

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 on Tuesday, November 13, 2007, at 6:30 P.M. at the Police Department Municipal Courtroom located at 430 North Brazosport Boulevard for the purpose of considering the following agenda items.

John Smith III, President
Ronald Theriot, Treasurer
Louis Jones
Mark Wessels

Jacque Cundieff, Vice-President (Absent)
Norma Garcia, Secretary
Carlos Martinez

Visitors: Gary Beverly

OPEN MEETING

Mr. Smith opened the meeting at 6:30 P.M.

CONSIDER APPROVAL OF THE MINUTES OF THE 10/25/07 MEETING

The minutes were approved on motion by Mr. Theriot, seconded by Mr. Wessels with all present voting aye.

CONSIDER APPROVAL OF EXPENDITURES

\$25,950.00 – M & M ERECTORS – TRICO RELOCATION

The above listed expenditure was approved on motion by Mr. Jones, seconded by Mr. Theriot with all present voting aye.

CITIZENS COMMENTS

There were no citizen comments.

CONSIDER APPROVAL OF A LETTER AGREEMENT WITH AT&T TO REMOVE AND REROUTE AERIAL CABLES AND TRANSFER ALL EXISTING SERVICES AT A COST OF \$77,878.94 AS PART OF THE MARINA PROJECT

The agreement was approved on motion by Mr. Jones, seconded by Mr. Martinez with all present voting aye.

CONSIDER APPROVAL OF AN AGREEMENT WITH CENTERPOINT ENERGY TO REMOVE EXISTING THREE PHASE OVERHEAD DISTRIBUTION FACILITIES IN

ROW AND EASEMENTS FROM THE PINE STREET BRIDGE APPROXIMATELY 700 FEET SOUTH ALONG THE WATERFRONT AT A COST OF \$4,004.00 AS PART OF THE MARNA PROJECT

The agreement was approved on motion by Mr. Martinez, seconded by Mr. Theriot with all present voting aye.

CONSIDER APPROVAL OF COMMERCIAL COASTAL EASEMENT NO. LC 20070041 FROM THE TEXAS GENERAL LAND OFFICE IN THE AMOUNT OF \$416.40 ANNUALLY AS PART OF THE TRICO RELOCATION

The easement was approved on motion by Mr. Jones, seconded by Ms. Garcia with all present voting aye.

CONSIDER APPROVAL OF SUPERSEDEAS BOND IN THE AMOUNT OF \$395,019.65 IN CAUSE NO. 01-07-0074-CV, *FREEPORT ECONOMIC DEVELOPMENT CORPORATION V. WESTERN SEAFOOD COMPANY*, IN THE FIRST DISTRICT COURT OF APPEALS IN HOUSTON, TEXAS

The bond was approved on motion by Mr. Jones, seconded by Mr. Martinez with all present voting aye.

CONSIDER APPROVAL OF SUPERSEDEAS BOND IN THE AMOUNT OF \$62,390.83 IN CAUSE NO. 01-07-00698-CV, *FREEPORT ECONOMIC DEVELOPMENT CORPORATION V. WESTERN SHELLFISH COMPANY*, IN THE FIRST DISTRICT COURT OF APPEALS IN HOUSTON, TEXAS

The bond was approved on motion by Mr. Martinez, seconded by Ms. Garcia with all present voting aye.

DIRECTOR'S REPORT

The USACE permits for the marina and for Trico have been targeted for completion by the end of November according to Megan Little with Halff Associates.

The attorney for Wanda Jones states that less than \$10,000 in fees would be payable in the event the EDC drops eminent domain action against her client. \$121,000 has been deposited with the court based on the commissioner's award.

EXECUTIVE SESSION – SECTION 551.072, GOVERNMENT CODE – 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 PARTY, TO-WIT: 2102 N. BRAZOSPORT BOULEVARD

The board entered executive session at 7:04 and returned to open session at 7:11

ACTION, IF ANY, AS A RESULT OF THE EXECUTIVE SESSION

No action was taken.

ADJOURN

The meeting was adjourned at 7:12 p.m. on motion by Ms. Garcia, seconded by Mr. Martinez with all present voting aye.

These minutes read and approved this _____ day of _____, 2007.

John Smith III, President

ATTEST

Norma Garcia, Secretary