

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED that the Economic Development Corporation of the City of Freeport met in a regular meeting Tuesday, December 30th, 2008, at the Freeport City Council chambers at 1211 Brazosport Boulevard for the purpose of considering the following agenda items.

Dan Tarver – President
Clan Cameron – Vice-President
Lila Diehl – Secretary
Gilbert Cuellar
William Rains
Bobby Jo Casale
Johnny McQuaig

Visitors registered in attendance:

Joyce Adkins
Wright Gore III

OPEN MEETING

Dan Tarver opened the meeting at 6:02pm.

CONSIDER APPROVAL OF THE MINUTES OF THE 12/11/2008 MEETING

The minutes of the December 11th, 2008 meeting were not prepared. A motion to table approval of the December 11th 2008 minutes till next meeting was made by Mr. Rains and Seconded by Mr. Cameron. The motion carried unanimously.

CITIZENS COMMENTS

Mrs. Adkins spoke that she believed the EDC needed to do more to get the message out about the EDC is doing and what they have accomplished.

ACTING PROJECT MANAGERS REPORT

Mr. Hickey reported all bills submitted by the EDC have been paid. He reported that the Trico Marine project had been completed and that the EDC could take possession at any time of the old Trico facility and begin demolition. He reported that the Wanda Jones property issue had

been settled and the EDC was waiting on Ms. Jones's attorney to finalize the settlement for payment.

Mr. Hickey reported that at the request of the President of the EDC, a purchasing procedure program was developed to keep track of all expenditures, and it would be introduced to the EDC board for their approval at the January 8th EDC meeting.

Mr. Hickey reported also that 17 projects had been identified that needed to be completed for the marina to come on line in June or July of 2009. He recommended that the purchasing procedures be adopted prior to beginning any of the remaining 17 projects to control costs and spending.

Mr. Tarver thanked Mr. Hickey for his work on the Purchasing Procedures with the comment that they were woefully long overdue.

Mr. Cameron suggested that the details of the Purchasing Procedures be put on the city's website for the public to view.

Mr. Hickey reported that the City was looking at adopting this same purchasing procedure.

PROJECT ENGINEERS REPORT

No report as Mr. Damian was not present at the meeting.

BOARD OF DIRECTORS COMMENTS

Mr. Rains reported that he and Mr. McQuaig had met with the Project Engineer Rene Damian to discuss the dock requirements and he would be discussing it at the next meeting.

Mr. Cameron reported that he did not agree with Mrs. Adkins comments during the Public Comment section, that he believed the current EDC board was extremely open and had disclosed much of the plans for the marina and that prior to this board, much of the plans did not exist in the public domain.

Mr. McQuaig said that he agreed with Mr. Cameron that the board had been open with the public regarding the business of the EDC.

Mr. Rains spoke again to say that he believed the EDC was doing a good job at reporting what was going on with the Marina Project.

Mrs. Adkins spoke again and said that she thought Mr. Cameron should provide more information to the public during city council meetings.

Mr. Tarver reported that the current EDC board was making a big effort to disclose to the public everything that was going on at the EDC meeting except for what was taking place in executive session.

Mr. Tarver suggested to Mrs. Adkins that if she thought of anything else the EDC board could do to help make more information available to the public that her suggestions would be appreciated and considered.

Mayor McDonald asked to speak. He said that he and Mr. Cameron had taken some hits recently in the press and he did not have a problem with it. He said he thought the EDC was doing a fantastic job getting info out to the public and he wanted the EDC to continue.

He also said that completing the Marina was going to be good for Freeport but it was going to be painful. He commended all of the EDC board members by name and said that they had done a good job at completing the Trico Marine Project and the Wanda Jones Eminent Domain issue. He said the EDC had done a good job working out problems with the Gores and he thanked the Gores for working with the EDC. He finished by saying he wanted the EDC to keep going, and that they were doing a fantastic job.

Mr. Tarver mentioned that there were other things going on right now with the EDC besides the Marina Project, specifically, that he was meeting with the Brooks Organization about bringing in another grocery store to replace Kroger. He said that he, Mayor McDonald, Robert Worley, head of the Brazoria County Economic Development Alliance and Mr. Brooks were originally scheduled to meet with a new grocery prospect on January 2nd, but that the grocer had postponed the meeting till January 7th and that Mr. Tarver hope to have some good news to report about it at the next EDC meeting.

However, he also said that if it does not work out with this grocer, that the EDC will continue to search for another grocer to come to Freeport and that this is some of the other efforts that were going on to help increase business in the city of Freeport beside the Marina Project.

CONSIDER BID REQUIREMENTS FOR WET AND/OR FLOATING DOCKS

Mr. Rains reported that he did not want to go into detail on this subject until Mr. Damian could be present, but that he believed that their recommendation was going to be for floating docks.

Mr. Rains said that previously some contractors had commented that the floating docks would cost more, but he believed that they were not making a strong effort to be competitive. He thought that would be different now with the recent contractor layoffs at Dow Chemical.

Mr. Hickey reported that in the last week alone, he had received four telephone calls from contractors wanting to bid on the dock project.

Mr. Tarver said that he had met some new contractors at the most recent County EDC Alliance meeting who were interested in doing business with the city of Freeport and that he would recommend to Mr. Damian to look for additional bids when it came time for the request for quotes. He said it would be good if we could find a contractor that might help us to save some money on the project and possibly help accelerate the project at the same time.

Mr. Cameron mentioned that he was in favor of floating docks as a result of having read the report submitted previously by Mr. Rex Maugans regarding Sailboat business for the marina.

He stated that the marina was the engine for the downtown development and that floating docks were preferred.

Mr. Rains said that he thought the Marina Developer probably preferred fixed docks because of the cost, but that it was in the best interest of the city to build what would be preferred.

Wright Gore III spoke to the board to say that he had not had much of a chance in the past to see the marina plans, but thanks to Mr. Tarver and the current board that he was able to see the plans and work out the problems they had in the past in Rene Damian's office. He said that he could not explain how much he appreciated being dealt with like a neighbor instead of being treated like a lawyer.

Mr. Jack Taylor spoke to the board to say that he appreciated the chance to be at an EDC meeting, and he appreciated the chance to speak to the EDC board. He said that he did not live in Freeport any longer, but that his heart and his interests were still in Freeport. He said he was glad to see that the voters in Freeport had finally changed the city government by electing people who were starting to make positive changes. He said he appreciated the openness of the EDC, which he said was not how the past EDC board operated. He said he lived around the waterfront all his life and he had seen the damage that rising and falling tides can do to boats tied up to fixed piers and that he strongly recommended that the EDC adopt floating piers. He said that the costs could be offset by having the piers prefabricated and then installed instead of trying to build them on the water.

Mr. Tarver said that he was going to add this item to the next EDC agenda for the January 8th meeting so that it could be discussed again before the bid process was set.

CONSIDER SETTING ADVERTISEMENT DATES AND BID OPENING DATE FOR THE MARINA WET SLIP CONSTRUCTION

A motion was made by Mr. Cameron to table this item till the next meeting and seconded by Mr. Rains. The motion carried unanimously.

EXECUTIVE SESSION – SECTION 551.072

Deliberations concerning the purchase, exchange, lease or value of real property when deliberation in an open meeting might have a detrimental affect on the position of the Board of Directors in negotiations with a third person, to-wit: Western Seafood

Executive Session began at 6:37pm and ended at 6:45pm

ACTION TO BE TAKEN AS A RESULT OF EXECUTIVE SESSION, IF ANY

A motion was made by Mr. Rains to drop Eminent Domain proceedings against Western Seafood and to pay the court judgment in return for an agreement from Western Seafood to hold harmless the Freeport EDC and the City of Freeport for any damages they may have incurred as a result of the Eminent Domain efforts. A second was provided by Mr. Cameron. The motion carried unanimously.

An additional motion was made by Mr. Rains and seconded by Mr. Cameron that if possible to utilize existing available EDC funds to pay the settlement to Western Seafood and Wanda Jones to conclude her property sale to the city of Freeport. The motion carried unanimously.

ADJOURN

A motion to adjourn was made by Mr. Rains and Seconded by Mr. Cameron. The meeting was adjourned at 6:55pm by a unanimous vote.