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

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Present</th>
<th>Absent</th>
<th>Late</th>
<th>Arrival</th>
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<td>Mayor Carl Pickett</td>
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<td>Councilperson Diane Huddleston</td>
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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 # 2631)

   Project Updates - City Mgr. Gary Broz

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, February 12, 2013

VII. **REGULAR AGENDA**

A. **Regular Session**

1. **Council Action (ID # 2632)**
   Consider Approval of the Final Plat of the Raven Hill Subdivision, Section 3, and Take Any Action Deemed Necessary.
   - Final Raven Hill Ranch Section 3 (PDF)

2. **Information Item (ID # 2633)**
   Presentation Regarding Condemnation of the Structure Located at 1350 Wallisville Road.

3. **Public Hearing (ID # 2634)**
   Public Hearing on the Condemnation of the Structure Located at 3701 Old Beaumont Avenue.
   - PH 3701 Old Bmt (PDF)

4. **Council Action (ID # 2635)**
   Consider an Order of Abatement for the Structure Located at 3701 Old Beaumont Avenue.
   - Order of Abatement 3701 Old Bmt (DOC)

5. **Council Action (ID # 2636)**
   Consider Approval of a Fire Protection Services Agreement with Liberty County, and Take Any Action Deemed Necessary.

6. **Resolution (ID # 2637)**
   Consider a Resolution Authorizing Submission of a Grant Application to the Criminal Justice Division, for New Investigative Equipment.

7. **Council Action (ID # 2638)**
   Consider Acceptance of the City Secretary’s Certification of Unopposed Candidates.
   - Cert of Unopposed Candidates (PDF)

8. **Ordinance (ID # 2639)**
   Consider Adoption of an Ordinance Cancelling the May 11, 2013 General Election and Declaring Unopposed Candidates Elected to Office.

9. **Council Action (ID # 2640)**
   Consider Award of Bid for Mowing Various City Properties, and Take Any Action Deemed Necessary.
   - Bid Tab - Mowing 2013 (PDF)
10. **Ordinance (ID # 2641)**
   Consider Adoption of an Ordinance Establishing Rates or Fees Charged by the City for Rail Cars Passing Over City of Liberty Property.

**B. Executive Session**
Deliberation Regarding Real Property. Gov. Code §551.072
Consultation with Attorney. Gov. Code §551.071

1. Discussion to deliberate the purchase, exchange, lease, or value of real property.

**C. Reconvene into Regular Session**

1. **Council Action (ID # 2642)**
Consider and Take Action, If Any, on the Items as Discussed in the Executive Session.

**VIII. ADJOURNMENT**

A. **Motion To:** Adjourn

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**CERTIFICATION**

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 8th day of March, 2013 at 3:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

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**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 ____________________, 2013.
I. CALL TO ORDER

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
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<tbody>
<tr>
<td>Carl Pickett</td>
<td>Mayor</td>
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<td>Diane Huddleston</td>
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<td>Dennis Beasley</td>
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<td>David Arnold</td>
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<tr>
<td>Gary Broz</td>
<td>City Manager</td>
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<td>Dianne Tidwell</td>
<td>City Secretary</td>
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<tr>
<td>Brandon Davis</td>
<td>Legal Counsel</td>
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</tbody>
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II. INVOCATION

The Invocation was given by Don Prather, Minister of the Liberty Church of Christ.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Councilperson Louie Potetz.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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

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

Mayor Pickett reported on the following upcoming events:

1) St. Stephen's Episcopal Church Annual Shrove Tuesday Pancake Supper, February 12,
2) 87th Annual Methodist Men's Banquet - Thursday, February 21,
3) Chamber of Commerce Annual Banquet - March 5 - Speaker John Sharp, and the
4) Annual Liberty Jubilee - March 22 and 23.

Councilperson Huddleston reported that the next "Shred-It" event, for the disposal of sensitive documents in a secure manner, will be held on Saturday, April 27 from 9 a.m. until Noon.
V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2612)
   Presentation/Recognition - Former Municipal Court Judge Bobby Rader.
   COMMENTS - Current Meeting:
   Mayor Pickett presented former Municipal Court Judge Bobby Rader with a plaque recognizing eight years of dedicated service to the City and this community.

B. Information Item (ID # 2613)
   Project Updates - City Mgr. Gary Broz
   COMMENTS - Current Meeting:
   City Manager Gary Broz reported on current City projects to include the Greenopolis recycling machine, comprehensive plan, Airport improvements, and other ongoing projects.

VI. CONSENT AGENDA

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

A. Minutes Approval
   1. Tuesday, January 08, 2013
   2. Tuesday, January 22, 2013

VII. REGULAR AGENDA

A. Regular Session
   1. Public Hearing (ID # 2614)
      Public Hearing on the Condemnation of the Structure Located at 2762 Cornell Street.
      COMMENTS - Current Meeting:
      At 6:25 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 2762 Cornell Street. After review of the Power Point presentation regarding the condition of this structure, the City’s Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure is not in compliance with the City’s Code, and is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, and assured that all parties involved had been properly notified of the condemnation process. Mr. Hood and Mr. Davis recommended that the property owner be given 30 days to comply with the order of
demolition, and if no action is taken in the allotted time period, that the City move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 6:37 p.m.

ATTACHMENTS:
- PH 2762 Cornell (PDF)

2. Council Action 2013-11

Consider an Order of Abatement for the Structure Located at 2762 Cornell Street.

COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement, as recommended, for the structure located at 2762 Cornell Street, allowing the property owner a 30-day period to comply with the order, with the Council finding that this structure presents a public nuisance, and at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings.

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

3. Public Hearing (ID # 2616)

Public Hearing on the Condemnation of the Structure Located on the West Side of FM 563.

COMMENTS - Current Meeting:

At 6:38 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 1351 Wallisville Road (west side of Hwy. 563). After review of the Power Point presentation regarding the condition of this structure, the City’s Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure is not in compliance with the City’s Code, is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, and assured that all parties involved had been properly noticed of the condemnation process. Mr. Hood stated that he had received no response from the notifications. Mr. Hood and Mr. Davis recommended that the property owner be given 30 days to comply with the order of demolition, and if no action is taken in the allotted time period, that the City move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 6:45 p.m.

ATTACHMENTS:
- PH FM 563 West Side (PDF)

4. Council Action 2013-12

Consider an Order of Abatement for the Structure Located on the West Side of FM 563.
COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement, as recommended, for the structure located at 1351 Wallisville Road, allowing the property owner a 30-day period to comply with the order, with the Council finding that this structure presents a public nuisance, and at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings.

ATTACHMENTS:
- Order of Abatement FM 563 West Sdide (DOC)

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

5. Council Action 2013-13

Consider Approval of the Preliminary Plat of the Raven Hill Subdivision, Section 3, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Candy Motschman, Inspection Department, reported on the preliminary plat of Raven Hill Subdivision, Section 3. Ms. Motschman explained that property owner Jean Murph is subdividing a twenty acre tract that is a portion of the original 251 acre tract, reserved for future development. Ms. Motschman further reported that this plat was previously reviewed and approved by the Planning and Zoning Commission on February 6.

Motion was made to approve the preliminary plat of the Raven Hills Subdivision, Section 3.

ATTACHMENTS:
- Raven Hill Ranch Section 3 (PDF)

RESULT:  APPROVED [6 TO 0]
MOVER:  Frank Jordan, Councilperson
SECONDER:  Dennis Beasley, Councilperson
AYES:  Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold
ABSTAIN:  Carl Pickett

6. Ordinance 2013-2

Consider Adoption of an Ordinance Amending the City’s Code of Ordinances with the Addition of a New Article Regarding Oil and Gas Pipeline Standards to Include General Requirements, Permits, and Other Related Issues.

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 THE CITY OF LIBERTY CODE OF ORDINANCES BY SPECIFICALLY ADDING ARTICLE 4.10, ENTITLED "OIL AND GAS PIPELINE STANDARDS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS; PROVIDING FOR NEW PERMITS; PROVIDING FOR PUBLIC EDUCATION; PROVIDING FOR..."
PIPELINE INFORMATION REPORTING REQUIREMENTS; PROVIDING FOR PIPELINE MARKERS; PROVIDING FOR THE ONE CALL SYSTEM; PROVIDING FOR INACTIVE AND IDLED PIPELINES; PROVIDING FOR EMERGENCY RESPONSE PLANS AND EMERGENCY INCIDENT REPORTING; PROVIDING FOR PIPELINE REPAIRS AND MAINTENANCE; PROVIDING FOR STREET AND RIGHT-OF-WAY USE; PROVIDING A REQUIREMENT FOR BOND AND INSURANCE; PROVIDING FOR TERMINATION OF THE PERMIT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

City Manager Gary Broz reported that the City's Code of Ordinances does not address or provide protection to the City should a pipeline be placed through the city limits. Mr. Broz stated that this ordinance addresses issues relative to design standards, permits, markers, inactive pipelines, and a process for emergency response. After brief discussion, a motion was made to approve the ordinance as presented.

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Dennis Beasley, Councilperson

**SECONDER:** Libby Simonson, Councilperson

**AYES:** Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

### 7. Resolution 2013-3

Consider Approval of a Resolution Adopting a Community Development Block Grant (CDBG) Program Section 3 Policy.

**COMMENTS - Current Meeting:**

Mr. J. Rice, Public Management, addressed Council regarding the CDBG Section 3 Policy. Mr. Rice explained that this Section 3 Program of the Housing and Urban Development Act helps members of protected classes gain economic opportunities necessary for exercising fair housing choices. This program assists low to moderate income citizens by providing employment, job training and business contracting opportunities. A resolution was introduced which states that it is the policy of the City of Liberty to comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended.

After brief discussion, a motion was made to approve the Resolution.

**ATTACHMENTS:**

- Section 3 Policy CDBG Program (DOCX)

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Frank Jordan, Councilperson

**SECONDER:** Diane Huddleston, Councilperson

**AYES:** Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

### 8. Council Action 2013-14

Consider Declaring Miscellaneous City Equipment as Surplus Property, and Take Any Action Deemed Necessary.
COMMENTS - Current Meeting:

Mr. Broz reviewed a handout of miscellaneous items and equipment, requesting these items be declared surplus property, which will allow them to be sold on an online auction.

Motion was made to declare the proposed items and equipment as surplus property.

RESULT: APPROVED [UNANIMOUS]

MOVER: Diane Huddleston, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

9. Ordinance 2013-3

Consider Adoption of an Ordinance Ordering a General Election to be Held in the City of Liberty on Saturday, May 11, 2013; and Authorizing a Joint Election Agreement and Election Services Contract by and Between the City of Liberty, Liberty Independent School District, Liberty County Hospital District No. 1, and the Liberty County Clerk. Considere Una Posibilidad De Aprobación a La Ordenanza Que Manda a Una Elección General Que Tendrá Lugar En La Ciudad De Liberty, El Día 11 De Mayo Del 2013; Que Autoriza Un Acuerdo De Elecciones Conjuntas Y Un Contrato De Los Servicios De Elección Por Y Entre La Ciudad De Liberty, El Distrito Escolar Independiente De Liberty, El Hospital Del Distrito N.º 1 De La Ciudad De Liberty, Y La Secretario Del Condado De Liberty.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 11TH DAY OF MAY, 2013 FOR THE PURPOSE OF ELECTING THREE COUNCILMEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, LIBERTY INDEPENDENT SCHOOL DISTRICT, LIBERTY COUNTY HOSPITAL DISTRICT NO. 1, AND THE LIBERTY COUNTY CLERK; 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 REQUIREMENTS OF SECTIONS 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

Motion was made to adopt the Ordinance ordering the City’s General Election for Saturday, May 11, 2013.

ATTACHMENTS:
- 2013 Election Agrmnt Final (DOCX)

Consider Approval of a Deposit, in the Amount of $565,000, to the Fixed Asset Replacement Fund, with Funds Received from the Sam Rayburn Municipal Power Agency.

COMMENTS - Current Meeting:

Mr. Broz reported that in November, 2012, funds received from Sam Rayburn Municipal Power Agency (SRMPA) in the amount of $449,707, were placed as the initial deposit in the Fixed Asset Replacement Fund. Mr. Broz further reported that several expenditures were made i.e. down payment on a Fire Truck and for laboratory testing of the concrete masonry unit walls at the Cultural Center, leaving a balance of $339,707. Mr. Broz requested approval to place additional funds received from the SRMPA, in the amount of $565,983 into the Fixed Asset Replacement Fund. This would leave a balance of $905,690 in this fund.

Motion was made to approve the deposit of funds into the Fixed Asset Replacement Fund, in the amount of $565,983.

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

11. Council Action (ID # 2623)

Consider Expenditures from the Fixed Asset Replacement Fund, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that the Electric Department is in need of a small bucket truck and a digger truck, for a cost of $182,000. Mr. Broz proposes to use budgeted funds, along with Fixed Asset funds, to purchase these vehicles. Budgeted amount for this equipment is $30,000 each. The proposed plan is to procure these vehicles with cash and utilize an annual payment schedule to reimburse the Fixed Asset Fund for these purchases. Mr. Broz is requesting Fixed Asset Replacement Funds in the amount of $62,000 for the bucket truck and $120,000 for the digger truck. This would leave a balance of $723,690 in this fund.

Lengthy discussion was held regarding interest rates, annual repayment amounts, facility maintenance, park restrooms, prioritizing a needs/project list, possible receipt of additional Sam Rayburn Municipal Power Agency funds, and other associated issues.

Motion was made to approve the cash purchase of a small bucket truck and a digger truck, with budgeted and fixed asset funds, and utilizing a payment schedule to reimburse the electric fund.

The Council recessed for a five-minute break.
12. Council Action 2013-16


COMMENTS - Current Meeting:

Mr. Broz reported that there were funds remaining in the amount of $794,741 from the issuance of the 2010 Certificates of Obligation. Initial funds spent from the certificates were used to purchase the City's smart meters. Mr. Broz further reported that of the remaining funds $370,304 were for water distribution rehabilitation. Mr. Broz requested funds in the amount of $205,000 for a street sweeper, $6,000 for a records retention update, and $25,000 for security upgrades.

After lengthy discussion of related issues, a motion was made to approve the above-mentioned expenditures from the remaining 2010 Certificates of Obligation funds.

RESULT: APPROVED [5 TO 2]
MOVER: Dennis Beasley, Councilperson
SECONDER: David Arnold, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Arnold
NAYS: Louie Potetz, Libby Simonson


Consider a Resolution Authorizing the City Manager to Enter into an Agreement with the Texas Department of Transportation for the Temporary Closure of Main Street During the 2013 Liberty Jubilee.

COMMENTS - Current Meeting:

Motion was made to approve the Resolution authorizing the City Manager to enter into an Agreement with TXDOT for the temporary closure of Main Street during the 2013 Liberty Jubilee.

ATTACHMENTS:
- TxDOT Temporary Rd. Closure Agreement 2013 (DOC)

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

14. Council Action 2013-17

Discussion, and Possible Action, on a Request from First Liberty National Bank Regarding the Liberty Bell.

COMMENTS - Current Meeting:

Mr. Paul Henry, President of First Liberty National Bank, was present to address Council regarding the Liberty Bell and the Bank’s 100th Anniversary. Mr. Henry requested placement of the bell in the bank lobby for the duration of their celebration, and in return the bank would make a donation of $50,000 to a construction fund for a new bell tower. Discussion was held regarding the possible transfer of location, insurance, and other legal documents. It was determined that the moving of the bell was subject to the approval of other entities in the original
"Transfer of Title" document. Those other entities are the Liberty County Commissioner's Court, and the Liberty County Historical Commission.

After further discussion, a motion was made to authorize moving the Liberty Bell to the First National Bank Lobby in honor of their 100th Anniversary Celebration, subject to the other parties agreement.

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<th>RESULT:</th>
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<tr>
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<td>SECONDER:</td>
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<td>AYES:</td>
<td>Beasley, Jordan, Potetz, Simonson, Arnold</td>
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<td>ABSTAIN:</td>
<td>Carl Pickett, Diane Huddleston</td>
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15. Council Action 2013-18
Consider Approval of a Fire Protection Services Agreement with Liberty County, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:
Mr. Broz and Fire Chief Fred Collins addressed Council regarding the proposed Fire Protection Services Agreement with Liberty County. After discussion of indemnification issues, fees, and other related issues, no action was taken on this agenda item.

ATTACHMENTS:
- Fire Protection Svs 2013 (PDF)

RESULT: NO ACTION TAKEN

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1 for Specific Projects, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:
Brief discussion was held regarding an Interlocal Agreement with Liberty County for specific projects. Those projects include the County providing manpower, equipment, and other resources for the maintenance of Candelier Road. The City agrees to provide manpower, equipment and resource to the County for the maintenance of the sally port driveway within the fenced area at the Liberty County Jail.

Motion was made to approve the Interlocal Agreement with Liberty County for special projects.

ATTACHMENTS:
- Interlocal Agreement Projects (PDF)

RESULT: APPROVED [UNANIMOUS]

MOVER: Frank Jordan, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

17. Council Action 2013-20
Consider the Sale of Property Located at the Port of Liberty, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz addressed Council regarding property that the City owns in conjunction with the Chambers Liberty Counties Navigation District (CLCND) located on the west side of Boomerang Tube, LLC. This property consists of approximately eight acres off of FM 3361. Bids were let for the sale of this property and one bid was received in the amount of $25,000, from Boomerang Tube. The Port is in favor of this sale, as is the CLCND. The City will retain egress and ingress, and an easement across the property. Funds from this sale will go to the Port Commission.

Motion was made to approve the sale of the property located at the Port of Liberty.

| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Diane Huddleston, Councilperson |
| SECONDER: | Dennis Beasley, Councilperson |
| AYES: | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the Mayor adjourned the meeting at 8:41 p.m.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary
PUBLIC HEARING (ID # 2634)
Date: February 12, 2013

TO: Edna Cantania
    C/O Alma Semien
    3701 Old Beaumont Ave
    Liberty, Texas 77575

RE: Public Nuisance-Proposed Order to Demolish

Dear Sir and/or Madam:

As the City of Neighborhood Services Administrator, it has come to my attention and I do hereby find the building or structure situated on the below described location is:

✓ unsafe,
✓ substandard,
✓ dangerous,
✓ a hazard,
✓ a public nuisance.

I have attached hereto a detailed list setting out the conditions which I find render the building or structure, or portion thereof, a nuisance. The subject building or structure and its location are described as follows:

Building/Structure: Dilapidated Structure
Street Address: 3701 Old Beaumont Ave (old mobile home)
Legal Description: Melanson Tract, Lot 5
City of Liberty, Liberty County, Texas

You are hereby given notice that a hearing will be held before the Liberty City Council at 6:00 o'clock p.m. on March 12, 2013, at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575 to determine if the building complies with the standards set out in Chapter 6 of the Liberty Code of Ordinances, or if the structure should be ordered repaired, vacated and repaired, or demolished.

All interested persons who desire to be heard or who oppose the proposed order to repair, vacate and repair, or demolish the above described structure, shall appear at the above mentioned City Council hearing and show cause, if any, why the building or structure, or any portion thereof, involved in these proceedings should not be ORDERED repaired, vacated and repaired, or demolished. Your failure to appear shall constitute a waiver of your right to oppose any ORDER of the City Council.

Proof and scope of work will be required to be presented at hearing if work cannot be completed within 30 days. Furthermore, IF an extension is granted by City Council, specific time schedules for the commencement and performance of the work shall be required.

Furthermore, the amount of cost of abating such nuisance or demolishing said building or structure, and all incidental expenses associated therewith, if undertaken by the City of Liberty, shall constitute special assessments against the property on which the structure is located and as such, shall constitute a lien on said property.

Sincerely,

[Signature]
Robbie L. Hood, CPM
Neighborhood Services Administrator
City of Liberty
Conditions Rendering Building/Structure Hazardous and/or Dangerous

Owners Name: Edna Cantania C/O Alma Semien
Mailing Address: 3701 Old Beaumont Ave; Liberty, Texas 77575
Property Description: Melanson Tract, Lot 5 (old mobile home)
Street Address: 3701 Old Beaumont Ave, Liberty, Texas 77575

UNSAFE BUILDINGS: All buildings or structures which are unsafe, unsanitary, or do not provide adequate egress, or which constitutes a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitutes a hazard to safety or health, are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of Chapter 6 of the Liberty Code of Ordinances.

1. Lack of hot and cold water running to plumbing fixtures in bathroom and kitchen.
2. Improper sewage disposal system in bathroom and kitchen.
3. Lack of adequate heating facilities.
4. Lack of required ventilating equipment.
5. Lack of required electrical lighting.
6. Dampness of habitable rooms.
7. Infestation of insects, vermin and rodents.
8. General dilapidation and improper maintenance of all heating and plumbing facilities.
9. Lack of adequate garbage and rubbish storage and removal facilities.
10. Deteriorated and inadequate foundations.
11. Defective and deteriorated flooring and floor supports.
12. Members of walls, partitions and other vertical supports have split, lead, list and/or buckled due to defect and deterioration.
13. Members of ceilings, roofs, ceiling and roof supports and other horizontal members have sagged, split and/or buckled due to defect and deterioration.
14. Hazardous wiring which is not connected and can not be connected due to defective maintenance and deterioration.
15. Hazardous plumbing which is not connected and can not be connected due to defective maintenance and deterioration.
16. Faulty weather protection.
17. Serious fire hazard.
18. Hazardous and unsanitary premises with an accumulation of junk, debris and garbage which constitutes a fire, health and safety hazard.
19. The building structure or portion thereof as a result of decay, deterioration or dilapidation’s has or is likely to fully or partially collapse.
20. The building structure or portion thereof is in such a condition that it constitutes a public nuisance.

Robbie L. Hood, CPM
Neighborhood Services Adm.

Date 2-12-13
City of Liberty

Order of Abatement

The City Council of the City of Liberty ("Council"), at a duly noticed public hearing, does hereby adopt the following Order of Abatement:

WHEREAS, it has come to the attention of Council that a building or structure located at 3701 Old Beaumont Ave of the Town of Liberty with Liberty County Central Appraisal District Property ID # 59358 in the City of Liberty is reported to be or believed to be substandard under the terms of Chapter 3 of the Liberty Code of Ordinances; and

WHEREAS, Council has at a public hearing received and/or heard evidence that the structure(s) on the property described above have/has

a. become substantially deteriorated through natural causes and/or from exposure to the elements (wind, hail, rain and storms), or
b. become so structurally deteriorated and/or damaged that it/they are in danger of collapse, or
c. become a fire hazard due to the substantial deterioration of the building or structure; or
d. failed to be constructed in conformity with the City Building Code; or
e. become a hazard to the health and/or safety of the general public, including all conditions conducive to the harboring of rats, mice, and other disease carrying animals and/or insects, including such conditions that may be hazardous to safety, such as inadequate bracing or the use of deteriorated materials.

WHEREAS, Council has received and/or heard evidence that the City has made a diligent effort to determine the identity and address of any owner, lienholder, or mortgagee by searching the following records:

a. county real property records of Liberty County;
   b. appraisal district records of Liberty County;
   c. records of the secretary of state;
   d. assumed name records of Liberty County;
   e. tax records of the City of Liberty; and
   f. utility records of the City of Liberty.

and has given notice of the public hearing held on this day regarding the substandard structure.

WHEREAS, the Council, having the authority to order abatement of substandard structures pursuant to Chapter 3 of the Liberty Code of Ordinances and Chapter 214 of the Local Government Code.

NOW, THEREFORE, BE IT RESOLVED, THAT the City Council of the City of Liberty hereby
finds that this property is a public nuisance, and ORDERS the abatement of the condition of the identified property by removal of the structure(s) thereon, within 30 days of this ORDER. The City Council further authorizes the City Manager or other City officials to secure the demolition of the structure(s) on the identified property if the structures have not been removed within 30 days of this ORDER, and place a lien on the land for costs associated with such demolition and removal according to law; and

Part 1: That the notice of this public hearing was made or attempted with the efforts outlined in Chapter 214 of the Local Government Code.

Part 2: That it is hereby determined that the identified structure is in fact a structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare.

Part 3: That public necessity requires the demolition and removal of the identified structure.

Part 4: That this resolution shall take effect immediately from and after its passage.

I certify that the foregoing is a true and correct copy of the resolution/order duly adopted by the City Council of the City of Liberty. This Order of Abatement shall be maintained with the official minutes of the City Council of the City of Liberty

In witness whereof, I have hereunto set my hand on this the 12th day of March, 2013.

By:__________________________

Carl Pickett,
Mayor,
City of Liberty

WHEREAS, the City of Liberty finds it in the best interest of the citizens of Liberty, Texas, that the Liberty Police Department Technology Grant be operated for the 2013-2014 year and,

WHEREAS, the City of Liberty designates Chief Billy Tidwell as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

WHEREAS, the City of Liberty agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Liberty assures that the funds will be returned to the Criminal Justice Division in full.

PASSED AND APPROVED, at a regular meeting of the Liberty City Council, this 12th day of March, 2013.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary
CERTIFICATION OF UNOPPOSED CANDIDATES

Certification of Unopposed Candidates
By the City Secretary

I, Dianne Tidwell, certify that I am the City Secretary of the City of Liberty, Texas and the authority responsible for preparing the ballot for the May 11, 2013 General Election. I further certify that no person has made a declaration of write-in candidacy, and there are no propositions to appear on the ballot in said election.

Therefore, pursuant to Section 2.052, Texas Election Code, I hereby certify that the following candidates are unopposed for election to the Liberty City Council.

Dennis Beasley
Council Member

Diane Huddleston
Council Member

Libby Simonson
Council Member

Dated this 8th day of February, 2013.

Dianne Tidwell
City Secretary
City of Liberty, Texas
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, CANCELLING AN ELECTION PREVIOUSLY ORDERED TO BE HELD ON MAY 11, 2013; FOR THE ELECTION OF THREE COUNCILPERSONS; DECLARING UNOPPOSED CANDIDATES IN SAID ELECTION ELECTED TO OFFICE; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREOF; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, on February 12, 2013, the City Council of the City of Liberty, Texas, adopted Ordinance 2013-3 ordering a general municipal election to be held on Saturday, May 11, 2013 for the purposes of electing three (3) Councilpersons; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing that no person has made a declaration of write-in candidacy, that there is no proposition on the ballot, and that each candidate whose name is to appear on the ballot is unopposed; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Texas Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election.

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

SECTION 1.

That the following candidates, who are unopposed in the May 11, 2013 General Election, are declared duly elected to office, and shall be issued certificates of election following the time the election would have been canvassed:
SECTION 2.

The General Election is cancelled, and the City Secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

SECTION 3.

Severability clause. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION 4.

Effective Date. That this ordinance shall be in full force and effect from and after its passage on the date shown below and it is so ordained.

SECTION 5.

Waiver of second reading. 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.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this 12th day of March, 2013.
BY: ____________________________________________
    Carl Pickett, Mayor

ATTEST:

____________________________
Dianne Tidwell, City Secretary
## BID TABULATION

**Bid 13-02**

**MOWING CONTRACT FOR**

**VARIOUS CITY PROPERTIES AND HWY 90 MEDIAN**

<table>
<thead>
<tr>
<th>Location</th>
<th>Noack Locksmith (weekly)</th>
<th>Flying N Landscaping (weekly)</th>
<th>Current Contract (Weekly)</th>
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<td>Monta Street Water Plant</td>
<td>$150.00</td>
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<td>Trinity Street Water Plant</td>
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<td>FM 563 Lift Station</td>
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<td>Washington Lift Station</td>
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<td>Forest Hills Lift Station</td>
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<td>Palmer Street Water Tower</td>
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<td>Palmer Pocket Park</td>
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**NI** — Not Included in Contract.