The City of Liberty

Liberty Community Development Corporation

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

Dianne Tidwell
City Secretary
(936) 336-3684

Meeting

~ Agenda ~

Tuesday, October 6, 2015	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	Arrived
President Dennis Beasley	☐	☐	☐	
Vice-President Mike McCarty	☐	☐	☐	
Board Member Louie Potetz	☐	☐	☐	
Board Member Barbara Norwood	☐	☐	☐	
Board Member Leslie Herndon	☐	☐	☐	
Board Member David Arnold	☐	☐	☐	
Board Member Mark Campbell	☐	☐	☐	
General Manager Gary Broz	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

III. PRESENTATIONS / REPORTS

A. LCDC Information Item (ID # 3368)

Project Updates - Gen. Mgr., G. Broz

B. LCDC Information Item (ID # 3369)

Financial Report - Gen. Mgr., G. 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, August 04, 2015

2. Tuesday, September 01, 2015

V. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action (ID # 3370)

Consider approval of the first amendment to the Grant Agreement for Business & Commerce Through Education Development-Lee College, and take any action deemed necessary.

- Amendment to Grant Agreement-Lee College (PDF)

2. LCDC Corporation Action (ID # 3371)

Consider purchase of the residence at the Liberty Municipal Airport, and take any action deemed necessary.

3. LCDC Corporation Action (ID # 3372)

Consider approval of Change Orders Nos. 4 and 5 for the Lakeland to Bypass Connector Project, and take any action deemed necessary.

B. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087

C. Reconvene into Regular Session

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 1st day of October, 2015 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 ____________________, 2015.

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

Meeting: 10/06/15 06:00 PM

Department: Administration
Category: LCDC Reports

LCDC INFORMATION ITEM (ID # 3368)

DOC ID: 3368

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

Meeting: 10/06/15 06:00 PM

Department: Administration
Category: LCDC Reports

LCDC INFORMATION ITEM (ID # 3369)

DOC ID: 3369

.

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, August 4, 2015 **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	
Barbara Norwood	Board Member	Absent	
Leslie Herndon	Board Member	Present	
David Arnold	Board Member	Present	
Mark Campbell	Board Member	Present	
Gary Broz	General Manager	Present	
Dianne Tidwell	Corp Secretary	Present	
Brandon Davis	Legal Counsel	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

There were no guests or visitors.

III. PRESENTATIONS / REPORTS

A. LCDC Information Item (ID # 3312)

Project Updates - Gen. Mgr. Gary Broz

COMMENTS - Current Meeting:

General Manager Gary Broz referrred to a list of current city projects and the status of each, which included the street project, nursing home with new construction plans for Hwy. 146N, and list of economic development potential opportunities.

B. LCDC Information Item (ID # 3313)

Financial Report - Gen. Mgr. Gary Broz

COMMENTS - Current Meeting:

General Manager Gary Broz reported on the Corporation's financials ending June 30, 2015. Mr.

Broz reported that total revenues are lower than the previous year, sales tax revenues are below budgeted amounts, funds have been expended to pay for the street project and the Corporation's fund balance is currently $1.8 million.

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:	David Arnold, Board Member
SECONDER:	Mike McCarty, Vice-President
AYES:	Beasley, McCarty, Potetz, Herndon, Arnold, Campbell
ABSENT:	Barbara Norwood

A. Minutes Approval

1. Tuesday, July 07, 2015

V. REGULAR AGENDA

A. Regular Session

1. LCDC Corporation Action 2015-7

Consider approval of a contract providing financial assistance to Lee College, Baytown, Texas for creation of the Lee College Education Center, to be located on the Hwy. 146 Bypass, Liberty, Texas, and take any action deemed necessary.

COMMENTS - Current Meeting:

General Manager Gary Broz and Legal Counsel Brandon Davis reported on the proposed agreement whereby the City of Liberty will provide financial assistance to the new Lee College Education Center-South Liberty County, in the amount of $191,359.90. This assistance will allow for needed renovations to the facility, computers, and other necessary items. Discussion was held regarding the terms of the agreement including default provisions and other related topics.

A motion was made to approve the agreement as presented.

ATTACHMENTS:

- Lee College Agreement-Education Ctr. (PDF)

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

B. Executive Session

Government Code §551.087 - Deliberation Regarding Economic Development Negotiation.

1. Discussion regarding an economic development prospect.

The Executive Session was not held.

C. Reconvene into Regular Session

1. LCDC Corporation Action (ID # 3315)

Consider and take action, if any, on the items as discussed in the Executive Session.

RESULT:	**NO ACTION TAKEN**

VI. ADJOURNMENT

There being no further business before the Board, President Beasley adjourned the meeting at 6:22 p.m.

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Dennis Beasley, President

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty

Liberty Community Development Corporation

Special Mtng. & Joint Meeting-Liberty City Council

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 1, 2015 | **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	
Barbara Norwood	Board Member	Present	
Leslie Herndon	Board Member	Present	
David Arnold	Board Member	Present	
Mark Campbell	Board Member	Present	
Gary Broz	General Manager	Present	
Dianne Tidwell	Corp Secretary	Present	
Brandon Davis	City Attorney	Present	

II. REGULAR AGENDA

A. Executive Session

Gov. Code §551.087 - Deliberation Regarding Economic Development Negotiation.

At 6:11 p.m., President Beasley closed the open meeting and opened the Executive Session as authorized above.

At 8:07 p.m., President Beasley closed the Executive Session and reconvened the open meeting.

III. ADJOURNMENT

1. Motion To: Adjourn

COMMENTS - Current Meeting:

The meeting was adjourned at 8:08 p.m.

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

Dennis Beasley, President

ATTEST:

Dianne Tidwell, City Secretary

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

Meeting: 10/06/15 06:00 PM

Department: Administration
Category: Grant Related Issues

LCDC CORPORATION ACTION (ID # 3370)

DOC ID: 3370

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FIRST AMENDMENT TO GRANT AGREEMENT FOR BUSINESS & COMMERCE THROUGH EDUCATION DEVELOPMENT

This First Amendment to Grant Agreement for Business & Commerce Through Education Development ("Amendment") is made and entered into by and between Liberty Community Development Corporation ("LCDC"), a nonprofit corporation organized under the authority of the Development Corporation Act of the Texas Constitution, Article III, Section 51-a, acting by and through its duly constituted board of directors, and the Lee College District ("Lee"), a public junior college established pursuant to Chapter 130 of the Texas Education Code and institution of higher education as defined in Section 61.003 of the Texas Education Code (LCDC and Lee collectively shall be referred to herein as "Parties" and individually as "Party"), effective upon final execution by both Parties ("Amendment Effective Date").

WHEREAS, LCDC and Lee have entered into a Grant Agreement for Business & Commerce Through Education Development, signed on ______________________________, 2015 ("Original Contract") concerning the granting of economic development funds to Lee; and

WHEREAS, LCDC and Lee wish to amend the Original Contract to include a clarification regarding the allocation of the grant funds (as used herein, the term "Contract" shall mean the Original Contract as amended by this Amendment).

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

1. **<u>Amendment</u>.**

This Amendment amends and replaces the following sections and/or sentences of the Original Contract:

The following language in the fourth bullet of Section 2 (starting on page 3 of the Original Contract):

> "The funds must be related directly to the purchase of Podium Computers (5), $4,536.70, General Education Lab (24), $21,776.00, Electrical Computer Lab (20), $18,147.20, CADD Lab (24), $31,900.00, EMT Equipment, $25,000.00, Renovations, $50,000.00, and Electrical Trainers (4) $40,000.00 to be located at..."

shall be replaced with the following language:

> "The funds must be related directly to the purchase of Podium Computers (5), $4,536.70, General Education Lab (24), $21,776.00, Electrical Computer Lab (20), $18,147.20, CADD Lab (24), $31,900.00, Information Technology Infrastructure Equipment, $65,000.00, and Renovations, $50,000.00 to be located at..."

2. **Continued Force and Effect**. LCDC and Lee acknowledge and agree that except as amended by this Amendment, the Contract is and remains valid, unmodified and in full force and effect.

3. **Capitalization; Definition.** Capitalized terms used herein shall have the same meaning given to such terms in the Contract unless otherwise defined herein. Any terms not defined in this Amendment shall have the same meaning as set forth in the Contract.

4. **Counterparts**. This Amendment may be executed in any number of counterparts, provided each of the Parties hereto executes at least one counterpart; each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement.

5. **Governing Law**. This Amendment shall be construed and enforced in accordance with the laws of the State of Texas, without regard to choice of law provisions.

EXECUTED AS OF THE EFFECTIVE DATE OF ______________________________, 2015:

LIBERTY COMMUNITY DEVELOPMENT CORPORATION

By: ______________________________
Dennis Beasley, President

LEE COLLEGE DISTRICT

By: ______________________________
Dr. Dennis Brown, President

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

Meeting: 10/06/15 06:00 PM

Department: Administration
Category: Miscellaneous Issues

LCDC CORPORATION ACTION (ID # 3371)

DOC ID: 3371

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

Meeting: 10/06/15 06:00 PM

Department: Administration
Category: Street Extension

LCDC CORPORATION ACTION (ID # 3372)

DOC ID: 3372

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