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, September 4, 2012 **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 Louie Potetz	☐	☐	☐	
Board Member Robert Ward	☐	☐	☐	
Board Member Barbara Norwood	☐	☐	☐	
Board Member Leslie Herndon	☐	☐	☐	
Board Member David Arnold	☐	☐	☐	
General Manager Gary Broz	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

III. PRESENTATIONS / REPORTS

A. LCDC Information Item (ID # 2497)

Various Project Updates - Gen. Mgr. Gary Broz

B. LCDC Information Item (ID # 2499)

Financial Report - Gen. Mgr. Gary Broz

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, June 05, 2012

2. Tuesday, June 12, 2012

3. Tuesday, June 26, 2012

4. Tuesday, July 24, 2012

V. REGULAR AGENDA

A. Executive Session

JOINT EXECUTIVE SESSION WITH THE LIBERTY CITY COUNCIL.

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 for the Proposed Street Extension Project.

B. Reconvene into Regular Session

1. LCDC Corporation Action (ID # 2498)

Consider and Take Action, If Any, on the Purchase, Exchange, Lease, or Value of Real Property for the Proposed Street Extension Project.

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 31st day of August, 2012 at 11:00 a.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

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 _____, 2012.

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

Meeting: 09/04/12 06:00 PM

Department: Administration
Category: LCDC Reports

LCDC INFORMATION ITEM (ID # 2497)

DOC ID: 2497

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

Meeting: 09/04/12 06:00 PM

Department: Administration
Category: LCDC Reports

LCDC INFORMATION ITEM (ID # 2499)

DOC ID: 2499

.

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, June 5, 2012 | **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 June 5, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:00 PM by President Dennis Beasley.

There are eight Board Member names on the Roll Call for this meeting, due to newly elected officials taking office and outgoing members stepping down.

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

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 # 2402)

Financial Report

COMMENTS - Current Meeting:

General Manager Gary Broz reviewed Corporation finances ending April 30, 2012. Mr. Broz reported on the financial statement reflecting revenues in the amount of approximately $576,000 and expenditures in the amount of approximately $706,000. The various line items were examined, with Mr. Broz stating that the largest expenditures were for the property purchase from Mr. Curtis Herman for the Liberty Municipal Airport and fees for the International Council of

Minutes Acceptance: Minutes of Jun 5, 2012 7:00 PM (Minutes Approval)

Shopping Center Convention held in May, in Las Vegas. Mr. Broz concluded his report by stating that there is $2.2 million in the Corporation's fund balance.

B. LCDC Information Item (ID # 2404)

Various Project Updates

COMMENTS - Current Meeting:

Mr. Broz briefly reported that the Airport Project is progressing well. Currently, the 100 low lead fuel is out of service while the tank is being cleaned. Upon completion of the tank rehabilitation, it will be moved to its permanent location on the east side of the Airport.

Mr. Broz and President Beasley spoke regarding their recent trip to the International Council of Shopping Centers Convention in Las Vegas. Topics of discussion included the quality presentation of the City's booth at the convention, an encounter with a developer from Humble, Texas, and discussion with representatives from Dairy Queen and other establishments. Mr. Broz reported that numerous contacts were made, and that regular emails are being sent to these contacts in an effort to keep our community in the forefront of developer activities. Mr. Broz gave each Board Member a copy of "12 Ways to Expand Your Tax Base".

C. LCDC Information Item (ID # 2403)

Oath of Office to be Issued to Newly Appointed Board Members.

COMMENTS - Current Meeting:

Municipal Court Judge Bobby Rader issued the Oath of Office to the newly appointed Board Members:

Dennis Beasley, Louie Potetz, Barbara Norwood, Mike McCarty, and David Arnold.

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:	Louie Potetz, Board Member
AYES:	Beasley, McCarty, Potetz, Norwood, Arnold
ABSENT:	Robert Ward, Leslie Herndon

A. Minutes Approval

1. Tuesday, April 03, 2012

2. Tuesday, April 10, 2012

Minutes Acceptance: Minutes of Jun 5, 2012 7:00 PM (Minutes Approval)

V. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action 2012-6

Elect a President of the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

Motion was made by Board Member McCarty, seconded by Board Member Norwood to appoint, by acclimation, Dennis Beasley President of the Liberty Community Development Corporation.

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

2. LCDC Corporation Action 2012-7

Elect a Vice-President of the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

Motion was made by Board Member Beasley, seconded by Board Member Norwood to appoint Mike McCarty Vice-President of the Liberty Community Development Corporation.

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

3. LCDC Corporation Action 2012-9

Consider Award of a Contract Proposal for T-Hangars at the Liberty Municipal Airport.

COMMENTS - Current Meeting:

Mr. Tom Warner, City Engineer & Public Works Director reported that the City had advertised on May 4 for construction of 2-10 Unit Nested T-Hangars for the Liberty Municipal Airport. Mr. Warner stated that this is a design-build project, and that the successful proposer would construct the hangars, install insulation in the roof, and provide storage areas and partitions. Mr. Warner further reviewed additional requirements detailed in the bid specifications and stated that the plans would be sealed by a State of Texas licensed engineer, and that the structures able to withstand 150 mph winds.

Mr. Warner explained that each of the proposals were evaluated, and points given, based on certain criteria. Criteria included firm qualifications, design approach and methodology, T-Hangar construction experience, manufacturer T-Hangar experience, and delivery time. Results were as follows:

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Arnold Construction	$559,873	91 Points
Pelco Construction	$563,950	86 Points
Bruce's General Construction, Inc.	$565,000	90 Points
Wendell Kelley Construction Co.	$595,433	70 Points
Civil Concepts Construction, LLC	$697,416	65 Points

After lengthy discussion regarding use of local contractors, taxes paid locally, delivery time, and cost, a motion was made to accept the proposal from Pelco Construction.

RESULT:	**APPROVED [4 TO 0]**
MOVER:	Louie Potetz, Board Member
SECONDER:	Barbara Norwood, Board Member
AYES:	Dennis Beasley, Mike McCarty, Louie Potetz, Barbara Norwood
ABSTAIN:	David Arnold
ABSENT:	Robert Ward, Leslie Herndon

4. LCDC Corporation Action 2012-8

Consider Approval of Intent to Proceed with Phase I of the Street Extension Project, and Take Any Action as Deemed Necessary.

COMMENTS - Current Meeting:

General Manager Gary Broz reported that preliminary activity is taking place on the Street Extension Project. Mr. Broz led discussion that included progress on right-of-way acquisition, approximate $2.5 million dollar Phase I cost, 18-24 months for Phase I completion, and other related topics. Mr. Adam Ott, Administrator of Magnolia Manor Healthcare, was present to report on their intent to purchase property with road frontage on the new street in order to build a new facility. Mr. Ott stated that the new facility would consist of 56,000 square feet, with a country club setting, and would be finished 12-24 months after completion of the new street.

Further discussion included funds for the project being one-half from LCDC fund balance, and one-half from sales tax revenue, future growth of the area, new hospital, commitment from Magnolia Manor of intent to purchase property, firm construction costs, and counsel from the City's financial advisor regarding funding. City Attorney Randy Gunter stated that he forsees Magnolia Manor and the property owner entering into a contract for purchase of the property, conditioned on LCDC and the City moving forward with the street project, to include an escape clause, resulting in an enforceable purchase contract.

A meeting to further discuss and take possible action will be held in the near future.

RESULT:	**NO ACTION TAKEN**

VI. ADJOURNMENT

A. Motion To: Adjourn

Minutes Acceptance: Minutes of Jun 5, 2012 7:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

There being no further business before the Board, the meeting was adjourned at 6:44 p.m.

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

Dennis Beasley, President

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jun 5, 2012 7:00 PM (Minutes Approval)

The City of Liberty

Liberty Community Development Corporation

Annual Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

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

Minutes Acceptance: Minutes of Jun 12, 2012 6:00 PM (Minutes Approval)

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)

Minutes Acceptance: Minutes of Jun 12, 2012 6:00 PM (Minutes Approval)

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.

Minutes Acceptance: Minutes of Jun 12, 2012 6:00 PM (Minutes Approval)

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.

_____

Dennis Beasley, President

ATTEST:

_____

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jun 12, 2012 6:00 PM (Minutes Approval)

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, June 26, 2012 | **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	Title	Status	Arrived
Dennis Beasley	President	Present	
Mike McCarty	Vice-President	Present	
Louie Potetz	Board Member	Present	
Robert Ward	Board Member	Absent	
Barbara Norwood	Board Member	Present	
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

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. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action (ID # 2424)

Consider and Take Action, If Any, on Moving the Regular Called Meeting of Tuesday, July 3 to Tuesday, July 17.

COMMENTS - Current Meeting:

Mr. Broz requested that due to the City's Annual July 3rd Celebration and Fireworks Display, the July LCDC Meeting be moved to July 17th. Consensus of the Board was to change the meeting date to July 17.

2. LCDC Corporation Action 2012-11

Discuss with the Engineers, Financial Advisor, Potential Business Owners, and Landowners the Future of the Proposed Street Extension Project, and Take Any Action Deemed Necessary.

Minutes Acceptance: Minutes of Jun 26, 2012 7:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

The Liberty Community Development Corporation and the Liberty City Council held a joint meeting in which a presentation was made regarding the future of the Proposed Street Extension Project. Mr. Tommy Kuykendahl and Mr. Ben Galvan, Civil Corps Engineers, and Mr. Robert Henderson, the City's Financial Advisor presented facts and figures regarding various issues related to the project. Mr. Kuyhendahl presented the project description to include breaking the project into phases, acquiring all right-of-way prior to commencement, utilities and storm sewer plan, and other related topics. Mr. Kuykendahl reported that this project will consist of a two-lane street, with a continuous turn lane (total three lanes) that can be expanded to five lanes in the future. The total project extends from Main and Jefferson, east on Jefferson to Lakeland Drive, then to Hwy. 146 Bypass through undeveloped property, for a total project cost of $8.3 million. Phase 1 begins at the Hwy.146 Bypass and continues west approximately 2300 feet and ending in a temporary cul-de-sac, for an approximate cost of $2.95 million dollars which includes utilities and drainage costs. Mr. Kuykendahl requested direction and approval to proceed with Phase I of the project.

Mr. Henderson addressed Council regarding funding issues related to the project. Mr. Henderson stated that Sales Tax Revenue Bonds would be issued and secured solely by sales tax revenue collected by the LCDC. Mr. Henderson reviewed project funding, using no cash contributions, stating that this would be the more extreme route, borrowing all $2,950,000, for Phase I. As a result, there would be debt service of $215,000-$220,000 per year, and taking on $5 million dollars in debt in budget year 2015-2016 for Phase II. The fund balance would continue to grow, and at the end of five years would be approximately $5.4 million dollars, barring the funding of other major projects.

Mr. Henderson also reviewed project funding, using cash contributions, expending $1 million from the LCDC fund balance and borrowing $1.95 million to complete Phase I. Proposed funding for Phase II would be to use LCDC funds with a second borrowing of less than $3.5 million dollars. This approach would be expending more cash, but acquiring less debt. This would leave the LCDC with a respectable fund balance at the end of five years, of $3.4 million dollars. Additional discussion included basis points, coverage ratio, interest rates, and other topics.

Mr. Adam Ott, Magnolia Manor Health Care Administrator was present to discuss plans for a new nursing home to be constructed, upon completion of Phase I of the new street. Mr. Ott stated that he currently has an option to purchase eleven acres along the new roadway. Mr. Bruce Stratton, Liberty County Hospital District No. 1, addressed Council regarding the need and proposed plans for a new hospital to also be located on the new roadway, within the next 3-5 years. Further discussion was held regarding a proposed new medical complex, donation of right-of-way by the landowners, underground electric service, project cost estimates, contingencies, and additional issues.

Motion was made to proceed with the project contingent upon right-of-way acquisition, also directing the engineers to return to a Board meeting in one month with firm costs for all portions of the project.

Minutes Acceptance: Minutes of Jun 26, 2012 7:00 PM (Minutes Approval)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, President
SECONDER:	Mike McCarty, Vice-President
AYES:	Beasley, McCarty, Potetz, Norwood, Arnold
ABSENT:	Robert Ward, Leslie Herndon

IV. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Board, the meeting was adjourned at 7:39 p.m.

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

Dennis Beasley, President

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jun 26, 2012 7:00 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

Tuesday, July 24, 2012 | **6:30 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on July 24, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:50 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Councilperson	Present	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	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. There were no comments.

III. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 2451)

Joint Session with the Liberty Community Development Corporation on the Proposed Street Extension Project, to Include the Engineers, Financial Advisor, Potential Business Owners and Landowners.

COMMENTS - Current Meeting:

At this time, the Liberty City Council and the Liberty Community Development Corporation held a joint meeting in which discussion was led by City Manager Gary Broz regarding the future of the Proposed Street Extension Project. Mr. Broz began by thanking landowners Mary Cain, Martha Ager, and Bob Ager for the donation of property for right-of-way for this project. Mr. Broz reviewed the various landowners and their acreage, concluding discussion with the landowners for right-of-way donation, and cost of Phase I of the project being $2.7 million. Funding was reviewed for Phase I to consist of borrowing $1.5 million and using $1.2 million of the LCDC fund balance. Lengthy discussion was held regarding the project timeline of 18 months, independent property appraisals, the City providing, by letter, acknowledgement of the

Minutes Acceptance: Minutes of Jul 24, 2012 7:30 PM (Minutes Approval)

gift of right-of-way with it being represented to the City as a $35,000 per acre donation, sales tax revenue, utilities, and additional related issues.

Consensus of the Council was that Mr. Broz should move forward in obtaining the remaining right-of-way for the project and City Attorney Randy Gunter will prepare a letter of acknowledgement, for the property owners, regarding the donation of the various right-of-ways.

Councilperson Potetz departed the meeting at 7:15 p.m.

2. Council Action 2012-66

Consider and Take Any Action Deemed Necessary as a Result of the Joint Session with the Liberty Community Development Corporation, Regarding the Proposed Street Extension Project.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT: NO ACTION TAKEN

3. Council Action 2012-67

Consider Ratifying the Liberty Community Development Corporation's Action Regarding Proposals for Airport Fencing, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that three proposals were received for fencing various areas of the Liberty Municipal Airport. Mr. Broz presented a schematic of the four portions to be fenced and conveyed the results to Council:

1) Foster Fence Co.	$85,838.61
2) Hagan Fence Co.	$83,485.00
3) Astro Fence Co.	$95,485.00

Mr. Broz reviewed an Airport projects list stating that fencing the proposed areas would solve the current Airport fencing needs. Expenses for this project are reimbursable, in the amount of $50,000, through a Texas Department of Aviation Division Ramp Grant. Further discussion related to fencing materials and vendors.

Motion was made to ratify the Liberty Community Development Corporation's action to award the contract for fencing at the Liberty Municipal Airport to Hagan Fence Company, in the amount of $83,485.00, contingent upon verification of commercial fencing products.

ATTACHMENTS:

- Airport Fencing Bid (PDF)

Minutes Acceptance: Minutes of Jul 24, 2012 7:30 PM (Minutes Approval)

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

4. Council Action 2012-68

Consider Ratifying the Liberty Community Development Corporation's Action Regarding Proposals for Airport Paving.

COMMENTS - Current Meeting:

Mr. Broz addressed Council regarding a proposal from Craig & Heidt, Inc. for apron repairs at the Liberty Municipal Airport. C & H has presented a repair plan to cost $42,680, for the crumbling apron in front of the terminal building by use of a 1.5" asphalt overlay. Mr. Broz explained that by using this contractor to relieve the apron of ponding water, who is currently working on dirt work for the airport hangars, would minimize some costs due to equipment already being in place. Expenses for this project are reimbursable, in the amount of $20,000, through a Texas Department of Aviation Division Ramp Grant.

Motion was made to ratify the Liberty Community Development Corporation's action to approve the proposal from Craig & Heidt for apron repairs in the amount of $42,680.

ATTACHMENTS:

- Airport Paving Bid (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	David Arnold, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
ABSENT:	Louie Potetz

5. Council Action 2012-70

Consider Ratifying the Liberty Community Development Corporation's Action Regarding an Expenditure for Airport Jet Fuel Tanks.

COMMENTS - Current Meeting:

Mr. Broz reviewed the need for fuel tanks at the Liberty Municipal Airport and compared costs and the condition of several fuel systems that were located in Jasper, Texas, Kentucky, Florida and New York. Mr. Broz recommended the two fuel tanks located in Texas. This whole system is complete with two 12,000 gallon tanks, plumbing, pumps, filters, and a credit card system for a total cost of $125,000. Mr. Broz reported on the need for Jet A fuel for airplanes and JP8 fuel for helicopters and military equipment. Mr. Broz reported that this system is three years old and belongs to the vendor who lost the contract at the Jasper County Airport. Lengthy discussion ensued regarding the various tanks, relocation costs, possible military contracts for fuel, and other related topics.

Motion was made to ratify the Liberty Community Development's action to authorize Mr. Broz to negotiate, up to the asking price of $125,000, for the purchase of the fuel system in Jasper, Texas and authorize execution of the transaction.

Minutes Acceptance: Minutes of Jul 24, 2012 7:30 PM (Minutes Approval)

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

6. Council Action 2012-69

Consider Ratifying the Liberty Community Development Corporation's Action Regarding an Expenditure for a Hotel Needs Assessment Study, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz and Councilperson Beasley reported on conversations with hotel/motel vendors at the recent International Council of Shopping Centers Convention. Mr. Broz and President Beasley visited with representatives of Holiday Inn Express, Best Western, Marriott hotel brands, and Radisson hotel brands. It was discovered that these vendors all require the use of a hotel needs assessment study to determine their interest in the community. Mr. Broz has received a proposal from DP Consulting, Houston, Texas for evaluation of market justification for the development of hotels in the City. Mr. Broz reported that this evaluation, at a cost of $7500 plus minimal out-of-pocket expenses, will assist in bringing economic development opportunities to the City of Liberty. Lengthy discussion was held regarding the need for an independent outside agency to verify this need, a narrative report that can submitted to prospective developers, and other related topics.

Motion was made to ratify the Liberty Community Development Corporation's action to approve the expenditure for the hotel needs assessment study by DP Consulting.

ATTACHMENTS:

- Hotel Needs Assessment Study 2012 (PDF)

RESULT:	**APPROVED [5 TO 1]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Arnold
NAYS:	Libby Simonson
ABSENT:	Louie Potetz

7. Public Hearing (ID # 2457)

Public Hearing on a Grant Application Submission to the Texas Department of Parks & Wildlife for Park Improvements.

COMMENTS - Current Meeting:

This agenda item was passed on.

8. Resolution (ID # 2458)

Consider Approval of a Resolution Authorizing Submission of a Grant Application to the Texas Department of Parks and Wildlife for Park Improvements.

COMMENTS - Current Meeting:

This agenda item was passed on.

Minutes Acceptance: Minutes of Jul 24, 2012 7:30 PM (Minutes Approval)

RESULT:	**NO ACTION TAKEN**

9. Resolution 2012-8

Consider Approval of a Resolution Authorizing the Suspension of the Effective Date of a Proposed CenterPoint Energy Rate Increase for Ninety Days, and Authorizing the City to Join the CenterPoint Beaumont/East Texas Division Service Area Steering Committee to Represent the City in Regard to the Proposed Increase.

COMMENTS - Current Meeting:

Mr. Broz reported that CenterPoint Energy had previously filed a Statement of Intent to increase rates in the Beaumont/East Texas Division, increasing the cost to residential customers of $4.73 per month. Mr. Broz stated that the proposed Resolution authorizes the City to join with other municipalities in a steering committee to coordinate the employment and direction of counsel and consultants working on behalf of the steering committee, to review and possibly protest the increase. This Resolution suspends the effective date of the proposed rate increase by ninety days.

A motion was made to support the City Manager's recommendation to approve the Resolution.

ATTACHMENTS:

- CenterPoint Rate Increase (PDF)
- CenterPoint-Lawton Law Firm Ltr. (PDF)

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

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:03 p.m.

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Carl Pickett, Mayor

ATTEST:

_____
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 24, 2012 7:30 PM (Minutes Approval)

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

Meeting: 09/04/12 06:00 PM

Department: Administration
Category: Proposed Projects

LCDC CORPORATION ACTION (ID # 2498)

DOC ID: 2498

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