

**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, December 4, 2009 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 (Absent)
William Rains

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

Visitors in attendance:

Rex Maugens, Eric Hayes, Larry and Rosa McDonald, Judy Shaefer, Wright Gore III, Patrick Gore.

OPEN MEETING

Meeting was called to order at 6:02 pm by Dan Tarver, with Clan Cameron, Lila Diehl, Sandra Wood-Wicke, Larry Shaefer and William Rains in attendance.

CONSIDERATION APPROVAL OF MINUTES OF

A motion was made by Mr. Cameron to approve the minutes of both the 10/22/09 and 11/12/09 meetings. The motion was seconded by Mr. Rains and passed unanimously.

CITIZENS COMMENTS

Wright Gore III stated that he had heard that Walker Royal had filed a lawsuit against the EDC and that none of the Board members had signed up for this. He said he also felt like this was a ridiculous lawsuit. He said that he believes that millions of dollars have been spent for a developer, and taken from hard working people who are living paycheck to paycheck and can't afford it and that this suit is just another way for him to squeeze more money out of the people of Freeport.

PROJECT ENGINEER'S REPORT – Rene Damian

Rene could not be present so he sent his report for Dan to read.

DOCKS

All docks, including staging dock, are in place

Waiting on the correct breakers to complete the power pedestal installation.

Damian & Associates checked the elevations of the piling and determined that several were not within tolerance. Most were over a foot out of tolerance.

Contractor made an effort to drive the piling lower. Damian & Associates re-checked the piling and determined that there are still piling a foot out of tolerance. Tolerance being +/- 3 to 4 inches within elevation 10.0.

There is still discussion going between Shoremasters and Freeport Fire concerning the dock fire suppression. Very Close to agreement and completion.

DREDGING

There are piling still in the river bottom in the staging dock area. See copy of email sent out on November 23, 2009 to Mr. Tarver and to Mr. Hickey.

PAYMENTS

I noticed there is an expenditure to be considered for approval to Damian & Associates in the amount of \$4,100.00 for Marina management for dredging. This project is not complete. Damian & Associates has not invoiced this yet. I am not sure how this got on the agenda.

ACTING MANAGER'S REPORT – Nat Hickey

Nat said that Contracts need to be done for additional tasks for Marina. Need to know which ones that the Board wants him to get started on so he can get plans and specs from Damian before we can go out for bids. Will try to put on the Agenda for next meeting.

BOARD OF DIRECTORS REPORT

Mr. Rains thought that we might need to do a workshop to get going on the rest of the tasks for the Marina Project.

Mr. Shaefer wanted to inform the Board that he is still researching the \$75,000 from the Marina Property of June 2004 with Stewart Title, and that Stewart Title is not being helpful. Dan Tarver had to inform them that Larry Shaefer was working on behalf of the FEDC. Mr. Shaefer said that when he is able to get a copy of the Deed he would share it with the rest of the Board.

DISCUSS/CONSIDER APPROVAL OF EXPENDITURES

Damian & Associates - \$4,100.00 – Marina Management Fee for dredging. This item was tabled until a later date because Damian has not invoiced yet.

M2L Associates Invoice #12 - \$14,073.89 For City Entrance Beautification Project. This item was also tabled until we can see the invoicing for the project and find out why the tree at the entrance has not been replaced yet.

Fossi & Jewell -- \$13,437.01 – Professional Services

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

DISCUS/CONSIDER APPROVAL RESOLUTION 2009-14 SALE OF PROPERTY AT 2002 BRAZOSPORT BLVD TO BOB STORY.

This item has already been done.

DISCUSS/CONSIDER ACQUISITION OF LOT 16 & 17, BLOCK 31 FREEPORT TOWNSITE KNOWN AS 131 E. SECOND STREET. TAX ID 4200-0389-000

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

EXECUTIVE SESSION – SECTION 551.072

Deliberations concerning the purchase, exchange, lease of 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 ITEM AS A RESULT OF EXECUTIVE SESSION

A motion was made by Mr. Rains to proceed with our legal counsel's recommendation pertaining to the law suit from Briarwood Holding.

The motion was seconded by Ms. Wood-Wicke and passed unanimously.

ADJOURN

A motion was made by Mr. Shaefer to adjourn, seconded by Mr. Rains and passed unanimously. The meeting was adjourned at 6:40 pm.