

Minutes of the Regular Board Meeting  
of the  
Gun Barrel City Economic Development Corporation

The Gun Barrel City Economic Development Corporation met in Regular Session at the office located at 1720 West Main Street, Gun Barrel City, Texas, 75156 on August 19, 2014 at 5:00 p.m.

Call to Order

President - Linda Rankin: Present

Board Member - Gary Damiano: Present

Board Member - Pat Cassady: Present

Board Member - Jim Cavanaugh: Present

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Present

A quorum was established. Sandy Janow arrived at 5:50 p.m.

Citizen's Comment: None

1. Discuss and/or take action to approve the minutes of the regular EDC meeting on July 15, 2014 and special meeting on August 7, 2014

Board Member - Pat Cassady: Motion to approve the minutes of the regular EDC meeting on July 15, 2014 and the special meeting on August 7, 2014.

Board Member - Gary Damiano: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

2. Discuss and/or take action to approve the July 2014 financial.

Cavanaugh reported financials were on track for the year. They dropped 3% month to month, nothing unusual in the expenses.

Board Member - Gary Damiano: Motion to approve the July 2014 financials.

Board Member - Pat Cassady: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

3. .Discuss and/or take action to terminate all negotiations with Travis Tarlton on purchase of easement of land to extend Heritage Cove (Town Center) to Harbor Point Rd./Webster

Curtis Webster, Chairman of the Task Force Heritage Cove now known as Town Center. We have not had any action out of this particular item. At the last meeting Travis Tarlton had until the 20<sup>th</sup> of July to respond. He contacted Linda and said he didn't want to deal with me. I think we are wasting our time on this and I would like to terminate all negotiations with Travis Tarlton on this purchase of the easement to extend Heritage Cove to Harbor Point Road.

Cavanaugh: Looking at the different options to put a road off of Heritage Cove to extend to Harbor Road are there other options other than what with dealing with Mr. Tarlton?

Webster: The only other option that I know of is to put that in the annexation plan and annex all of that land and then we won't have that problem.

Cavanaugh: There are other options after we terminate this offer?

Webster: Yes there are other options.

Board Member - Gary Damiano: Motion was to terminate the contract with Travis Tarlton for the purchase of easement of land.

Board Member - Jim Cavanaugh: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

4. Discuss and/or take action to terminate contract between the EDC and Alexander Estate property and receive earnest money back./Webster

Curtis Webster: We have the contract to buy the piece from the Alexander Estate to extend Heritage Cove but we needed the Tarlton piece. Secondly you will recall that July 15, we extended the offer until August 31<sup>st</sup>. and the closing on September 1<sup>st</sup>. Now I'm recommending we terminate that contract and get it over to the title company and get our money back.

Board Member - Jim Osborne: Motion to terminate the contract between the Alexander Estate and the EDC and receive earnest money back.

Board Member - Jim Cavanaugh: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

5. Discuss and/or take action to approve cost to fix billboard and approve the final graphics for the board./Rankin

Rankin: One estimate for repairs to billboard would be approximately \$4,200. The EDC can use the billboard for free, but the land is up for sale. We don't know how long we can use the billboard.

Cavanaugh: I don't think it's at point of falling down.

There was no guarantee the EDC could use the billboard after the sale of land.

**There was no motion to approve cost to fix the billboard.**

The previous marketing person thought the graphics looked cheesy. It was suggested to get other graphics.

The cost for additional graphics would be \$60.00 an hour.

Damiano suggested displaying a map on the billboard that indicated the distance from DFW to Gun Barrel City.

No action taken.

6. Discuss and/or take action to amend the approved FY 2014/2015 Budget.

The budget was approved at the special meeting with changes stated. It was requested to add an E.D. search salary and benefits. The marketing budget and definitions would be attached for presentation at the City Council meeting.

Board Member - Jim Cavanaugh: Motion to approve the FY 2014-2015 Budget for the EDC.

Board Member - Pat Cassady: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

7. Discuss and/or take action to approve a process for legal fee expense incurrence by the EDC President prior to utilization./Damiano

Damiano: I put this on here for an effort of transparency and communications. In an early meeting we agreed upon a process whereby if a director wanted to access legal fees, which run us \$200 an hour, they would go to the President with their concerns. The two would decide if it was necessary to go to the attorney. The only thing we left out was any President of the EDC. None of the directors are authorized to go out and incur an expense. If I follow that logic through then there ought to be a process so when the President feels the need to incur legal fees a conversation take place between and an officer level director.

Rankin's point of view was the EDC operated on a lot of rules and regulations. When the EDC was presented with an Attorney General opinion you know you need to get that clarified with the attorney. Having to run down an additional director before I do that is a waste of my time, because I'm already pushed to the limit trying to get things done. The projects had not been done correctly for so long we now have that process down and I don't see us now incurring as many legal fees in order for us to get our process in order.

Cavanaugh: I would like to make one comment. If it's related to an Attorney General opinion we have to get feedback on that should be standard. Protocol on projects we've streamlined that process. Default loans would have to be voted on before we spent any money. Anything other

than that like things between the EDC and Council should go to the City Manager before it goes to Council. And that's my recommendation.

Rankin: The only reason I would hesitate on that is when we receive open record request from a City Councilman that has to have a line of separation and it needs to go to our attorney before it goes to the City side. If there is no objection by the EDC Attorney then we can go to the City Manager. When we are working on a project for RBEG, the person that is in charge of that is usually one of our board members. Someone that knows what has to be taken care of and I don't feel like I need to know everything that's going on for them to get with our attorney and finalize the contract.

Damiano: I think conversation between two people before we go off and start the meter at \$200 an hour is a viable thing to do.

Rankin: Usually it's between Rita and the person that's working on the project. Rita is very good at knowing when to call attention to something and that's usually when we go to the attorney.

Cavanaugh: We've already agreed that anything that's going to go through Rita needs to be approved by the President first.

Damiano: What we haven't agreed upon is how the President incurs legal fees.

Rankin: I would say Rita is my backup person.

Damiano: You could bring Rita in with the officer director if anyone thought it was necessary.

Board Member - Gary Damiano: Motion was prior to the President incurring any legal fees, the President-he or she-get together and have a discussion by phone or in person with an officer/director to discuss the issues, lay out the questions, decide whether is a legal issue and decide whether to proceed forward and how to proceed forward.

Board Member - Jim Cavanaugh: 2nd

President - Linda Rankin: Disapprove

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Disapprove

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Disapprove

**Motion did not pass.**

8. Discuss and/or take action to approve the updated and revised job description of the EDC Administrative Assistant position.

The EDC Administrative Assistant's job description had not been revised since 2000.

Pat Cassady, Gary Damiano and Curtis Webster revised the job description as well as a time sheet.

Board Member - Gary Damiano: Motion to adopt the job description for the EDC Administrative Assistant as presented.

Board Member - Jim Osborne: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member-Sandy Janow: Absent

Board Member – Jim Osborne: Approve

Pat Cassady wanted it noted that the revised job description was completed within a month.

9. Discuss and/or take action to revise the Façade Improvement Program.

This would have to go back through the approval process, because there were two items that needed to be added to the guidelines of this program. Added to the guidelines were the need to get ‘three quotes and no pending violations’ must be in compliance with the City Code Compliance. Jacque Callaway, City Code Officer, has agreed to stop by and look everything over to make sure it was in compliance or it would not go forward. John Mosely, City Building Inspector would look the application over and assess the fee.

After the Code Inspector and City Building Inspector inspected the property, the application then it goes back to the EDC Board for final approval.

Jim Osborne requested to be the Chair person on the Façade Improvement Program.

October 1 was the kick off date for this program.

Board Member - Jim Osborne: Motion to accept the revised Façade Improvement Program.

Board Member - Pat Cassady: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

10. Receive updates from Board Members on their projects.

Osborne: Two applications for the Façade Improvement Programs.

Damiano: One candidate who is currently in the military and is the contact person for B2B. We are looking for things from Connie Holubar for B2B and a B2B meeting would be called soon. Suggested having a booth at the ICSC event as well as walking the area.

Cassady: Working on the HR issues for the EDC. There were two possibilities for the RBEG program. One was 30 days out and the other possibility hadn't returned Pat's call.

Waiting for the official word for the Go Texan certification and was working on a press release.

Rankin: Project Office Space submitted a set of drawing to this particular business we are working with. They looked at it and said it's probably too small a space and we are also not sure we want to be the only tenant. We are not sure we want to have a developer build something for us and be dependent only on us. I suggested we have a meeting with the developer, the city council representative and a couple of EDC members and let's sit down and discuss whether or not we would interested in putting in any kind of business office center that they could be a tenant in. They are still interested in staying in Gun Barrel, but right now they are not sure of the idea of being the only tenant.

Rankin is working on the medical district. She had spoken with CEO's of their companies or operation managers of their companies and they are interested in putting in either a clinic or another medical service. We talked about the property that's for sale over there; would continue to work on this.

Cavanaugh wanted Sandy Janow involved in this process.

US 175 Corridor Alliance: By-Laws had been passed, EIN in place, setup banking account today. Invoices had been sent out, we've received two checks. Graphic artist is working on the first marketing package that will be out in November and will be targeting all of the retail shopping centers at their conference in Dallas. It will also be going out to the entire state market. The Business Park and Aquatic Center will be discussed in Executive Session.

No Action Item.

11. Discuss and/or take action on Orasi monthly report./Thompson

We are taking Project Office Space to other developers to see if there is any kind of formula to make this work based off of rent rates, size, etc. Unfortunately there hasn't been much progress on that when they hear the rent rates and new build. Thompson had a meeting tomorrow with a group out of California to discuss Project Office Space. Remainder of his report would be in Executive Session.

Rankin: One thing I would like to know since we will need your assistance helping with our marketing going forward with Connie's absence now. Can you give us some idea on how much that would cost us? How we will be working with you in that regard.

Thompson would draft something up for the Board to review.

Board Member - Gary Damiano: Motion was made to accept the Orasi report.

Board Member - Jim Osborne: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

12. Discuss and/or take action on Outreach PR monthly report.

Rankin read a letter from Connie Holubar. An official notice terminating Outreach PR/Connie Holubar's contract had been sent to Connie on August 15. Outreach PR had been paid for the month of August. The board was under the impression that Connie would fulfill her obligations for August. Rankin had received a letter from Connie today.

Cavanaugh suggested asking Connie to document the things she completed in the month of August so we can see if she owes us money or we owe her money.

Board Member - Jim Cavanaugh: Motion was made to send a final bill to Outreach PR/Connie Holubar for any support she has provided in the month of August and compare that to what we

paid her during the month of August.  
Board Member - Pat Cassady: 2nd  
President - Linda Rankin: Approve  
Board Member - Gary Damiano: Approve  
Board Member - Pat Cassady: Approve  
Board Member - Jim Cavanaugh: Approve  
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Board Member - Sandy Janow: Absent  
Board Member - Jim Osborne: Approve

Sandy Janow arrived.

Executive Session: 5:53

13. Convene Into Executive Session Pursuant to Texas Government Code:

Section 551.071 to receive legal advice from the EDC attorney regarding the Performance Agreement with Lakeview Indoor Outdoor Design, LLC. and possible settlement offer regarding the same.

14. Section 551.072 Deliberations about Real Property 1) Business park feasibility study at Site 1. 2) Feasibility study at Site 2. 3) Negotiations with Splash Kingdom; 4) Negotiations with Scott Steenson.

Reconvene into Open Session Pursuant to Texas Government Code at 6:43 pm  
Section 551.071 -Discuss and/or take action as is pertinent to the Performance Agreement with Lakeview Indoor Outdoor Design, LLC.

Board Member - Pat Cassady: Motion was made to accept the former owners wife's offer to close out the outstanding loan and forgive the remaining debt.

Board Member - Jim Osborne: 2nd  
President - Linda Rankin: Approve  
Board Member - Gary Damiano: Approve  
Board Member - Pat Cassady: Approve  
Board Member - Jim Cavanaugh: Approve  
Board Member - Sandy Janow: Approve  
Board Member - Jim Osborne: Approve

Discuss and/or take action on Section 551.072 Deliberations about Real Property.

1) Feasibility study Site 1. 2) Feasibility study Site 2. 3) Negotiations with Splash Kingdom; 4) Negotiations with Scott Steenson.

Feasibility Study-Site 1

Board Member - Jim Cavanaugh: Motion to spend the additional \$3,500 to complete the Environmental Study.  
Board Member - Jim Osborne: 2nd  
President - Linda Rankin: Approve  
Board Member - Gary Damiano: Approve

Board Member – Pat Cassady: Approve  
Board Member – Jim Cavanaugh: Approve  
Board Member – Sandy Janow: Approve  
Board Member – Jim Osborne: Approve

Feasibility Study Site 2

Board Member - Gary Damiano: Motion was made to initiate a Feasibility Study for Site 2 for the cost of \$6,000.

Board Member - Jim Cavanaugh: 2nd

President - Linda Rankin: Approve

Board Member - Gary Damiano: Approve

Board Member - Pat Cassady: Approve

Board Member - Jim Cavanaugh: Approve

Board Member - Sandy Janow: Absent

Board Member - Jim Osborne: Approve

NO ACTION ITEMS: Splash Kingdom or Scott Steenson.

Adjournment: 6:55 p.m.

Approved by:



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Gary Damiano, Vice President

Attest by:



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Pat Cassady, Secretary