

**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, May 13, 2010 at the Freeport City Council chambers at 403 N. Brazosport Boulevard, for the purpose of considering the following agenda items.

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

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

Visitors in attendance: Herb Smith, Mr. & Mrs. Pirrung, Gary Bass, Elsie Rae Christensen, Joyce Adkins, Annette Sanford, Eric Hayes, Larry McDonald.

OPEN MEETING

Dan Tarver called the meeting to order at 6:08 pm with all Board members in attendance.

CONSIDERATION APPROVAL OF MINUTES OF MAY 6, 2010

A motion to approve the minutes was made by Mr. Cameron, seconded by Mr. Rains and passed unanimously.

CITIZENS COMMENTS

Joyce Adkins said she was Wanda Jones sister and she wanted to Thank the Board for opening up the meetings so the public could attend. She hated that some of the Board members were taking a lot of heat from a select few in the City. Also that we have two new Council Members who still have not attended any of the EDC meetings and very few Council meetings and she wanted it stated in the minutes. In the past there was also no "Citizens Comments" on the agenda so the citizens did not have a say in what was going on, and now they do. She said she is very proud of the EDC Board and what they have done and gotten accomplished that no one ever could in the past.

Annette Sanford wanted to say that she aggrsess completely with every thing that Joyce had said, and thought that the EDC Board had done an excellent job.

PROJECT ENGINEER'S REPORT – Herb Smith

Slips are being leased; the ones on the right are the only ones that should be leased, not the ones on the left. Contractor to put cap on piling and build temporary crushed concrete entrance for Western. To the west people can use. The original estimate didn't have drive, remainder of project change order has minor adjustments, the temporary drive is the main thing. Extend the cap for entire length. Will put up an orange net to keep people away from construction site. Need to instruct Rex to use slips by the building. The temporary access will not come down when project is done. EDC can talk to Wright about permission if needed.

Levee is cleaned up tires and pilings.

BOARD OF DIRECTORS REPORT

Mr. Rains said he was proud of the Group. All of the City Charter Review passed. He believes that Cele and Renee were told by Ron Bottoms, Jim Phillips, John Smith and Lee Cameron where they wanted the building, but he told them that he agreed, but that the Engineering Firm has to be responsible for their actions. They should not stamp anything knowingly to build in the wrong place. He likes them personally, but legally they are responsible.

Mr. Taylor wanted it to be known that our new Council people did not bother to come to the EDC meeting.

Mr. Tarver stated that he is very proud of what we have done. He said that he did not win the Council seat that he was running for and that he had run a clean race. There were however a lot of things mailed out in his ward and it slandered both he and the EDC Board. He said he is very proud of this Board and their accomplishments.

He has been in touch with City Manager to set up a meeting with the 2 new Council members to give them a personal briefing on what is going on with the EDC and the Marina etc. The briefing would be conducted by Lila, Sandra and Jack.

During the course of the election there was a formal complaint filed with the State Ethics Commission stating that Dan had misrepresented himself as a Sales Engineer, a charge that originated from Rene Damian. Dan has never claimed he was a Professional or Registered Engineer. His company classifies him as a Sales Engineer and that it is a very common industry title.

The second complaint was about the Super S logo. He received a letter from the President of Super S. The letter started out "Dear Super Dan". He told him that there was no problem in using the logo and that the \$35,000 cash incentive that the EDC had voted to give to them when they moved to Freeport, he said "Good Luck" and for the EDC to keep the \$35,000 and use it on the Marina to get it up and going.

None of the charges had any merit.

He said that the smear letters that were sent out suggested that the Eminent Domain settlement with Western Seafood was improper, and that everyone who comes to the meetings knows that the Western Seafood Settlement was a Court Ordered Settlement.

Joyce Atkins said that the letters that were mailed out slamming Dan were mailed with no signatures on them, but that they were in Damian & Associates envelopes.

MARINA COMMITTEE REPORT

*The Shoremaster electrical contractor is in the final stages of underground and platform buildout for all Docks – waiting on Dock breaker boxes.

*Discussions will take place today about the \$28,000.00 Dock Fire Suppression Standpipes.

*Centerpoint reports that build-out for Dock /Dry Stack power to begin Wed. or Thurs. - May 19th – 20th ahead of schedule. Thanks to the City Manager's assistance. Security light fixtures are due to ship May 25th to our vendor, Wholesale Electric.

*Plumbing contractor bids are being taken to connect the water meters & back flow preventers on the shore to the Docks.

*Water mains & Fire hydrants by Veolia are nearly complete. He still has not made the jump over the levee wall.

*Bids are being taken for the Dry Stack building power hook-up required for Docks F & G and the 2 wall-pack security lights.

*Pre-bid Conference attendees were Mike Sorrell's Trucking, Matula & Matula Construction, Jon B. Quick, Complete Electrical Services and George Phillips & Doug Roesler of B&L, and I. Bids are due for bid openings on May 25, 2010 at 2 PM in the conference room at City Hall. Board to review bids on May 28th.

*A certified letter was sent to Forbes Construction requesting a copy the bulkhead plans to assist the paving contractors.

*Paver Stone Samples are here to consider for colors and style.

*Need to consider a Testing lab for the concrete and construction overseer for the Paving Contract.

*2 wet slips are leased per Mr. Maugans and 8 transient slips are booked for the Memorial Day Weekend.

*Asbestos Problem –Trico

*Missing Barricade Lights

DISCUSS/CONSIDER EXPENDITURES

Seabreeze Landfill – Dredge Spoils – \$1,230.80

A motion was made by Ms. Wood-Wicke to table this item until we can find out what it is for. The Board had been told that everything had been approved and paid to Seabreeze. The motion was seconded by Mr. Taylor and passed unanimously.

DISCUSS/CONSIDER MARINA WET SLIP METER HOOKUPS

Received 2 bids, had asked for 4 but 2 didn't respond. One was for \$5,475.00, the low one was from Joe Luycx for \$3,345.00. A motion was made by Ms. Wood-Wicke to go with Luycx Plumbing bid, it was seconded by Mr. Taylor and passed unanimously.

DISCUSS/CONSIDER TRANSFERANCE OF FREEPORT MUNICIPAL MARINA WET SSLIP DOCKS FROM EDC TO CITY OF FREEPORT

A motion was made by Mr. Cameron, seconded by Mr. Taylor and passed with Ms. Wood-Wicke opposing.

DISCUSS/CONSIDER ACTIONS RELATING TO DAMIAN AND ASSOCIATES

It was discussed that a suit needed to be filed through the complaint process with the Board of Engineers. A motion was made by Mr. Cameron to turn over to the Lawyers to file the complaint, it was seconded by Ms. Wood-Wicke and passed unanimously.

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 EXECUTIVE SESSION

None

ADJOURN

A motion to adjourn was made by Ms. Diehl, seconded by Mr. Taylor and passed unanimously. The meeting was adjourned at 8:09 pm.

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

Dan Tarver, President

Attested to by Lila Diehl, Secretary