vivienda justa (42 3608(e)(5)) USC que requiere programas de HUD y actividades administrar en forma afirmativamente a más de las políticas de la ley de vivienda equitativa, se compromete a realizar al menos una actividad durante el período del contrato del contrato CDBG, afirmativamente para equidad de vivienda;

Mientras que la Ciudad, se compromete a mantener escritas normas de conducta que cubre conflictos de interés y que rigen las acciones de sus empleados participan en la selección, concesión y administración de contratos.

AHORA, POR LO TANTO, SER RESUELTO POR EL CONCEJALES DE LA CIUDAD DE LIBERTY, TEXAS, QUE LA CIUDAD DE LIBERTY ADOPTA LO SIGUIENTE:

1. Plan de Participación Ciudadana y Procedimientos de Quejas;
2. Política de la Sección 3;
3. Política de fuerza excesiva;
4. Política de la Sección 504 y Procedimientos de Quejas;
5. Plan de dominio limitado del inglés;
6. Política de Vivienda Justa; y
7. Política del Código de Conducta

Pasado y aprobado el día 10 de marzo, 2020.

CARL PICKETT
ALCALDE

Atestiguar:

DIANNE TIDWELL
Secretario de la Ciudad

Civil Rights Resolution Cover Page		
Please fill out the boxes on this page to complete the form.		
	English	Spanish
Chief Elected Official First and Last Name	CARL PICKETT	
Chief Elected Official Job Title	Mayor	Alcalde
City Secretary or County Clerk First and Last Name	DIANNE TIDWELL	
City Secretary or County Clerk Job Title	City Secretary	Secretario de la Ciudad
Appointed Civil Rights Officer First and Last Name	Chris Jarmon	
Appointed Civil Rights Officer Job Title	Asst. City Manager	
Appointed Civil Rights Officer Phone Number	(936) 334-7118	
Name of Jurisdiction	CITY OF LIBERTY	
Type of Jurisdiction	City CITY COUNCIL	Civdad CONCEJALES DE LA CIVIDAD
Address	1829 Sam Houston Street	
Short form Date		
Day		
Month	Month	Month
Year	2020	

Please fill out the LEP plan on page 20 and 21 (also bookmarked)

THE CITY OF CITY OF LIBERTY
CITIZEN PARTICIPATION PLAN
COMMUNITY DEVELOPMENT BLOC GRANT PROGRAM

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Community Development Block Grant (CDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the CITY OF LIBERTY , 1829 Sam Houston Street , (936) 334-7118 , during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG project. A person who has a complaint or grievance about any services or activities with respect to the CDBG project, whether it is a proposed, ongoing, or completed CDBG project, may during regular business hours submit such complaint or grievance, in writing to the City , CITY OF LIBERTY at 1829 Sam Houston Street , or may call (936) 334-7118 .

2. A copy of the complaint or grievance shall be transmitted by the City Manager to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG funds.

The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the CDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a CDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall apply with the following citizen participation requirements for the preparation and submission of an application for a CDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable CDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the CDBG program, and the use of past CDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the CDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined CDBG, proposed to be made in the use of CDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the CDBG project, the City shall hold a public hearing and review its performance including the actual use of the CDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the CDBG project or for the closeout of the CDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the CDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

CARL PICKETT
Mayor

DATE

**LA CIUDAD DE CITY OF LIBERTY
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE COMMUNITY DEVELOPMENT BLOC GRANT PROGRAM**

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Community Development Block Grant (CDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en CITY OF LIBERTY , 1829 Sam Houston Street , (936) 334-7118 en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto CDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto CDBG, o si se trata de una propuesta, en curso o determinado proyecto CDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Ciudad , a 1829 Sam Houston Street , o puede llamar a (936) 334-7118 .
2. Una copia de la queja o reclamación se transmitirá por el Administrado de la Ciudad a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. La Ciudad deberá cumplir una investigación de la queja o reclamación, si es posible, y dara una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia sera notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se debera completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la CDBG para su posterior revisión y comentarios.
6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos CDBG. La Ciudad , en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad , se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto CDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud CDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto CDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación CDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa CDBG y el uso de fondos últimos contratos CDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa CDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por CDBG, se propuso que se hará con el uso de fondos CDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto CDBG, la Ciudad celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos CDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registrar para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto CDBG o para la liquidación del proyecto CDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionará un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto CDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

CARL PICKETT

Alcalde

DATE

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u the CITY OF LIBERTY agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by CDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in CDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD to the Grant Recipient.
- G. Submit reports as required by HUD regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of the federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the CITY OF LIBERTY , we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

CARL PICKETT

Mayor

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Attachment: Civil Rights Resolution Info (RES-2020-2 : CDBG-Policies)

POLÍTICA DE LA SECCIÓN 3

Según 12 U.S.C. 1701u CITY OF LIBERTY se compromete a implementar los siguientes pasos, que, en la mayor medida posible, proporcionará capacitación, empleo y oportunidades de contratación para los residentes de la sección 3 y sección 3 empresas de las zonas en que el proyecto lleva a cabo.

- A. Introducción y pase una resolución adoptando este plan como una política de esforzarse por alcanzar metas para el cumplimiento de las normas de la sección 3 por aumentar las oportunidades de empleo y contratación para empresas y residentes de la sección 3.
- B. Asignación de tareas relacionadas con la implementación de este plan al oficial designado de los derechos civiles.
- C. Notificar a sección 3 residentes y preocupaciones de negocio de potenciales nuevos empleos y oportunidades de contratación ya que se desencadenan por CDBG conceden premios mediante el uso de: audiencias públicas relacionadas con los anuncios, avisos públicos, anuncios de licitación y oferta documentos; notificación a organizaciones locales como las cámaras de comercio o la Liga Urbana; medios de publicidad local incluyendo señalización pública; proyecto área comités y consejos ciudadanos, las oficinas locales de HUD; organismos de planificación regionales; y todas las demás fuentes de referencia apropiadas. Incluir cláusulas de la sección 3 en todo cubierto las solicitudes y contratos.
- D. Mantener una lista de las empresas que se han identificado como sección 3 empresas para la utilización en las compras de CDBG financiado, notificar a las empresas de espera oportunidades contractuales y hacer esta lista disponible para las necesidades de adquisición de receptor de la beca general.
- E. Mantener una lista de aquellas personas que se identificaron como residentes de la sección 3 y en contacto con las personas cuando oportunidades de contratación y capacitación están disponibles a través del receptor de la beca o contratistas.
- F. el. Requiere que todos los primeros contratistas y subcontratistas con contratos sobre \$100.000 comprometen este plan como parte de su contrato de trabajo. Monitorear el desempeño de los contratistas con respecto a los requerimientos de la sección 3 y requieren que presenten informes que se requieran por HUD al destinatario de la subvención.
- G. Presentar informes según los requisitos de HUD con respecto a la contratación con empresas de la sección 3 o empleo que se producen; y presentar informes dentro de 20 días del final del año fiscal federal (por el 20 de octubre) que identificar y cuantificar sección 3 empresas y empleados.
- H. Mantener los registros, incluyendo copias de correspondencia, memorandos, etc., que documentan todas las acciones adoptadas para cumplir con las normas de la sección 3.

Como funcionarios y representantes de la CITY OF LIBERTY, los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

CARL PICKETT

Alcalde

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Attachment: Civil Rights Resolution Info (RES-2020-2 : CDBG-Policies)

EXCESSIVE FORCE POLICY

In accordance with 24 CFR 91.325(b)(6), the CITY OF LIBERTY hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of CITY OF LIBERTY to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of CITY OF LIBERTY to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. CITY OF LIBERTY will introduce and pass a resolution adopting this policy.

As officers and representatives of CITY OF LIBERTY, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

CARL PICKETT

Mayor

DATE

EXCESIVO DE LA FUERZA POLITICA

Según 24 CFR 91.325(b)(6), la CITY OF LIBERTY presente adopta y aplicará la siguiente política con respecto al uso de fuerza excesiva:

1. Es la política de la CITY OF LIBERTY para prohibir el uso de fuerza excesiva por las agencias del orden público dentro de su jurisdicción contra cualquier individuo en manifestaciones de los derechos civiles no violentas;
2. También es la política de la CITY OF LIBERTY para hacer cumplir leyes estatales y locales aplicables contra físicamente restricción de entrada o salida de un centro o un lugar que es objeto de estas manifestaciones de los derechos civiles no violentas dentro de su jurisdicción.
3. La CITY OF LIBERTY a presentar y aprobar una resolución la adopción de esta política.

Como funcionarios y representantes de CITY OF LIBERTY, los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

CARL PICKETT

Alcalde

DATE

SECTION 504 POLICY AGAINST DISCRIMINATION
BASED ON HANDICAP AND GRIEVANCE
PROCEDURES

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309 CITY OF LIBERTY hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The CITY OF LIBERTY does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The CITY OF LIBERTY recruitment materials or publications shall include a statement of this policy in 1. above.
4. The CITY OF LIBERTY shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG program, CITY OF LIBERTY shall ensure that they are provided with the information necessary to understand and participate in the CDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for _____ to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to: Chris Jarmon , CITY OF LIBERTY ,
1829 Sam Houston Street , (936) 334-7118 , who has been designated to coordinate
Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Asst. City Manager . Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Asst. City Manager , and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.

- g. The Section 504 coordinator shall maintain the files and records of the CITY OF LIBERTY relating to the complaints files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the CITY OF LIBERTY within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the CITY OF LIBERTY complies with Section 504 and HUD regulations.

CARL PICKETT

Mayor

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**SECCIÓN 504 POLITICA CONTRA LA DISCRIMINACIÓN
BASADA EN DISCAPACIDAD Y PROCEDIMIENTO DE
QUERELLAS**

Apartado 24 CFR 8, no discriminación basada en discapacidad en federalmente asistidos programas y actividades del Departamento de vivienda y desarrollo urbano, sección 504 de la Rehabilitation Act de 1973, enmendada (29 U.S.C. 794) y 109 de la sección de la vivienda y el acto de desarrollo comunitario de 1974, según enmendada (42 U.S.C. 5309), la CITY OF LIBERTY se adopta los procedimientos de política y quejas:

1. Discriminación prohibida. De lo contrario no individuo calificado con discapacidad en los Estados Unidos, únicamente por razón de su discapacidad, se excluirá de la participación en, ser negado los beneficios de o ser sujeto a discriminación bajo cualquier programa o actividad recibir Asistencia financiera federal del Departamento de vivienda y desarrollo urbano (HUD).
2. La CITY OF LIBERTY no discrimina por discapacidad en la admisión o acceso a, o tratamiento o empleo en, sus programas federalmente asistidos y actividades.
3. La CITY OF LIBERTY publicaciones o materiales de reclutamiento incluirá una declaración de esta política en 1. encima de.
4. La CITY OF LIBERTY tendrá seguir pasos para notificar a los participantes, beneficiarios, solicitantes y empleados, incluyendo aquellos con deterioro de la visión o audición y sindicatos u organizaciones profesionales tenencia colectiva acuerdos de negociación o profesionales con los destinatarios que no discrimina sobre la base de discapacidad en violación de 24 CFR parte 8.
5. Para personas con discapacidad visual y auditivos individuos elegibles que sirve o que puedan verse afectadas por el programa CDBG, la CITY OF LIBERTY se asegurará de que cuentan con la información necesaria para entender y participar en el programa CDBG.
6. Quejas y denuncias
 - a. Cualquier persona que cree que él o ella ha sido víctima de discriminación por discapacidad puede presentar una queja bajo este procedimiento. Es contra la ley de la CITY OF LIBERTY para tomar represalias contra cualquier persona que presenta una queja o coopera en la investigación de una queja.
 - b. Las quejas deben ser dirigidas a: Chris Jarmon CITY OF LIBERTY
1829 Sam Houston Street , (936) 334-7118 que ha sido designado para coordinar los esfuerzos de cumplimiento de la sección 504.
 - c. Una queja debe ser presentado por escrito o verbalmente, contener el nombre y dirección de la persona que lo presenta y describir brevemente la supuesta violación de las normas.
 - d. Una queja debe presentarse dentro de treinta 30 días hábiles después de que el denunciante tenga conocimiento de la presunta violación.
 - e. Una investigación, como puede ser apropiado, deberá seguir una presentación de una queja. La investigación será conducida por Asst. City Manager . Investigaciones informales pero minuciosa brindará todas las personas interesadas y sus representantes, si los hubiere, una oportunidad de presentar pruebas pertinentes a una queja.
 - f. Una determinación escrita en cuanto a la validez de la denuncia y la descripción de la resolución, si los hubiere, se expedirá por Asst. City Manager y una copia enviada al demandante con quince 15 días de trabajodespués de la presentación de la queja siempre que sea posible.

- g. Coordinador de la sección 504 deberá mantener los archivos y registros de CITY OF LIBERTY relativas a los archivos de quejas.
- h. El demandante puede solicitar una reconsideración del caso en instancias donde él o ella está insatisfecha con la resolución determinación como se describe en f. anterior. La solicitud de reconsideración debe hacerse a las CITY OF LIBERTY dentro de diez días hábiles después de la recepción de la determinación y resolución escrito.
- i. El derecho de una persona a una resolución rápida y equitativa de la denuncia presentada a continuación no deberá ser deteriorada por la búsqueda de la persona de otros remedios como la presentación de una queja con el Departamento de vivienda y desarrollo urbano de los Estados Unidos de la sección 504. Utilización de este procedimiento de quejas no es un requisito previo para la búsqueda de otros remedios.
- j. Estos procedimientos se interpretará para proteger los derechos sustantivos de las personas interesadas, para cumplir con normas de proceso debido apropiado y asegurar que la CITY OF LIBERTY cumple con las regulaciones de la sección 504 y HUD.

 CARL PICKETT
 Alcalde

 DATE

LIMITED ENGLISH PROFICIENCY SAMPLE PLAN

Name Grantee:	CITY OF LIBERTY
Community Population:	8,086
LEP population:	788
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	9.7%

Program Activities to be Accessible to LEP persons:	
☒	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
☒	Publications regarding CDBG application, grievance procedures, complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements
☐	Other program documents:

Resources Available to Grant Recipient	
☒	Translation services: City will retain translation services upon request
☒	Interpreter services: City will retain translation services upon request
☒	Other resources:

Language Assistance to be provided:	
☒	Translation (oral and/or written) of advertised notices and vital documents for: City will provide translated documents upon request and retain services to accommodate populations with limited English proficiency.
☒	Referrals to community liaisons proficient in the language of LEP persons City will coordinate with Spanish-speaking community liaisons as appropriate
☒	Public meetings conducted in multiple languages: City will conduct public meetings in multiple languages upon request.
☒	Notices to recipients of the availability of LEP services: City will reference the availability of accommodations in public notices and post documents to accommodate LEP person in public buildings
☐	Other services:

CARL PICKETT
Mayor

DATE

PLAN DE MUESTRA DE DOMINIO LIMITADO DEL INGLÉS

Nombre Grante:	CITY OF LIBERTY
Población de la Comunidad:	8,086
LEP Población:	788
Idiomas Hablados:	9.7%
1) En más del 5% de la población elegible o beneficiarios y tiene más de 50 en número; o	
2) Por más de 1,000 individuos en la población elegible en el área del mercado o entre los beneficiarios actuales	

Las actividades del programa deben ser accesibles para las personas LEP:	
☒	Avisos públicos y audiencias con respecto a las solicitudes de fondos de la subvención, enmiendas a las actividades del proyecto y finalización del proyecto financiado mediante donaciones
☒	Publicaciones sobre la solicitud de CDBG, procedimientos de quejas, procedimientos de quejas, procedimientos de quejas, respuestas a reclamos, avisos, avisos de derechos y medidas disciplinarias, y otras audiencias vitales, documentos y requisitos del programa
☐	Otros Documentos del Programa:

Recursos disponibles para el beneficiario de subvención:	
☒	Servicios de Traducción: La Ciudad retendrá servicios de traducción a pedido
☒	Servicios de intérprete: La Ciudad retendrá servicios de intérprete a pedido
☒	Otros recursos:

Asistencia de idiomas a ser proporcionada:	
☒	Traducción (oral y/o escrita) de anuncios publicados y documentos vitales para: La Ciudad proporcionará documentos traducidos previa solicitud y retendrá los servicios para acomodar a las poblaciones con dominio limitado del inglés
☒	Referencias a enlaces comunitarios competentes en el lenguaje de personas con LEP: La Ciudad coordinará con los enlaces de la comunidad hispanohablante según corresponda _
☒	Reuniones públicas realizadas en múltiples idiomas La Ciudad conducirá reuniones públicas en múltiples idiomas a pedido
☒	Avisos a los destinatarios de la disponibilidad de los servicios LEP: La Ciudad hará referencia a la disponibilidad de acomodaciones en avisos públicos y documentos postales para acomodar a personas con LEP en edificios públicos
☐	Otros Servicios:

CARL PICKETT
Alcalde

DATE

FAIR HOUSING POLICY

In accordance with Fair Housing Act, the CITY OF LIBERTY hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. CITY OF LIBERTY agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. CITY OF LIBERTY agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. CITY OF LIBERTY will introduce and pass a resolution adopting this policy.

As officers and representatives of the CITY OF LIBERTY, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

CARL PICKETT
Mayor

DATE

**POLÍTICA DE EQUIDAD
DE VIVIENDA**

Conformidad con la ley de vivienda equitativa, CITY OF LIBERTY presente adopta la siguiente política con respecto al afirmativo promover FERIA de vivienda:

1. CITY OF LIBERTY se compromete a afirmativamente más opción de vivienda para todas las clases protegidas siete (raza, color, religión, sexo, discapacidad, estatus familiar y origen nacional).
2. CITY OF LIBERTY se compromete a plan de al menos una actividad durante la vigencia del contrato a afirmativamente más vivienda.
3. CITY OF LIBERTY a presentar y aprobar una resolución la adopción de esta política.

Como funcionarios y representantes de CITY OF LIBERTY, los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

CARL PICKETT

Alcalde

DATE

CODE OF CONDUCT PROGRAM PROCUREMENT POLICY
CITY OF LIBERTY , ADOPTED:

CODE OF CONDUCT

As a Grant Recipient of a federal or state grant contract (including CDBG), CITY OF LIBERTY shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the federal or state grant contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the CITY OF LIBERTY shall participate in the selection, award, or administration of a contract supported by federal or state grant funds (including CDBG) if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the CITY OF LIBERTY shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub-recipients which are receiving federal or state grant funds (including CDBG), that has any grant-related function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the federal or state grant activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefiting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a federal or state grant contract or award, or that is required to complete some or all work under the federal or state grant contract in order to meet any National Program Objectives.

Any person or entity including any benefiting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a federal or state grant contract or award (including CDBG), or that is required to complete some or all work under the federal or state grant contract in order to meet a National Program Objective, that might potentially receive benefits from the federal or state grant award may not participate in the selection, award, or administration of a contract supported by federal or state grant funding.

Any alleged violations of these standards of conduct shall be referred to the CITY OF LIBERTY 's Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

 CARL PICKETT
 Mayor

 DATE

CÓDIGO DE CONDUCTA / POLÍTICA DE ADQUISICIÓN DE PROGRAMAS

CITY OF LIBERTY , ADOPTADO: _____.

CÓDIGO DE CONDUCTA

Como beneficiario de una subvención de un contrato de subvención federal o estatal (incluido CDBG), la CITY OF LIBERTY evitará, neutralizará o mitigará los conflictos de interés reales o potenciales a fin de evitar una ventaja competitiva desleal o la existencia de roles contradictorios que puedan perjudicar la el rendimiento del contrato de subvención federal o estatal o afecta la integridad del proceso de adquisición.

Para la adquisición de bienes y servicios, ningún empleado, funcionario o agente de la CITY OF LIBERTY participará en la selección, adjudicación o administración de un contrato respaldado por fondos de subvención federales o estatales (incluido CDBG) si él o ella tiene un real o aparente conflicto de intereses. Tal conflicto podría surgir si el empleado, oficial o agente; cualquier miembro de su familia inmediata; su compañero; o una organización que emplea o está a punto de emplear a cualquiera de las partes indicadas en este documento, tiene un interés financiero o de otra índole o un beneficio personal tangible de una empresa considerada para un contrato.

Ningún funcionario, empleado o agente de la CITY OF LIBERTY solicitará o aceptará propinas, favores o cualquier cosa de valor monetario de contratistas o empresas, posibles contratistas o empresas, o partes de sub-acuerdos, excepto cuando el interés financiero no sea sustancial o el regalo es un artículo no solicitado de valor intrínseco nominal.

Los contratistas que desarrollan o redactan especificaciones, requisitos, declaraciones de trabajo o invitaciones para presentar ofertas o solicitudes de propuestas deben ser excluidos de la competencia para tales adquisiciones.

Para todos los demás casos, ningún empleado, agente, consultor, funcionario o funcionario elegido o designado del estado, o de una unidad del gobierno local general, o de cualquier agencia pública designada, o subbeneficiarios que reciben fondos de subvención federales o estatales (incluyendo CDBG), que tiene cualquier función / responsabilidad relacionada con las subvenciones, o que está en condiciones de participar en un proceso de toma de decisiones o de obtener información interna, puede obtener un interés o beneficio financiero de la actividad de subvención federal o estatal.

Las restricciones de conflicto de intereses y los requisitos de adquisición identificados en este documento se aplicarán a un negocio beneficiario, proveedor de servicios u otra entidad externa que esté recibiendo asistencia, directa o indirectamente, bajo un contrato o adjudicación de subvención federal o estatal, o que se requiera para completar algunos o todos trabajan bajo el contrato de subvención federal o estatal para cumplir con los Objetivos del Programa Nacional.

Cualquier persona o entidad incluyendo cualquier empresa beneficiaria, proveedor de servicios públicos u otra entidad externa que esté recibiendo asistencia, directa o indirectamente, bajo un contrato o adjudicación de subvención federal o estatal (incluido CDBG), o que se requiera para completar una parte o todo el trabajo en virtud del contrato de subvención federal o estatal para cumplir un objetivo del programa nacional, que podría recibir beneficios de la subvención federal o estatal no puede participar en la selección, adjudicación o administración de un contrato respaldado por fondos federales o estatales.

Cualquier presunta violación de estas normas de conducta se remitirá a la Fiscalía de la CITY OF LIBERTY . Cuando aparezcan violaciones, el empleado, agente o agente infractor estará sujeto a medidas disciplinarias, que incluyen, entre otros, el despido o la transferencia; cuando las infracciones o infracciones parecen ser de naturaleza sustancial, el asunto puede remitirse a los funcionarios apropiados para su investigación penal y posible enjuiciamiento.

CARL PICKETT
Alcalde

DATE _____



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.G

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Surplus Property

COUNCIL ACTION 2020-19

DOC ID: 4720

Department: Library

Subject: Library Surplus Property

Background: The Library removes books from our collection that are no longer in use due to being out-of-date, duplicates, in bad shape, or replaced with newer editions. If these are declared surplus property, they will be sold in the Friends of the Library's book sale. All proceeds from the sale benefit the Library's programs and are also used to fund special needs, such as paying for our Junior Library Guild book purchases.

Funding Source: NA

Staff Recommendation: Staff recommends declaring these unused books as surplus property.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Utility Services

ORDINANCE 2020-9

DOC ID: 4715

Department: Administration

Subject: CenterPoint Rate Increase

Background: On November 14, 2019, CenterPoint filed an application for an increase in gas service rates. The total increase requested is \$6.816 million annually, representing a 9.4% increase in non-gas revenues. However, it should be noted that the proposed increase for residential customers is \$7.181 million, whereas small and large volume general service customers would receive rate *decreases* of \$0.175 million and \$0.190 million respectively. If approved, the average increase per residential customer would vary based on location from \$1.41 to \$8.19 monthly. CenterPoint has proposed that the gas service rate increase become effective on December 19, 2019. On December 19, 2019, City Council suspended the rate increase request for ninety (90) days. The City of Liberty joined with other cities to retain legal counsel and rate consultants to represent the various cities on this matter. The legal counsel and consultants have completed their review of the proposed rate increase. Based upon their analyses and evaluations conducted to date and the conclusions of similarly situated City groups participating in the proceedings at the Railroad Commission, the Consultant's overall recommendation is that the Cities deny CenterPoint's proposed rate increase.

Fiscal Impact: NA

Staff Recommendation: Staff recommends denial of CenterPoint's proposed rate increase based on the consultants evaluation of the increase.

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS
DENYING THE STATEMENT OF INTENT OF CENTERPOINT
ENERGY RESOURCES CORP., D/B/A CENTERPOINT
ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS
GAS TO INCREASE RATES IN THE BEAUMONT/EAST
TEXAS DIVISION; REQUIRING REIMBURSEMENT OF
MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE
MEETING COMPLIES WITH THE OPEN MEETINGS ACT;
DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE.
AND DISPENSING WITH THE REQUIREMENT OF SECTION
3.10 OF THE HOME RULE CHARTER THAT ALL
ORDINANCES BE READ ON TWO SEPARATE DAYS

WHEREAS, on or about November 14, 2019, CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company")

filed a Statement of Intent with the City of Liberty (“City”) to increase gas rates in the Beaumont/East Texas Division Service Area by \$6.816 million per year;

WHEREAS, City has exclusive original jurisdiction over the rates, operations and services of a gas utility in areas in the municipality pursuant to *Tex. Util. Code* §103.001;

WHEREAS, Gas Utility Regulatory Act § 103.021 requires a local regulatory authority to make a reasonable determination of rate base, expenses, investment and rate of return and retain the necessary personnel to determine reasonable rates;

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

WHEREAS, in order to exercise its exclusive original jurisdiction and properly review the requested rates, it was necessary for the City to suspend CenterPoint’s proposed effective date for 90 days;

WHEREAS, the City retained the Lawton Law Firm, P.C. to review CenterPoint’s rate request and make necessary rate recommendations to the City;

WHEREAS, the Lawton Law Firm recommended that the City deny the requested Statement of Intent. The Company’s requested rate of return and capital structure is inconsistent with that of similarly-situated gas distribution utilities, and the Company’s requested depreciation rates rely on a depreciation study that is five years old and therefore is not representative of the Company’s current invested capital. As such, the Company has failed to show that its requested rates are just and reasonable.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS HEREBY ORDAINS:

SECTION 1. The statements set out in the preamble to this ordinance are adopted herein as if set forth herein.

SECTION 2. CenterPoint’s Statement of Intent to Increase Rates in the Beaumont/East Texas Service Area is denied.

SECTION 3. The Company shall maintain its current rates under its currently approved rate schedules.

SECTION 4. The Company shall promptly reimburse the City’s rate case expenses, as provided by GURA § 103.022(a).

SECTION 5. The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Chapter 551.

SECTION 6. This ordinance shall be effective immediately on passage.

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

PASSED AND APPROVED 10th day of March, 2020.

APPROVED:

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION 2020-21

DOC ID: 4716

Department: Fire Department

Subject: Insurance Services Office Rating

Background: The Insurance Services Office (I.S.O.) evaluates the key elements of a community's fire suppression system which include the fire department, emergency communications and water supply capabilities. The City of Liberty's current I.S.O. Rating is a 5, with 1 being the highest and 10 being the lowest. This rating is used by some insurance companies in determining rates. It should be noted that medical service calls that are not taken into consideration in the I.S.O. rating. The proposed agreement includes a Grading Summary and List of Suggested Improvements, a Pre-Survey Packet and assisting the City when the I.S.O. Field Representative visits and performs a field survey. The Grading Summary and List of Improvements phase will demonstrate the minimum point total that should result if an I.S.O. Field Representative performs a rating of the City. Based on this grading summary, a List of Suggested Improvements will be developed which, if implemented, would improve the I.S.O. rating for the City. The second phase is the Pre-Survey Packet which includes the extensive amount of data to document the answers the City will have to provide to the I.S.O. Representative. The final phase includes assisting the I.S.O. Field Representative during the City of Liberty survey. The cost to provide these services is \$32,000 and is contingent upon all three phases being completed.

Funding Source: Cambridge Funds

Staff Recommendation: Staff recommends approval of the agreement with MP Consulting Services.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Airport

RESOLUTION 2020-3

DOC ID: 4718

Department: Airport

Subject: Installation of an Automated Weather Observing System (AWOS)

Background: The Liberty Municipal Airport does not currently have an AWOS. An AWOS provides weather observations including air and dew point temperature, wind, air pressure, visibility, sky conditions and precipitation. This data is captured minute-by-minute, 24 hours a day, to help pilots prepare and monitor weather forecasts, plan flight routes, and provide necessary information for takeoffs and landings. The AWOS will particularly benefit life flight pilots by providing them with daily real-time local weather reports. These reports are necessary for enhancing the safety of pilots by providing them accurate weather data when they takeoff or land in the vicinity of the Liberty Municipal Airport. The Texas Department of Transportation (TxDOT) has informed the City that it is willing to provide funding for the installation of an AWOS at the Liberty Municipal Airport. The total project is estimated to cost \$200,000, with a 75% reimbursement from TxDOT. TxDOT is requesting a resolution from the City in order to move forward with the AWOS installation.

Funding Source: TxDOT will fund 75% of estimated project cost and a private organization has agreed to fund the 25% match.

Staff Recommendation: Staff recommends approval of the resolution.

A RESOLUTION OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND TO EXECUTE ALL DOCUMENTS NECESSARY TO INSTALL AN AUTOMATED WEATHER OBSERVING SYSTEM AT THE LIBERTY MUNICIPAL AIRPORT

WHEREAS, the City of Liberty desires to install an automated weather observing system at the Liberty Municipal Airport and

WHEREAS, the total project cost is estimated to be \$200,000; and

WHEREAS, the City of Liberty hereby offers 25% of project costs to match 75% state funds, currently estimated to be \$50,000 in local funds; and

WHEREAS, local funds will be available to meet project expenditures; and

WHEREAS, the City of Liberty agrees to operate and maintain the installed automated weather observing system for the useful life of the asset; and

WHEREAS, the City of Liberty intends to request financial assistance from the Texas Department of Transportation for installation of the automated weather observing system for these improvements; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LIBERTY, TEXAS, that the City of Liberty hereby directs the City Manager to execute on behalf of the City of Liberty, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the Liberty Municipal Airport.

PASSED AND APPROVED BY THE CITY COUNCIL of the City of Liberty this the 10th day of March, 2020.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Miscellaneous Issues

7.A.4

ORDINANCE 2020-10

DOC ID: 4719

Department: Inspections

Subject: Off Street Parking

Background: During the November 12, 2019 City Council Meeting, an ordinance was adopted creating Chapter 3.12 of the Code of Ordinances regulating parking within the City. The ordinance provides for the number of off-street parking spaces and dimension of spaces required for new commercial developments. Section 3.12.001 c) referenced the number of off-street parking spaces for each use shall be determined by Section 3.12.003. The reference should have been to Section 3.12.002. Also, the table in Section 3.012.003 Minimum Dimensions for Off-Street Parking was revised to clarify the various stall width and depth, aisle width and overall module width based on the angle of parking. The dimensions for parallel parking spaces were also added to the table.

Funding Source: NA.

Staff Recommendation: Staff recommends approval of the ordinance amendment.

AN ORDINANCE AMENDING ARTICLE 3.12 OF THE CODE OF ORDINANCES, REGULATING PARKING WITHIN THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City Council recognizes the importance of having adequate off-street parking; and

WHEREAS, the City of Liberty currently has an ordinance regulating off-street parking within the city limits; and

WHEREAS, the City Council of the City of Liberty, Texas finds it necessary and desirable to amend its Code of Ordinances to clarify the standards for off-street parking within the City of Liberty.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Liberty, Liberty County, Texas:

Section 1: Article 3.12 of the Code of Ordinances of the City of Liberty shall be amended to read as follows:

Section 3.12.001 General Requirements

- a) At the time any building, use, or structure is erected, enlarged, structurally altered, or converted from one use to another which requires an increase in the number of parking spaces, off-street parking spaces shall be provided in accordance with these regulations for the use of occupants, employees, visitors and patrons. Where off-street parking facilities are provided in excess of the minimum amounts specified by this article, or when off-street parking facilities are provided but not required, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space as specified in this article.
- b) Off-street parking facilities shall be maintained and continued as long as the building, use or structure is continued. No person shall utilize such building, use or structure without providing the required off-street parking facilities. In addition, it shall be unlawful to discontinue or dispense with, or cause the discontinuation or reduction of, the required parking facilities apart from the discontinuation of the building, use or structure, without establishing alternative off-street parking facilities, which meet these requirements.
- c) The number of off-street parking spaces for each use shall be determined by Section 3.12.002.
- d) The building official shall not issue a building permit for any structure that does not conform to these parking requirements. Any variation to these standards must be approved by the Planning and Zoning Commission.

3.12.002 Minimum Parking Space Requirements

COMMERCIAL & CIVIC	
Bowling alley	Five (5) parking spaces per lane
Churches	1 parking space per 4 seats in auditorium or sanctuary
Medical or dental clinic, doctor's office, retail or personal service	1 parking space per 200 square feet of floor area
Hospitals	1 parking space per 2 beds
Hotel or motel	1 parking space per room, unit, or guest accommodation
Manufacturing, storage, processing, repairing or warehousing	1 parking space per 1,000 square feet of floor area
Business, professional or governmental offices	1 parking space per 300 square feet of floor area
Mortuary or funeral home	1 parking space for every two persons to be normally accommodated in services
Elementary and middle schools	1 parking space per classroom
High schools, colleges or universities	3 parking spaces per classroom
Restaurant or cafeteria	1 parking space for every four (4) seats under maximum seating arrangements

Country club or golf course	4 parking spaces per hole
Theaters, stadiums or gymnasiums	1 parking space for every three (3) seats
Motor vehicle sales room or car lot	1 parking space for every 500 square feet of sales floor area (3 parking space minimum)
Library or museum	1 parking space for every 400 square feet of floor area
All other commercial uses not listed	1 parking space for every 250 square feet of floor area
RESIDENTIAL	
Duplex, triplex, fourplex, townhomes and multi-family	2 parking spaces per dwelling unit (must be hard surface parking)

3.12.003 Minimum Dimensions for Off-Street Parking

A	B	C	D		E	F	
Angle of Parking (degrees)	Width of stall (ft)	Depth of stall 90° to aisle (ft)	Width of aisle (ft)		Width of stall parallel to aisle (ft)	Module Width (ft)	
			One Way	Two Way		One Way	Two Way
Standard Parking Spaces							
30	9.0	17.3	12.5	26.0	18.0	47.0	61.0
30	9.5	17.8	12.5	25.0	19.0	48.0	61.0
30	10.0	18.3	12.5	25.0	20.0	49.0	62.0
45	9.0	17.5	12.5	36.0	12.7	48.0	61.0
45	9.5	17.5	12.5	25.0	13.4	48.0	60.0
45	10.0	17.5	12.5	25.0	14.1	48.0	60.0
60	9.0	19.0	16.0	-	10.4	54.0	-
60	9.5	19.0	15.0	-	11.0	53.0	-
60	10.0	19.0	15.0	-	11.6	53.0	-
75	9.0	19.5	23.0	-	9.3	62.0	-
75	9.5	19.5	22.0	-	9.8	61.0	-
75	10.0	19.5	22.0	-	10.3	61.0	-
90	9.0	18.5	-	26.0	9.0	-	63.0
90	9.5	18.5	-	25.0	9.5	-	62.0
90	10.0	18.5	-	25.0	10.0	-	62.0
Parallel Parking Spaces							

0	9.0	9.0 (width)	12.5	25.0	22.0 (length)	30.0	42.0
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Minimum stall widths shall be nine (9) feet. The dimensions of up to twenty (20) percent of the total number of off-street parking spaces may be reduced to eight (8) feet in width and sixteen (16) feet in depth to accommodate compact automobiles.

3.12.004 Parking Spaces for Disabled Persons

- a) Access to buildings for individuals with disabilities shall be provided from rights-of-way and parking areas in accordance with the Americans with Disabilities Act, Accessibility Guidelines for Buildings and Facilities as the same may be amended from time to time. Curb cuts shall typically have a gradient of not more than one (1) foot in twelve (12) feet and a width of not less than four (4) feet. Such access shall be cleared of all obstructions related to construction activity prior to the opening of the building to the general public.
- b) A parking lot servicing each entrance pathway shall have the number of level parking spaces as set forth in the following table, identified by signs. Such parking spaces and signs shall conform to the rules promulgated by the state purchasing and general services commission under subsection (c) of section 7.05 of the state Purchasing and General Services Act (chapter 2151 Government Code) and be in accordance with the Americans with Disabilities Act, Accessibility Guidelines for Buildings and Facilities, as the same may be amended from time to time, relating to the identification and the dimensions of parking spaces for the disabled. Such parking spaces shall typically be a minimum of twelve (12) feet in width. The Building Official shall maintain a copy of the above-mentioned guidelines.

Total Spaces Required Number of Reserved Spaces

1 to 25	1	26 to 50	2	51 to 75	3	76 to 100	4	101 to 150	5	151 to 200	6	201 to 300	7	301 to 400	8	401 to 500	9	501 to 1000	2% of total	1001 or more	20 plus 1 for each 100 over 1000
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- c) Parking spaces for the physically disabled shall be located so that such persons may reasonably wheel or walk to reach entrance ramps, walkways and elevators. All parking lot plans submitted for city review shall clearly designate the intended access routes for individuals with disabilities.

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.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Liberty, this _____ day of _____, 2020.

Carl Pickett, Mayor

Ordinance 2020-10
Page 5

City Council Meeting

March 10, 2020

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Water Issues

COUNCIL ACTION 2020-22

DOC ID: 4721

Department: Water/Wastewater

Subject: Main Street Water Line Repairs

Background: On Friday afternoon February 28th, Public Works was notified of a cavity in the parking lot in front of Boot Barn. The cavity was caused by a leaking 6-inch water line. The water line run along the west of Main Street and lies beneath the Main B box culverts. In order to complete the repairs with the minimum amount of disruption to the business in this area and depth of the line, the decision was made to bore a new water line under the box culvert. The contractor completed the waterline repairs on Wednesday March 4th. The City will replace the paving that was removed during the repairs. The cost to repair the water line was \$45,905.00. The estimated cost for material to repair the paving is \$4,095.00. This will bring the total project cost to \$50,000.00.

Funding Source: Cambridge Funds

Staff Recommendation: Staff recommends authorizing expenditures up to \$50,000 for the repair of the water line on Main Street under Main B.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 03/10/20 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION 2020-20

DOC ID: 4723

Subject: Action Taken Following an Executive Session

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