

**CITY OF FREEPORT  
ECONOMIC DEVELOPMENT CORPORATION**

**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 scheduled meeting Thursday November 8, 2012 at the Freeport City Council chambers at 403 N. Brazosport Boulevard, for the purpose of considering the following agenda items.

Jim Barnett (President)  
Lila Diehl (Secretary)  
Kenny Kouches  
Roy Yates

Brooks Bass (Vice-President)  
Willie Garcia  
Mingo Marquez Jr.

Visitors in attendance: Chris Duncan and Fred Bolton.

OPEN PUBLIC MEETING

Meeting was called to order by Mr. Barnett at 6:30 pm. With all members present. Except Mr. Bass.

ATTENDING CITIZENS AND THEIR COMMENTS

NONE.

APPROVAL OF MINUTES

Mr. Kouches made a motion to approve the minutes from 10/25/12 meeting, Mr. Garcia seconded the motion and it passed unanimously.

ADMINISTRATORS REPORT

Mr. Hickey informed the Board that all bills were current.

PAYMENT OF BILLS

Mr. Yates made a motion to pay all bills due at this time. Mr. Kouches seconded the motion and it passed unanimously.

DISCUSS DRY STACK REBID PROCESS

Mr. Yates is still working on the bid package. Chris handed out copies of "Notice to Bidder" and "Instructions to Bidders" for the Board to look over. Mr. Hickey will work with Mr. Yates to finish the bid package.

DISCUSS/CONSIDER RECOMMENDATIONS OF INDEPENDENT AUDITOR

There was discussion, no decisions were made. Chris will read the lease agreement to help advise the board on the recommendations.

CONSIDER RENEWAL OF SALES TAX REMITTANCE, GUARANTY & SUBORDINATION AGREEMENT

This must be done every year as long as the loan is still owed.  
States that the sales tax will be used first to pay loan.  
Item to be put on next agenda.

DISCUSS/CONSIDER LETTER TO STATE COMPTROLLER TO PRESERVE EMINENT DOMAIN POWERS

A motion was made by Mr. Yates, to instruct Chris to draft a letter to the State Comptroller preserving the EDC eminent domain powers.  
The motion was seconded by Mr. Kouches and passed unanimously.

EXECUTIVE SESSION: SECTION 551.071

Consultation with FEDC attorney concerning pending or contemplated litigation settlement offers or other matters in which his duty to the FEDC under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551, Government Code, to-wit:

- a. Dry Stack Building
- b. Old Bank Building
- c. FEDC vs. Royall
- d. UR Project

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

NONE

ADJOURN

A motion to adjourn was made by Mr. Kouches; it was seconded by Mr. Marquez, and passed unanimously. Meeting was adjourned at 8:00 pm.

These minutes were read and approved this \_\_\_\_\_ day of December, 2012.

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James Barnett, President

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Attested to by Lila Diehl, Secretary