



The City of Liberty
Liberty Community Development
Corporation

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

Meeting

April Gilliland
City Secretary
936-336-3684

~ Agenda ~

Tuesday, February 15, 2022

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

A.	ATTENDEE NAME	PRESENT	ABSENT	LATE	ARRIVED
	President Dennis Beasley				
	Vice-President Barbara Norwood				
	Secretary Kathrine McCarty				
	Board Member Mark Campbell				
	Board Member Dan VanDeventer				
	Board Member Julie Hebert				
	Board Member Michael Dorsett Jr.				

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

Citizen Forum is reserved for members of the public who would like to address the LCDC Board regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Board may not deliberate or take any action during citizens' comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The LCDC Board of Directors may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

III. PRESENTATIONS / REPORTS

A. General Manager's Report

B. Finance Report

IV. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion.

There will be no separate discussion of these items unless a Council 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. 12.21.2021 LCDC Minutes

V. REGULAR AGENDA

A. Regular Session

1. LCDC Board of Directors hold a public hearing regarding a proposed economic development agreement with RKR Restaurants, LLC.
2. Consider and take action authorizing the LCDC Board President to negotiate and execute an economic development agreement with RKR Restaurants, LLC.

VI. ADJOURNMENT

A. Motion To: Adjourn

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 11th day of February, 2022 at 5:00 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.

April Gilliland

April Gilliland, City 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 _____, _____.

CITY OF LIBERTY

Liberty Community Development Corporation Agenda Item Form

Council Meeting Date: February 15, 2022

Agenda Wording: General Manager's Report

Department: Community Development

Subject: General Manager's Report

Background:

This agenda item affords the General Manager the opportunity to update the Board Directors and public on current and future projects, activities and other items related to the Corporation's business.

1. The FY22 LCDC Budget included \$88,000 for the business facade grant program. Since that time, the board has approved three grants: one to the Liberty County Chamber of Commerce (\$6,365.10), one to SwampSmoke, LLC (11,742.50) and one to Tracy Williams (\$17,932.16). There is still \$51,960.24 available to fund additional grants. The program is available citywide.
2. During the December 21, 2021 LCDC meeting, the Board of Directors held a public hearing and approved an economic development agreement with SwampSmoke LLC. City Council ratified the agreement during their January 25, 2022 meeting.
3. Fuel Maxx, located at 1025 N Main, opened for business on Monday, December 27, 2021.
4. The buildings at 1807/1809 Grand have been leased to a healthcare company by the owner. The tenant will occupy the space sometime in February.
5. Recently Completed Projects
 - a. Dream Furniture #2 (2212 N. Main) – *Conditionally*
 - b. Family Dollar – Freezer/Cooler Installation (1017 N. Main)
6. Projects Under Construction - New Construction and Additions
 - a. Sleep Inn Hotel – New Build (1023 N. Main)
 - b. 7-Eleven – New Build (2000 US 90)
 - c. Firm Foundations Healthcare – New Build (2708 Jefferson Drive)
 - d. Sheriff's Office and Precinct 3 Annex – New Build (5000 Highway 146)
 - e. NSC – Commercial Addition (317 Industrial)
 - f. Food Truck Park – New Build (1021 N Main)

7. Projects Under Construction - Renovations and Remodels
 - a. Lakeland Apartments – Interior Remodel (2704 N. Main)
 - b. Marco's Pizza – Buildout (2139 Highway 146, Suite 100)
 - c. Tractor Supply – Interior Remodel & Greenhouse addition (2337 N. Main)
 - d. Tri-County Behavioral Health – Interior Remodel (2000 Panther Lane)
 - e. Lee College – Interior Remodel to include cosmetology lab (1715 Highway 146)
 - f. Maxx Self-Storage - Buildout (1021 N Main)
 - g. The Liberty House – Interior & Exterior Remodel (2208 MLK)
 - h. Tiger Harry's Fish Camp – Interior Remodel (439 US 90)
 - i. Pueblos – Interior Remodel (906 Main)
 - j. Los Panchos - Interior Remodel (2315 Highway 90)
8. Upcoming Projects
 - a. Swamp Smoke BBQ (2200 MLK) – *Plans are currently under review*
 - b. Cas Del Pablo (1110 Highway 90) – *Plans are currently under review*
 - c. Bail Bonds Office (2317 Beaumont) – *Plans are currently under review*
 - d. Liberty Municipal Library (1710 Sam Houston) – *Plans are currently under review*
9. On January 3, the City issued a request for proposals (RFP) for professional services to conduct a wildlife hazard site visit at the Liberty Municipal Airport. Bids were due back on January 31. Four firms responded to the RFP.
10. Design of the pavement rehabilitation project at the Liberty Municipal Airport is underway. KSA Engineers expects to have final designs completed by February 16.
11. On April 20, LCDC approved an agreement with Strand Associates for engineering services related to the development of two (2) 10-unit t-hangars at the airport. The City Council ratified the expenditure on May 11. The 90% design of the project is complete. The engineer's opinion of probable cost is \$2.5 million for 1 ten-unit t-hangar and \$3.9 million for 2 ten-unit t-hangars.
12. The golf course officially closed on April 5, 2021 for renovations. The contractor finished seeding and sodding the project as of January 29, 2022. Staff will now work with the contractor to create a "punch list" of items that still need to be taken care of. Final sprigging is expected to take place in April or May.
13. Staff have been contacted by three developers regarding proposed residential subdivisions.

Funding Source: N/A

Staff Recommendation: N/A

CITY OF LIBERTY

Liberty Community Development Corporation Agenda Item Form

Council Meeting Date: February 15, 2022

Agenda Wording: Finance Report

Department: Finance

Subject: Finance Report

Background: This agenda item affords the Assistant City Manager / CFO an opportunity to report on the financial activities and position of the Liberty Community Development Corporation, to include revenues, liabilities, assets, and other financial information.

Funding Source: n/a

Staff Recommendation: n/a

C I T Y O F L I B E R T Y
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2021

21 -LIBERTY COMM. DEV. CORP.
FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>						
	ALL REVENUE	1,306,885.00	104,622.55	276,628.87	21.17	1,030,256.13
	*** FUND TOTAL REVENUE ***	1,306,885.00	104,622.55	276,628.87	21.17	1,030,256.13
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	LIBERTY COMMUNITY DEV	1,346,885.00	9,739.09	58,401.80	4.34	1,288,483.20
		-----	-----	-----	-----	-----
	*** FUND TOTAL EXPENDITURES ***	1,346,885.00	9,739.09	58,401.80	4.34	1,288,483.20
		=====	=====	=====	=====	=====
	EXCESS REVENUES/EXPENDITURES	(40,000.00)	94,883.46	218,227.07	545.57-	(258,227.07)
		=====	=====	=====	=====	=====

C I T Y O F L I B E R T Y
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2021

21 -LIBERTY COMM. DEV. CORP.
REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>ALL REVENUE</u>						
321-0101	SALES TAX REVENUE	1,000,000.00	102,368.31	270,136.58	27.01	729,863.42
321-0110	INTEREST INCOME	16,500.00	2,254.24	6,492.29	39.35	10,007.71
321-2120	TRANSFER IN FROM FUND BALANCE	290,385.00	0.00	0.00	0.00	290,385.00
		-----	-----	-----	-----	-----
***	FUND TOTAL REVENUE ***	1,306,885.00	104,622.55	276,628.87	21.17	1,030,256.13
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2021

21 -LIBERTY COMM. DEV. CORP.

LIBERTY COMMUNITY DEV

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>3-CHARGES & SERVICES</u>						
421-307	MAINTENANCE WEBSITE	7,500.00	0.00	0.00	0.00	7,500.00
421-309	MARKETING & ADVERTISING	32,000.00	0.00	5,000.00	15.63	27,000.00
421-313	MISCELLANEOUS	12,500.00	0.00	5,000.00	40.00	7,500.00
421-314	TRAVEL & TRAINING	5,000.00	0.00	3,852.26	77.05	1,147.74
421-315	DUES & MEMBERSHIPS	1,500.00	0.00	0.00	0.00	1,500.00
421-319	LEGAL FEES	5,000.00	0.00	270.00	5.40	4,730.00
		-----	-----	-----	-----	-----
** CATEGORY TOTAL **		63,500.00	0.00	14,122.26	22.24	49,377.74
<u>4-OTHER</u>						
421-416	FIRE DEPARTMENT TANKER	35,850.00	2,987.37	8,962.11	25.00	26,887.89
421-423	BUSINESS INCENTIVES FACADE	88,000.00	6,751.72	35,317.43	40.13	52,682.57
		-----	-----	-----	-----	-----
** CATEGORY TOTAL **		123,850.00	9,739.09	44,279.54	35.75	79,570.46
<u>6-DEBT SERVICE</u>						
421-619	INTEREST SERIES 2014	105,000.00	0.00	0.00	0.00	105,000.00
421-620	PRINCIPAL SERIES 2014	135,000.00	0.00	0.00	0.00	135,000.00
421-621	ADMIN FEES SERIES 2014	750.00	0.00	0.00	0.00	750.00
		-----	-----	-----	-----	-----
** CATEGORY TOTAL **		240,750.00	0.00	0.00	0.00	240,750.00
<u>7-TRANSFERS</u>						
421-728	TRANSFER TO AIRPORT FUND	328,500.00	0.00	0.00	0.00	328,500.00
421-730	TRANSFER TO GENERAL FUND	171,100.00	0.00	0.00	0.00	171,100.00
421-732	TRANSFER TO GOLF COURSE	357,785.00	0.00	0.00	0.00	357,785.00
421-733	TRANSFER TO FLEET FUND	61,400.00	0.00	0.00	0.00	61,400.00
		-----	-----	-----	-----	-----
** CATEGORY TOTAL **		918,785.00	0.00	0.00	0.00	918,785.00
		-----	-----	-----	-----	-----
** DEPARTMENT TOTAL **		1,346,885.00	9,739.09	58,401.80	4.34	1,288,483.20
		=====	=====	=====	=====	=====
*** FUND TOTAL EXPENDITURES ***		1,346,885.00	9,739.09	58,401.80	4.34	1,288,483.20
		=====	=====	=====	=====	=====
EXCESS REVENUES/EXPENDITURES		(40,000.00)	94,883.46	218,227.07	0.00	(258,227.07)

C I T Y O F L I B E R T Y
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2021

21 -LIBERTY COMM. DEV. CORP.
LIBERTY COMMUNITY DEV

ACCT#	ACCOUNT NAME	ANNUAL	CURRENT	Y-T-D	% OF	BUDGET
		BUDGET	PERIOD	ACTUAL	BUDGET	BALANCE
		=====	=====	=====	=====	=====

*** END OF REPORT ***

BALANCE SHEET

AS OF: DECEMBER 31ST, 2021

21 -LIBERTY COMM. DEV. CORP.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
ASSETS			
=====			
21-1-2110	CASH	2,675,626.49	
21-1-2199	DUE FROM GBG FOR SALES TAX	1,955.29	
21-1-2500	DUE FROM STATE	<u>213,490.66</u>	
			<u>2,891,072.44</u>
TOTAL ASSETS			2,891,072.44
=====			
LIABILITIES & EQUITY			
=====			
21-2-0220	AP PENDING-POOLED CASH	1,600.00	
21-2-0880	FB-INTEREST INCOME	2,317.52	
21-2-1111	ENCUMBRANCE	(768,455.70)	
21-2-1112	RESERVE FOR ENCUMBRANCE	768,455.70	
21-2-1113	PRIOR YEAR ENCUMBRANCE	269,273.70	
21-2-1114	PRIOR YEAR RESERVE ENCUMBRANCE	(269,273.70)	
21-2-2180	FUND BALANCE	<u>2,668,927.85</u>	
TOTAL LIABILITIES & EQUITY			<u>2,672,845.37</u>
TOTAL REVENUE		276,628.87	
TOTAL EXPENSES		<u>58,401.80</u>	
TOTAL REVENUE OVER/(UNDER) EXPENSES		218,227.07	
TOTAL EQUITY & REV. OVER/(UNDER) EXP.			<u>218,227.07</u>
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			2,891,072.44
=====			



The City of Liberty
Liberty Community Development
Corporation

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

Meeting

April Gilliland
City Secretary
936-336-3684

~ Minutes ~

Tuesday, December 21, 2021

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on December 21, 2021 in the City Hall Council Chambers, 1829 Sam Houston, Liberty, Texas at 6:00 PM by President Dennis Beasley.

A.

ATTENDEE NAME	PRESENT	ABSENT	LATE	ARRIVED
President Dennis Beasley	X			
Vice-President Barbara Norwood	X			
Secretary Kathrine McCarty	X			
Board Member Mark Campbell		X		
Board Member Dan VanDeventer	X			
Board Member Julie Hebert	X			
Board Member Michael Dorsett Jr.	X			

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

Citizen Forum is reserved for members of the public who would like to address the LCDC Board regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Board may not deliberate or take any action during citizens' comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The LCDC Board of Directors may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

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

III. PRESENTATIONS / REPORTS

A. General Manager's Report

General Manager Tom Warner reviewed the various City Projects:

- Facade Grant Program
- New Business Openings
- Recently Completed Projects
- Projects Under Construction
- Upcoming Projects
- Hotel Market Study
- Airport
- Golf Course

B. Finance Report

General Manager Tom Warner reported on the Corporation's financials through October 31, 2021.

IV. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council 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 motion was made by Secretary McCarty to approve all items on the consent agenda. The Motion was seconded by Vice President Norwood. The motion passed 6 to 0 with board member Campbell being absent.

A. Minutes Approval

1. 11.16.2021 LCDC Minutes

V. REGULAR AGENDA

A. Executive Session

At 6:10 p.m., President Beasley closed the open meeting and opened the Executive Session as authorized above.

1. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.
 - To deliberate proposed economic development projects.

B. Reconvene into Regular Session

At 6:34 p.m., President Beasley closed the Executive Session and reconvened the open

meeting.

1. Hold a public hearing regarding a proposed economic development agreement with SwampSmoke, LLC

The public Hearing was held at 6:34 p.m. by President Beasley regarding the proposed economic development agreement with SwampSmoke, LLC. No Public Comments were made. Public Hearing was closed at 6:35 p.m.

2. Consider and take action authorizing the General Manager to negotiate and execute an economic development agreement with SwampSmoke, LLC as discussed in Executive Session.

A Motion was made by Vice President Norwood authorizing the General manager to negotiate and execute an economic development agreement with SwampSmoke, LLC for an amount not to exceed \$25,000. The motion was seconded by board member VanDeventer. The motion passed 6 to 0 with board member Campbell being absent.

VI. ADJOURNMENT

A. Motion To: Adjourn

There being no further business before the LCDC Board of Directors, President Beasley adjourned the meeting at 6:37 p.m.

Dennis Beasley, President

ATTEST:

Kathrine McCarty, Board Secretary

CITY OF LIBERTY

Liberty Community Development Corporation Agenda Item Form

Council Meeting Date: February 15, 2022

Agenda Wording: LCDC Board of Directors hold a public hearing regarding a proposed economic development agreement with RKR Restaurants, LLC.

Department: Community Development

Subject: Public Hearing for RKR Restaurants, LLC.

Background: Section 505.159 of the Local Government Code requires Type B Corporations to hold at least one public hearing prior to the expenditure of funds for projects.

The administration recommends holding a public hearing regarding the possible expenditure of funds for the following project:

1. Economic development agreement with RKR Restaurants, LLC

Funding Source: N/A

Staff Recommendation: Staff recommends the LCDC Board conduct the public hearing.

CITY OF LIBERTY

Liberty Community Development Corporation Agenda Item Form

Council Meeting Date: February 15, 2022

Agenda Wording: Consider and take action authorizing the LCDC Board President to negotiate and execute an economic development agreement with RKR Restaurants, LLC.

Department: Community Development

Subject: RKR Restuarant, LLC Agreement.

Background: RKR Restaurants, LLC plans to build a fast-food restaurant at 1912 Highway 90 in Liberty, Texas. The developer plans to invest \$1,000,000 in the building and \$250,000 in furniture, fixtures and equipment. The developer plans to hire no less than thirty (30) employees (including full-time and part-time employees) over the course of the first two (2) years of this agreement. Additionally, the developer will be required to submit a landscaping plan and an exterior lighting plan with his construction documents and fence or enclose his dumpster. All construction documents must be approved by the City of Liberty.

In return, LCDC will provide reimbursements for geotechnical, survey, A&E and construction costs. The total reimbursement for all items will not exceed \$65,000 and no expenses will be reimbursed until after the developer receives a Certificate of Occupancy (CO) for the project.

If approved, the agreement will also need to be approved by the Liberty City Council.

Funding Source: LCDC Fund Balance

Staff Recommendation: Staff recommends authorizing the LCDC Board President to negotiate and execute an economic development agreement with RKR Restaurants, LLC.