The City of Liberty

Liberty Community Development Corporation

Meeting

~ Agenda ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 7, 2011 | **6:00 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

Attendee Name	Present	Absent	Late	Arrival
President Dennis Beasley	..	..	..	
Vice-President Mike McCarty	..	..	..	
Board Member Billy Page	..	..	..	
Board Member Louie Potetz	..	..	..	
Board Member Juan Venegas	..	..	..	
Board Member Robert Ward	..	..	..	
Board Member Barbara Norwood	..	..	..	
General Manager Gary Broz	..	..	..	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

III. PRESENTATIONS / REPORTS

A. LCDC Information Item (ID # 2041)

Financial Report

B. LCDC Information Item (ID # 2042)

Current Project Updates

IV. CONSENT AGENDA

All consent items listed are considered to be routine by the LCDC and will be enacted by one motion. There will be no separate discussion of these items unless a Board 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, May 03, 2011

V. REGULAR AGENDA

A. Regular Session

1. LCDC Public Hearing (ID # 2043)

Public Hearing on a Project to Provide Grant Assistance to Southeast Texas Drug Screening for Business Expansion, at 3820 Beaumont Avenue.

2. LCDC Resolution (ID # 2044)

Consider a Resolution Amending the LCDC Budget for Fiscal Year 2010-2011.

3. LCDC Resolution (ID # 2045)

Consider a Resolution Amending Article II, Section 1(C) of the LCDC Bylaws Regarding Director Requirements.

4. LCDC Corporation Action (ID # 2046)

Consider Approval of the Retail Report Update and Extended Coaching Period, with Retail Coach.

- Retail Coach Update & Extended Coaching Period (PDF)

VI. ADJOURNMENT

A. Motion To: Adjourn

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 3rd day of June, 2011 at 2:00 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, Corp. Secretary

Notice given to The Vindicator, Liberty Gazette, and KSHN Radio.

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 ____________________, 2011.

The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM

Department: Administration
Category: Financial Reports

LCDC INFORMATION ITEM (ID # 2041)

DOC ID: 2041

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The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM

Department: Administration
Category: LCDC Projects

LCDC INFORMATION ITEM (ID # 2042)

DOC ID: 2042

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

Dianne Tidwell
City Secretary
(936) 336-3684

The City of Liberty

Liberty Community Development Corporation

Meeting

~ Minutes ~

Tuesday, May 3, 2011 **6:00 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 May 3, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by President Dennis Beasley.

Attendee Name	Title	Status	Arrived
Dennis Beasley	President	Present	
Mike McCarty	Vice-President	Present	
Billy Page	Board Member	Present	
Louie Potetz	Board Member	Present	
Juan Venegas	Board Member	Present	
Robert Ward	Board Member	Present	
Barbara Norwood	Board Member	Present	
Gary Broz	General Manager	Present	
Dianne Tidwell	Corp. Secretary	Present	
Randy Gunter	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

President Beasley welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Board. There were no comments.

III. PRESENTATIONS / REPORTS

A. LCDC Information Item (ID # 2024)

Financial Report - March 2011

COMMENTS - Current Meeting:

General Manager Gary Broz reported on financial information for the previous six-month period. Mr. Broz stated that revenues ($453,000) were at 64% of the budgeted amount, and expenditures ($416,00) were at 46% of the budgeted amount. Also discussed were sales tax revenues which normally would be at 50%, are now at 60% of the budgeted amount. Mr. Broz further reviewed LCDC expenditures including the Retail Coach Downtown Study ($10,900), fees for legal services regarding property purchases, travel expenses to the International Council of Shopping Centers Conventions in Las Vegas and Grapevine, and other related topics.

B. LCDC Information Item (ID # 2025)

Current Project Updates

COMMENTS - Current Meeting:

General Manager Gary Broz reported on the following projects:

1) Airport - new modular building is in place, sewer and electric work completed, will begin water line installation as soon as telephone installation is complete, received formal notice of $550,000 grant from TXDOT for dirtwork, which will soon begin; planning the move of the fuel system to the east side of Airport, utilizing existing equipment,

2) at June meeting, bids for the Fire Department Substation will be brought before the Board,

3) working with Project T regarding companies looking for locations for their business, and

4) working on the City's presentation for the International Council of Shopping Centers to be held in Las Vegas, May 22-24.

IV. CONSENT AGENDA

All consent items listed are considered to be routine by the LCDC and will be enacted by one motion. There will be no separate discussion of these items unless a Board 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:	Mike McCarty, Vice-President
SECONDER:	Robert Ward, Board Member
AYES:	Beasley, McCarty, Page, Potetz, Venegas, Ward, Norwood

A. Minutes Approval

1. Tuesday, April 05, 2011

V. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action (ID # 2026)

Consider Report from Southeast Texas Drug Screening.

COMMENTS - Current Meeting:

Ms. Heather Price, Southeast Texas Drug Screening was present to address the Board, regarding a request for LCDC assistance in the expansion of her business. Ms. Price stated that she had been in business for nine years, and recently acquired a new location on Beaumont Avenue.

Ms. Price stated that she would like to add a conference room, two additional offices, various equipment, and increase her staff by 2-4 employees. Ms. Price further stated that her business consists of not only drug testing for various companies such as Wal-Mart and Boomerang Tube, but also is a compliance company which offers services such as audit representation for DOT audits, driver qualifications, safety training, CPR, and Haz-mat training, with a specific focus on the pipeline, oil & gas, and transportation industry.

City Attorney Randy Gunter stated that a public notice would need to be published regarding the proposed project before the Board considers the project, and recommended that the applicant work with management on terms of the project to include a guarantee for new jobs. This project will be brought before the Board at a later date.

ATTACHMENTS:

- Request for Funds Southeast Tx Drug Screening (PDF)

RESULT:	**NO ACTION TAKEN**

B. Executive Session

Deliberation Regarding Real Property. Gov. Code §551.072
Consultation With Attorney. Gov. Code §551.071

1. Deliberation Regarding Real Property.

There was no Executive Session held.

C. Reconvene into Regular Session

1. LCDC Corporation Action (ID # 2027)

Consider Action, If Any, on the Item as Discussed in the Executive Session.

RESULT:	**NO ACTION TAKEN**

VI. WORK SESSION

A. LCDC Work Session (ID # 2028)

Discussion of the Street Extension Project.

COMMENTS - Current Meeting:

Representatives from CivilCorp were present to review and discuss the Preliminary Engineering Report for the new street extension project, from Main Street to SH 146 Bypass.

Mr. Ben Galvan and Mr. Tommy Kuykendall related that the scope of the report presents the analysis and process used to select an alignment that satisfies project objectives, but also minimizes the right-of-way and environmental impacts, so to meet the City's available funding for this project. The preferred alignment begins at the intersection of Jefferson Drive & Main Street, follows Jefferson east to its intersection with Lakeland, turns south down Lakeland Drive and continues past Royal Street, and then turns east and continues on to the SH 146 Bypass. Presented options and cost estimates include:

Option 1) build a new concrete street along the entire 1.5 mile length of the alignment.

Concrete pavement - entire route - $8,360,000

Option 2) construction of only the section between Lakeland and the SH 146 Bypass.

Concrete Pavement (Lakeland to SH 146) - $5,890,000

Option 3) construction of the section along Jefferson, along with the section between Lakeland and the SH 146 Bypass.

Concrete Pavement (Lakeland to SH 146 plus Jefferson) - $7,650,000

It was related that the estimated project costs include construction, design engineering, surveying, right-of-way acquisition, and utility relocation. Design and plan preparation will take approximately six months, to also include sixteen parcels of right-of-way to acquire. Actual construction should take approximately one year to complete. Further discussion included environmental constraints, drainage and detention ponds, flooding issues, usable property, economic development, project funding, and other matters related thereto.

The Board will take this information under consideration, for further discussion at a later date.

VII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Board, the meeting was adjourned at 7:07 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Mike McCarty, Vice-President
AYES:	Beasley, McCarty, Page, Potetz, Venegas, Ward, Norwood

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM

Department: Administration
Category: LCDC Proposed Projects

LCDC PUBLIC HEARING (ID # 2043)

DOC ID: 2043

The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM
Department: Administration
Category: Budget Amendments

LCDC RESOLUTION (ID # 2044)

DOC ID: 2044 A

A RESOLUTION OF THE LIBERTY COMMUNITY DEVELOPMENT CORPORATION OF LIBERTY, TEXAS, AUTHORIZING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011.

WHEREAS, the Liberty Community Development Corporation was formed for the purpose of implementing certain flood prevention and drainage improvements, and related capital improvement projects; and,

WHEREAS, the Corporation may be assisting local businesses, upon the fulfillment of certain specific criteria, with local economic development projects; and

WHEREAS, it is necessary for the Corporation to have at its disposal financial resources sufficient to fund these projects; and,

WHEREAS, additional funds were needed to assist with the Tower Autoplex Expansion/Demolition Project within the City of Liberty; and

WHEREAS, state statutes require that said financial resources be provided for through a budget;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LIBERTY COMMUNITY DEVELOPMENT CORPORATION:

That the Corporation Budget for Fiscal Year 2010-2011 be hereby amended to include additional expenditures in the amount of $36,000, for total expenses of $942,000.

PASSED AND APPROVED THIS 7th DAY OF JUNE, 2011.

Dennis Beasley
President

ATTEST:

Dianne Tidwell
Corporation Secretary

The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM

Department: Administration
Category: LCDC Misc.

LCDC RESOLUTION (ID # 2045)

DOC ID: 2045

A RESOLUTION BY THE LIBERTY COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF LIBERTY, TEXAS, AMENDING ARTICLE II SECTION 1(C) OF THE LCDC BYLAWS REGARDING DIRECTOR REQUIREMENTS

WHEREAS, the Liberty Community Development Corporation (LCDC) wishes to amend its bylaws; and

WHEREAS, the LCDC believes that it is in the best interest of the citizens of the City of Liberty to change the number of director positions that must be held by persons other than city employees, officers of the City, or members of the City Council; and

NOW, THEREFORE, BE IT RESOLVED that through the adoption of this Resolution, Article II, Section 1(c) of the LCDC bylaws should be amended to state:

> "Four (4) members of the first Board shall serve terms of one (1) year and three (3) members shall serve terms of two (2) years. The respective terms of the initial directors shall be determined by the City Council. Thereafter, each successive member of the Board shall be appointed and serve for two (2) years or until a successor is appointed as hereinafter provided. Four (4) directors shall be persons who are not employees of the City, officers of the City, or members of the City Council."

PASSED AND APPROVED this ______ day of ________________, 2011.

Liberty Community Development Corporation

____
Dennis Beasley, President

ATTEST:

____

Dianne Tidwell, Corp. Secretary

The City of Liberty
Liberty Community Development Corporation
1829 Sam Houston Street
Liberty, TX 77575

Meeting: 06/07/11 06:00 PM

Department: Administration
Category: Project

LCDC CORPORATION ACTION (ID # 2046)

DOC ID: 2046

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Retail Report Update & Extended Coaching Period

A PROPOSAL FOR

LIBERTY COMMUNITY DEVELOPMENT CORPORATION

TheRetailCoach®

APRIL 13, 2011

THIS AGREEMENT is made and entered into as of the _____ day of ___________, 2011 by and between a limited liability entity, The Retail Coach, L.L.C. (hereinafter "TRC") and Liberty Community Development Corporation (hereinafter LCDC).

WITNESSETH:

WHEREAS, LCDC is seeking to attract retail and retail development by updating the retail recruitment and development strategy;

WHEREAS, TRC desires to provide assistance to LCDC with the assessment, development and execution of a retail recruitment and development strategy update; and

WHEREAS, the parties hereto desire to set forth their mutual understandings and agreements regarding the services to be performed by TRC.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

PROJECT TEAM

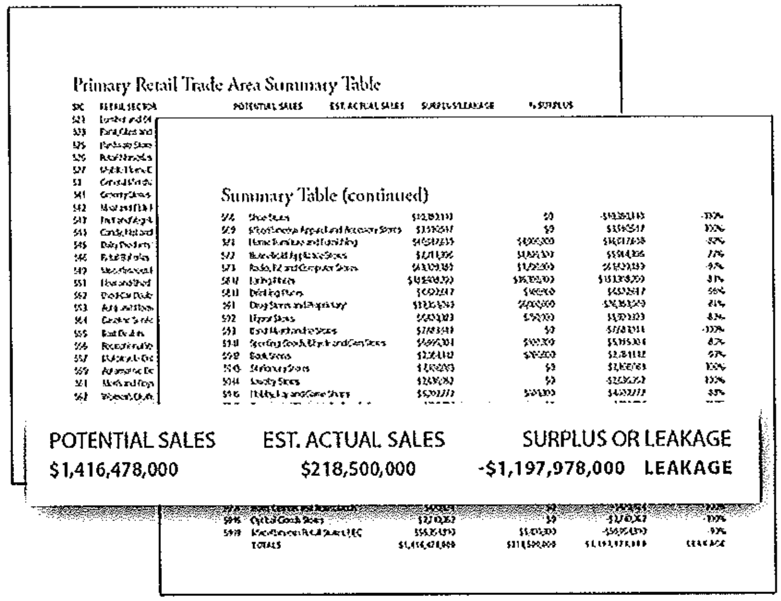
With experience in more than 125 communities in 30 states, the TRC team excels in 1) developing market-based community-specific approaches to retail recruitment, development and redevelopment strategies; 2) directing retail economic development and community development projects; and 3) equipping and coaching our clients in implementing the strategies we develop.

The directors for this project will be C. Kelly Cofer, CCIM and Aaron Farmer. Mr. Cofer and Mr. Farmer are active coaches to numerous economic development organizations throughout the United States with market research services and comprehensive retail recruitment, development and redevelopment plans that are uniquely market-based and community-driven.

PROJECT APPROACH

Retail Gap Analysis (2011 Update)

- TRC will use our "Retail Coach" proprietary software model to analyze estimated actual sales figures, formulate estimated potential sales for the retail trade area, and identify and document retail sales surpluses and/or leakages in 52 different retail sectors within LIBERTY.



Retail Gap Analysis Summary Table

- TRC will create and provide summary graphs of each retail sector illustrating potential sales versus estimated actual sales.\

- TRC will update the community and retail trade area demographic profile with 2011 data.

- TRC will update the community-specific Retail Outlook Guide uniquely tailored to the needs of targeted retailers. This guide includes the retail trade area map, area map, traffic count map, demographic profile summary and LCDC logo and contact information.

- TRC will create Retail Leakage Flyers for each of the 52 retail sectors which demonstrate sales leakage. Each flyer may be customized for marketing to specific retailers and includes retail sector leakage amount, supporting leakage amount graph, the retail trade area map, brief demographic profile and LCDC logo and contact information

TWELVE MONTH COACHING PERIOD EXTENSISON (June 1, 2011 – June 1, 2012)

We are acutely aware that retail recruitment and development is a process and not an event. In order to better ensure the successful implementation and execution of the retail recruitment and development strategies produced from and within this project, we will be available via e-mail and telephone at no additional charge in an off-site advisory ("coaching") capacity to LCDC as time and schedule will allow, for a period of twelve months following completion of the project. For trips to Liberty by TRC officials, TRC will only charge LCDC for actual expenses incurred.

PROJECT SCHEDULE

The TRC team is available to begin this work immediately upon agreement of terms. We will carry out the work plan within thirty (30) business days upon agreement of terms.

FEES AND EXPENSES

The total fee for completion of this work is $6,500.

- $3,250 upon execution of the Agreement;
- $3,250 upon completion of the report update.

IN WITNESS WHEREOF, the parties have executed this agreement as of the ____ day of ________, ______.

The Retail Coach, L.L.C.

By: ______________________________________

C. Kelly Cofer, Principal

Liberty Community Development Corporation

By: ______________________________________