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The City of Liberty

Liberty Community Development Corporation

Annual Meeting

~ Minutes ~

Tuesday, June 12, 2012 | **5:00 PM** | **City Council Chambers**

The Liberty Community Development Corporation 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 June 12, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 5:00 PM by Vice-President Mike McCarty.

Attendee Name	Title	Status	Arrived
Dennis Beasley	President	Absent	
Mike McCarty	Vice-President	Present	
Louie Potetz	Board Member	Present	
Robert Ward	Board Member	Present	
Barbara Norwood	Board Member	Absent	
Leslie Herndon	Board Member	Absent	
David Arnold	Board Member	Present	
Gary Broz	General Manager	Present	
Dianne Tidwell	City/Corp. Secretary	Present	
Randy Gunter	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

Vice-President McCarty welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Board. The following individuals addressed the Board in regard to proposals for construction of hangars at the Liberty Municipal Airport.

Councilperson Frank Jordan spoke to 1) preferences not allowed for local contractors when federal funds are involved, 2) award of a construction bid, with the most points, be based on stipulated contract terms, and 3) conflicts of interest.

Mr. Matt Harris, Pelco Construction, spoke regarding conflicts of interest and Mr. Boyd Arnold, Arnold Construction, spoke regarding the definition of local contractors.

III. PRESENTATIONS / REPORTS

There were no presentations or reports.

IV. REGULAR AGENDA

A. Regular Session

1. LCDC Resolution 2012-1

Consider a Resolution Amending the Liberty Community Development Corporation Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

Vice-President McCarty read the caption of the Resolution into the record as follows:

"A RESOLUTION OF THE LIBERTY COMMUNITY DEVELOPMENT CORPORATION OF LIBERTY, TEXAS, AUTHORIZING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012."

City Manager Gary Broz reported that the budget amendment is for performing surveys associated with right-of-way acquisition, for the Street Expansion Project, Phase I. Motion was made to approve the amendment to the FY 2011-2012 Budget, in the amount of $56,000.00.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Arnold, Board Member
SECONDER:	Robert Ward, Board Member
AYES:	Mike McCarty, Louie Potetz, Robert Ward, David Arnold
ABSENT:	Dennis Beasley, Barbara Norwood, Leslie Herndon

2. LCDC Corporation Action (ID # 2420)

Discussion of Proposed Fiscal Year 2012-2013 Budget with Anticipated Capital Projects, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz discussed proposed figures for the LCDC FY 2012-2013 Budget. Mr. Broz reported that current sales tax revenue is on target for the budgeted amount of $1,000,000; the year-to-date collections as of May 31, being in the amount of $668,966.

Mr. Broz also discussed interest income and further reviewed the proposed budgeted numbers for line item expenditures. Discussion of the expenditures included funds for professional development which include Recon/ICSC and Retail Coach expenses, office supplies, travel, legal fees, and preliminary engineering fees for the proposed street extension project. Mr. Broz asked if there was any interest in projects including downtown enhancement, business development, a college presence, or any additional ideas.

In conclusion, Mr. Broz reviewed a handout regarding the LCDC Airport Projects. This material documents the work completed, work currently in progress, hangar proposals and construction, fencing and future equipment purchases. Mr. Broz stated that at the completion of this project, approximately $200,000 should remain from the $426,000 allocated for this project. Many of the various portions of the project received reimbursement funds from grants.

RESULT:	**NO ACTION TAKEN**

3. LCDC Corporation Action (ID # 2421)

Consider Award of Contract Proposal for the Construction of Airport Hangers at the Liberty Municipal Airport, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Prior to any discussion of this agenda item, the Board moved to the Executive Session.

B. Executive Session

Consultation with Attorney, Closed Session. Gov. Code §551.071

1. Counsel with City Attorney regarding proposal issues related to Airport hangars.

At 5:27 p.m., Vice-President McCarty closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 5:50 p.m., Vice-President McCarty closed the Executive Session and reconvened the open meeting.

1. LCDC Corporation Action 2012-10

Consider and Take Action, If Any, on the Items as Discussed in the Executive Session.

COMMENTS - Current Meeting:

City Attorney Randy Gunter explained that at a previous LCDC meeting, the Board wanted to consider several bids on a $500,000 project (Airport hangars) that were close in costs and wanted to consider a local preference, which is generally permissible under Texas law. However, after the meeting it became clear that there was federal money (FEMA) involved in the project. Mr. Gunter contacted a specialist regarding state/local preference or geographical location, who stated that there is no wavering from the regulations regarding this issue. Mr. Gunter also reviewed Chapters 171 and 176 of the Local Government Code regarding conflicts of interest.

City Manager Gary Broz stated that five proposals were received. The three lowest proposers and their point score are as follows:

Arnold Construction	$559,873	91/100 points
Pelco Construction	$563,950	86/100 points
Bruce's Construction	$656,000	90/100 points

After further discussion of the topics above, a motion was made to award the proposal to Arnold Construction for hangars at the Liberty Municipal Airport.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Ward, Board Member
SECONDER:	Louie Potetz, Board Member
AYES:	Mike McCarty, Louie Potetz, Robert Ward, David Arnold
ABSENT:	Dennis Beasley, Barbara Norwood, Leslie Herndon

V. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Board, the meeting was adjourned at 6:55 p.m.

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Dennis Beasley, President

ATTEST:

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Dianne Tidwell, City Secretary