The City of Liberty

Liberty Community Development Corporation

Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 6, 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 September 6, 2011 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by Vice-President Mike McCarty.

Attendee Name	Title	Status	Arrived
Dennis Beasley	President	Absent	
Mike McCarty	Vice-President	Present	
Billy Page	Board Member	Present	
Louie Potetz	Board Member	Present	
Robert Ward	Board Member	Present	
Barbara Norwood	Board Member	Present	
Leslie Herndon	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

Vice-President McCarty 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 # 2160)

Financial Report

COMMENTS - Current Meeting:

General Manager Gary Broz reviewed the July 31, 2011 Financial Report. Mr. Broz stated that revenues were at 104%, and expenditures at 57% of the budgeted amounts. Mr. Broz further stated that sales tax revenues were at 100%, having budgeted $850,000; the City is currently in receipt of $852,000. Mr. Broz reviewed various line items in the budget report, stating that expenditures are normal and the current fund balance is $2.2 million dollars.

Further discussion included positive events taking place in the City regarding economic development. Mr. Broz reported that several retail businesses (manufacturing and big box retail), and several hotels were examining the City for possible locations. Mr. Broz stated there were three new businesses in the downtown area, the Downtown Task Force would soon be working on signage and other issues, and the Airport Project was moving forward, with bids for the hangars to be opened in October.

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 [3 TO 0]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Barbara Norwood, Board Member
AYES:	Mike McCarty, Louie Potetz, Barbara Norwood
ABSTAIN:	Billy Page, Robert Ward, Leslie Herndon
ABSENT:	Dennis Beasley

A. Minutes Approval

1. Tuesday, August 09, 2011

V. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action 2011-9

Consider Extending the Bank Depository Services Contract with Prosperity Bank for One Additional Year.

COMMENTS - Current Meeting:

Motion was made to extend the bank depository contract with Prosperity Bank for one additional year.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Ward, Board Member
SECONDER:	Billy Page, Board Member
AYES:	McCarty, Page, Potetz, Ward, Norwood, Herndon
ABSENT:	Dennis Beasley

2. LCDC Public Hearing (ID # 2162)

Public Hearing on the Liberty Community Development Corporation Budget for Fiscal Year 2011-2012.

COMMENTS - Current Meeting:

At 6:16 p.m., Vice-President McCarty opened the Public Hearing on the proposed budget for FY 2011-2012. After brief discussion, the Public Hearing was closed at 6:25 p.m., due to misplaced documentation.

At 6:40 p.m., the Public Hearing was reopened for discussion. Mr. Broz reported that $1million was budgeted for revenues and $6000 in interest, for a total revenue budget of $1,006,000. Mr. Broz reviewed the various line items and their budgeted amounts. Additional review and discussion included funds designated for property purchases on the north and south side of the Airport, the Airport Relocation Project and related costs, and a transfer to the General Fund. Mr. Broz concluded that budgeted expenditures are in the amount of $1,256,300, with a deficit of $250,300.

The Public Hearing was closed at 6:48 p.m.

3. LCDC Corporation Action 2011-10

Consider Approval of an Expenditure to Liberty County Rural Rail District #1, in the Amount of $15,000, for Preliminary Evaluation of the Proposed Railroad Spur Purchase.

COMMENTS - Current Meeting:

General Manager Gary Broz reported that this agenda item relates to the acquisition of the railroad spur to assist industry in South Liberty. Mr. Broz stated that there has been previous discussion with the Liberty County Rural Rail Transportation District #1, and its legal counsel, on how to accomplish this goal by the end of the year, as TXDOT has plans to remove the tracks from Hwy. 90. In discussions with the Rural Rail District, Mr. Broz explained that the District is willing to work with Union Pacific to explore options for bringing this project to fruition. Discussion was held regarding the acquisition, construction, and rehabilitation of the spur and associated costs, establishing a fee structure for operation and use of the spur, and other related issues. Approximate costs include $130,000 for purchase of the Union Pacific track and right-of-way, $300,000 for materials to renovate the Hwy. 90 crossing to Texas Department of Transportation specifications, and $500,000 to rehabilitate the tracks from the mainline to Boomerang Tube, and other businesses located in the South Liberty area. Mr. Broz proposed an expenditure of $15,000 to the Rail District for this project.

Motion was made to approve the $15,000 expenditure to the Liberty County Rural Rail Transportation District #1, for the preliminary study of the proposed rail spur purchase.

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Barbara Norwood, Board Member
AYES:	Page, Potetz, Ward, Norwood, Herndon
ABSTAIN:	Mike McCarty
ABSENT:	Dennis Beasley

4. LCDC Resolution 2011-5

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

COMMENTS - Current Meeting:

Vice-President McCarty read the entire Resolution into the record, with the caption as follows:

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

Motion was made to approve the Resolution adopting the LCDC budget for Fiscal Year 2011-2012.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Barbara Norwood, Board Member
SECONDER:	Robert Ward, Board Member
AYES:	McCarty, Page, Potetz, Ward, Norwood, Herndon
ABSENT:	Dennis Beasley

5. LCDC Corporation Action 2011-11

Consider Approval of Expenditure for the International Council of Shopping Centers/Deal Making Conference in San Antonio on November 2-4, 2011.

COMMENTS - Current Meeting:

Mr. Broz reported on the upcoming International Council of Shopping Centers Conference to be held in San Antonio, November 2-4, 2011. Mr. Broz reviewed attendance costs, booth set-up and associated expenditures. Mr. Broz stated that this conference provides the exchange of ideas, information, retail opportunities, and is attended by numerous retail real estate professionals. Mr. Broz stated that the City has purchased booth space which makes one highly visible, and will have available fliers, maps, and a backdrop with numerous pictures of Liberty. Also, CDs will be available for real estate representatives to take with them for their review, at a later date, that contains specific City information, available properties, the demographic study completed by Retail Coach, additional pictures, and other valuable information.

Motion was made to approve an expenditure of $3000 for this conference, plus approval for additional monies for each additional attendee.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Leslie Herndon, Board Member
SECONDER:	Robert Ward, Board Member
AYES:	McCarty, Page, Potetz, Ward, Norwood, Herndon
ABSENT:	Dennis Beasley

6. LCDC Corporation Action 2011-12

Consider Award of Bid for the Fire Department Substation Building.

COMMENTS - Current Meeting:

Mr. Broz explained that bids for the Fire Department Substation were soon to expire and a contract had not yet been signed, due to questions regarding construction and how the contractor arrived at the bid amount. Mr. Broz reported that after a lengthy discussion with the contractor, the following information would address those items in question:

1) contractor purchases several buildings each week from his supplier, receiving excellent cost,

2) contractor obtained a good deal on fill material,

3) building will sustain 120 mph winds,

4) building will have I-beams, and be expandable,

5) 4" concrete with rebar will be used, however, there will be no concrete in the rear of the building,

6) building has inside insulation and electricity only (plugs & lights installed by contractor),

7) there will be room for additions on the property, room for the lift station and the proposed recycling facility, and

8) there is sufficient room to add offices and additional concrete, at a later date.

Mr. Broz further stated that in the bid review, along with the architect (PGAL), no problems could be found. Additional discussion included project inspector, random concrete testing, use of graded rebar and related professional affidavits/certificates, and other matters related to the three bay, six-door facility.

Motion was made to proceed with the bid award, per plans and specifications for the Fire Department Substation, in the amount of $208,000 from Target Contracting.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Barbara Norwood, Board Member
AYES:	McCarty, Page, Potetz, Ward, Norwood, Herndon
ABSTAIN:	Dennis Beasley

7. LCDC Corporation Action (ID # 2167)

Consider Commissioning a Hotel Needs Assessment Study, and Take Any Action as Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that in discussions with various hotel chains, each has asked for the City's hotel needs assessment study. As the City is currently not in possession of this type study, Mr. Broz stated that he has contacted an independent company located in San Antonio that will conduct a needs assessment study for an approximate cost of $3000-$5000. Information on this topic was not yet available for the meeting. This agenda item will be brought back to a future meeting.

RESULT:	**NO ACTION TAKEN**

8. LCDC Corporation Action (ID # 2168)

Consider Rescheduling the October Meeting to an Alternate Date, Due to National Night Out.

COMMENTS - Current Meeting:

The concensus of Council was to move the October meeting from Tuesday, October 4 to Wednesday, October 5, in order to accommodate Liberty Police Department and City of Liberty National Night Out activities.

VI. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Board, the meeting was adjourned at 7:28 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Robert Ward, Board Member
AYES:	McCarty, Page, Potetz, Ward, Norwood, Herndon
ABSENT:	Dennis Beasley

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Dennis Beasley, President

ATTEST:

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Dianne Tidwell, City Secretary