

**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, March 18, 2010 at the Freeport City Council chambers at 430 N. Brazosport Boulevard, for the purpose of considering the following agenda items.

Dan Tarver (President)
Lila Diehl (Secretary) (Absent)
Jack Taylor
William Rains

Clan Cameron (Vice-President)
Sandra Wood-Wicke (Absent)
Larry Shaefer

Visitors in attendance: Jon B. Quick, Dottie Varnell, Judy Shaefer, Larry & Rosa McDonald, Annette Sandford, Nat Hickey.

OPEN MEETING

Meeting was called to order by Dan Tarver at 6:06 pm, with all Board Members in attendance, except Lila Diehl and Sandra Wood-Wicke.

CONSIDERATION APPROVAL OF MINUTES OF THE 3/11/10 MEETINGS.

None to approve.

CITIZENS COMMENTS

None

Project Manager's Report and Project Engineer's reports

Mr. Tarver mentioned he has deleted these reports due to expedite the meetings.

BOARD OF DIRECTOR'S REPORT

Mr. Shaefer – None

Mr. Cameron – Discussed loosing couple of business and we are loosing our Video store and also the \$10 outlet is closing – we've lost a couple of businesses, a minor setback but we have added several here lately. The economy... taking a toll but hopefully we can move on from here.

Mr. Tarver – Good point to bring up. The EDC while it seems like we have been has been overwhelmed to resolving the marina issue. Our mission is to bring about more Economic Development in to the community. To that end you know we participated in the opening of the Super S store and I'm working closely with the Brooks family who are looking to bring in other businesses in to there. I bring bad news that we are losing another business - The Something's Poppin' popcorn shop has closed that they are gone. We are making effort to do that.

Mr. Cameron - Sorry to interrupt you - In all actuality we have added many more businesses that we have lost and I brought this issue up to assist and sometime in the near future to resolve this problem and it may be just the economy.

Mr. Tarver- Video rental offices as they are closing nationwide due to Netflix. Helping new businesses come into the area. We will have a couple of spaces available. I have been in contact with our City Manager, Mr. Pynes & the Brooks family to find new tenants in that area. Nothing else at this time to report.

Mr. Taylor – None

Mr. Rains - None

MARINA COMMITTEE REPORT

Mr. Shaefer – We are working, as you know, on various projects and problems in the Marina Project – Meet with **Centerpoint** about power requirements and where, **Security Lighting** – waiting on pricing on those – **Mobile office trailer** permit is pulled, can't put it on the Levee due to VDD and it will be delivered on Monday. We had a walk through with various electrical contractors to get bids on the temp poles. Trailer delivered on Monday & It will be electrified by mid-week. Do have ESIs identified and we have received a quote from Reliant for power rates. Phase I on getting things in 1 location and security cameras based with recorders in that trailer. **On water issues** – Talked to Mr. Meeks today, Velasco DD tabled our permit on Thursday for water line under the retaining wall due to changes needed. Mr. Meeks will be discussing with the district tomorrow going over the wall in a U shape and he has finished the sewer connections to Drystack and main lines are laid out and he is working on getting those-subject to weather - finished in a couple of days. Things are moving right along with the water. We do have some questions about the water – the **Standpipes for fire protection** – Drawings and what needs to be done as those are not specified in the Shoremaster contract. Mr. Taylor asked about Fire Marshall to have details about that. Mr. Shaefer explained that the Standpipes are dry pipes via flexible 2" pipe connection to the docks how they work. They are not in the Shoremaster contract and we have to get those drawings. It will be our responsible to provide these Siamese connections. It is a minor issue but we will need drawing for that. We will be speaking with Engineering firms a little later. **Shoremaster electrical** drawings arrived at 4:30 so we have not had time to look at them so we are still working on that. Numbers went up slightly in a year of course, but we will talk about that on a later agenda item. **Paving** – Picked up the paving drawings from Mr. Damian and have put them out to several contractors to look at plans and asking them to make suggestions before proceeding. Looking at breaking that into several pieces before the Blessing of the Fleet. We are still working on that. **Fencing** – we have 2 bids and Allied was suppose to come down today and didn't but that will be the last thing we do so we have some

time on that. We had a meeting today regarding the **Website** and should be getting a quote for that next week and that is all I have.

DISCUSS/CONSIDER ADDITION OF SCHEDULE I TO MARINA LOAN AGREEMENT.

This Schedule is to specify what the interest rate payment rate is to be. Mr. Welch has looked over it agreed with the numbers. Motion made by Mr. Cameron & seconded by Mr. Shaefer to approve Schedule I and President Tarver sign it at the bank tomorrow at 1:30pm with Mr. Welch. Monday the banker will meet at 1pm at City Hall to get the rest of the signatures that are needed.

DISCUSS/CONSIDER CHANGE ORDER TO SHOREMASTERS DOCK CONTRACT TO INCLUDE DOCK ELECTRICAL CONNECTIONS.

They arrived at 4:30pm and we need more time to review the information. TABLED – Mr. Cameron made motion & Mr. Shaefer seconded the motion. Recommendation will be made next meeting by the Committee.

DISCUSS/CONSIDER MARINA SECURITY GATE REQUEST FOR PROPOSALS (RFP).

TABLED - Motion – Mr. Cameron & Second – Mr. Taylor

DISCUSS/CONSIDER MARINA PAVING REQUEST FOR PROPOSAL (RFP).

Herb Smith, Pres. of Baker & Lawson made a presentation regarding several items for you and made comments regarding what needs to be done. He mentioned looking at the plans that Larry gave them and at the site and they have found some issues. Paving Drawings - Minor TX ADA issues that need to be corrected and tie backs seem close to the surface before paving. Do not cover them with paving so you have access to do maintenance the tie backs. Move things back and leave a 20ft space. Standard parking access is 30ft but now Paving plan you have is 80ft and that makes it confusing for drivers with that much space people don't know where to go and the rest is just detailing that need to be provided to protect you and how you would properly do proper course of construction - Storm water - Bonding – Insurance. Temporary Parking for the event should not be rushed. More discussion regarding how would B&L bill? By the hours or would it be a fixed rate. Mr. Smith said it would be by the project. Mr. Shaefer said that the engineering required with the Paving & Drystack and a little assistance with the water. Design it all and then build it all. Mr. Rains said he thoroughly agreed with what Mr. Smith has said. Questions were asked if B&L would be a field supervisor but will FEDC will be billed for that extra. Then a discussion regarding the Dry stack building and moving it and keeping it insurable. Mr. Smith is meeting with TxDOT on another issue and he will discuss with them regarding the easement problem. We are at their mercy and will work on that. Insurance covers design error - \$1 mil. Mr. Tarver – Do other municipalities require you to have this Error & Omissions insurance? Mr. Smith - No and I have the insurance so I can sleep at nights.

Mr. Shaefer motion to employ the firm of Baker and Lawson, Inc. to present and review what ever has been done and make new presentations and new surveys that they deem necessary to proceed in this matter. There was discussion on fees and Mr. Smith said that he needed to meet with Larry to work out the details. 2nd by Mr. Rains. Mr. Mauggins asked that the Electrical cable can be surveyed also for sail boaters and NOAA.

DISCUSS/CONSIDER WATER CONNECTIONS TO MARINA DOCKS.

Velasco DD refused the permit to go under the retaining wall and Mr. Meeks talked with them today and suggested a U shaped over the Retaining wall. He talked to Velasco DD and they will approve with the change order.

Mr. Shaefer made a motion issue a PO and employ B&L make the drawings for the water connection to the Marina Docks. Mr. Rain's 2nd motion – 5-0

DISCUSS/CONSIDER HIRING A CONSTRUCTION MANAGEMENT COMPANY FOR COMPLETION OF MARINA PROJECT.

Mr. Rains made a motion to Table this item, Mr. Cameron 2nd the motion – 5-0

DISCUSS/CONSIDER MODIFICATION OF DRYSTACK BUILDING TO RESOLVE TXDOT EASEMENT ENCROACHMENT.

TxDOT needs a drawing and now we are down to engineer to engineer, we need to check with them and see what our time frame is. We need to 1st do the survey to see what things time frame is after tax day - After April 15th to the 30th of April.

Motion made by Mr. Cameron and 2nd Mr. Rains to approve B&L to review the plans and work to negotiate with TxDOT for the easement corrections. – 5-0
Approved

DISCUSS/CONSIDER DRYSTACK BOAT RACK BUNKER BOARD MODIFICATIONS.

Discussion on 1040 incorrect bunker boards – “Boat Scrapers”. Plans of the Drystack building are needed and a discussion with the manufacturer will be needed to make any suggestions. Also Codes for the storage of pleasure craft.

Table the item

DISCUSS/CONSIDER APPROVAL OF EXPENDITURES:

Damian and Associates - \$8,179.78 – Dry Stack Building Sprinkler Engineering
Mr. Cameron made motion to postpone this payment Mr. Rains 2nd this item. –
5-0 Approved

Shoremaster - \$213,632.56 – Marina Wet Slip Substantial Completion Fee
Motion by Mr. Shaefer, 2nd by Mr. Rains 5-0 Approved

Shoremaster - \$19,934.00 – Additional Project Expenses
Motion by Mr. Shaefer – 2nd by Mr. Rains – 5-0 Approved

EXECUTIVE SESSION – SECTION 551.072

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

ACTION AS A RESULT OF #15 EXECUTIVE SESSION

None

ADJOURN

These minutes were read and approved this _____ day of April, 2010.

Dan Tarver, President

Attested to by Lila Diehl, Secty.