

Minutes of the Brookshire Economic Development Corporation Meeting
January 11, 2022

The Brookshire Economic Development Corporation held a Special Meeting on Tuesday, January 11, 2022 in the Brookshire Municipal Building located at 4029 Fifth Street, Brookshire, Texas.

(To view meeting: Part 1 <https://www.youtube.com/watch?v=7xbApzleKco&t=215s>
Part 2: <https://www.youtube.com/watch?v=KxefKXc2Ljs>)

The meeting was called to order at 6:03 p.m. by President, Marilyn Vaughn.

Agenda Item #1: Prayer

Director, Eric Green

Agenda Item #2 Pledge of Allegiance

Director, Mistie Flores

Agenda Item #3 Roll Call

Present were:

President, Marilyn Vaughn

Secretary, Nathaniel Richardson

Director, Mistie Flores

Director, Eric Green

Also, Present:

Attorney, Justin Pruitt

EDC Coordinator, Mike Barnes

Administrative Assistant, Vickie Casto

Absent:

Vice President, Sandra Olison

Treasurer, Lyndon Stamps

Director, Lee Jones

Recording Secretary, Claudia Harrison

Agenda Item #4 Public Comments.

N/A

Agenda Item #5 Discuss and approve action regarding Ribbon Cutting After Party reimbursement for Bloom 90 General Store, LLC. Jennifer Cruseturner

Ms. Cruseturner addressed the board and stated she figured everyone would have made it into the shop to check it out; but no one has ... since the ribbon cutting. She stated she didn't know where to start with this. She wanted to know if she could be reimbursed for the refreshments that was provided on the day of the ribbon cutting. She was disappointed in the refreshments that were provided. Her expectations were a little higher than supposedly what the norm. She had been planning the ribbon cutting for two months, had

ideas of what kind of refreshments she wanted. (She begins to cry and hard to understand) Because the refreshments she wanted at her ribbon cutting was very important to her that day. Much thought was given to the refreshments. She was told she couldn't provide refreshment that she wanted. So, she just wants to know if it's possible to get reimbursed the refreshments she provided vs the one they provided.

Ms. Vaughn told the board they had the opportunity to review everything that was presented to them. She then asked Justin (Attorney) if he could elaborate.

Mr. Pruitt then stated that it was October or November that they approved ... Someone said October.

Mr. Pruitt continued, then it was October that they approved a ribbon cutting. Their standard ribbon cutting procedure, their own policy as been just by practice not to approve anything over \$500. They provide the foods and their own limit for themselves is not to exceed \$500 ... he believes there was a miscommunication there. That approval is done and gone and past and the request now is that they through their promotional expense they have the ability to grant the request for reimbursement or not. But this would be a new request based on what's provided to them. He then added that for this project alone its not going as a project it will be strictly be promotional expense if they are going to do it. As always, the max amount they can spend in a year, in their budget is 10% to promotional expenses. That includes all their functions, all the ribbon cuttings. Those are the only two they have; they don't have to approve it; but if they chose to approve it then it has to fall within that 10% and he thinks it should since it's a small amount. He does not have the budget in front of him, but his assumption is they have room in their budget that they can approve this and they won't exceed their 10%; but there is no obligation to approve it. It's a new request for reimbursement.

Ms. Vaughn said her question was, the board can decide either way they would like to go. Originally you (Ms. Cruseturner) came before this body and you wanted them to do a ribbon cutting ... she asked if she was correct.

Ms. Cruseturner replied yes.

Ms. Vaughn continued by saying that she is understanding that they (EDC) was really not the entity or body doing the ribbon cutting. The only thing this entity or body was provide food, correct?

Ms. Cruseturner replied, correct.

Ms. Vaughn continued and said that originally, she came before them and said that she wanted them to do the ribbon cutting.

Ms. Cruseturner stated she was confused of the whole situation. She added that she was invited to come to a meeting to get approval for refreshments. After the meeting she was told to converse about the refreshments. Nobody told her what kind of refreshments were to be provided at her ribbon cutting.

So, she suggested the kind of refreshments that would be appropriate of the time of the ribbon cutting. The ribbon cutting was at 11:00 a.m. Donuts and kolaches wasn't something she wanted to serve at the ribbon cutting. Especially if the ribbon cutting was at eleven o'clock and refreshments were brought in ... donuts and kolaches brought in at 8:00 a.m.? It was unacceptable for an eleven o'clock ribbon cutting ... cold kolaches and stale donuts is what was brought to her ribbon cutting, at eight o'clock and for a ribbon cutting that was at eleven. So, it was not something that she felt comfortable serving her guest; but hey if EDC wanted to back that up with theirs ... she provided afterwards with refreshments for her customers. Ms. Vaughn, stated that was her question. She is seeing a ribbon cutting after party.

Ms. Cruseturner stated she called it an after party because what the refreshments that she requested wasn't in the norm.

Mr. Pruitt, stated he believes he explained it to her in an e-mail ... to make sure they are saying the same things. The original request was for a ribbon cutting ... what that meant for the EDC according to their own policy was to support refreshments, that EDC buys those refreshments. The limitations on the \$500 is the EDC's own limitation on itself. Maybe you were expecting a reimbursement for what you would spend on it but that's what the EDC would do. The item on the agenda tonight is for the EDC to reimburse for expenses for this additional whatever we're calling it, a ribbon cutting after party ... if EDC finds that event falls within their promotional purpose of a EDC then that's how we can approve that expense, this reimbursement. If they find it's not an expenditure of the EDC meaning that it's not something of a promotional event of the EDC then there is really no way that you can approve a reimbursement for that.

Ms. Vaughn, stated that they can't approve any alcohol.

Ms. Cruseturner said that was fine, she's not asking for the alcohol. For her to be invited to come to a meeting to request for refreshments ... for her to be just ignored for weeks at a time, no apology ... it's disheartening. For her, a business owner that comes into a community (she started crying and hard to understand) to do her own thing ... it very disheartening. She's dissatisfied with the way it all handled. The money is not an issue, its rather just getting like ... hey ... sorry we're providing cold refreshments to your guest. That's what we do here in Brookshire. She just wanted some kind of acknowledgment that this went down beside being ignored ... may just an apology. She doesn't know if it's her dad that has a bad reputation with the community. She's different and she's not unprofessional but (can't understand) she's not professional anymore so ... I don't know what to say.

Mr. Richardson stated he didn't want to get into all that.

Ms. Vaughn agreed and said she would entertain a motion.

Motion was made to reimburse Blooming 90 for all the money spent up to \$500. excluding any alcoholic beverage.

Secretary, Nathaniel Richardson / Director, Eric Green

All For
Motion Carried

Agenda Item #6 Discuss and possible action regarding Sponsorship for West I-10 Chamber Awards Banquet.

Ms. Vaughn stated that this is something that they normally do, then asked if they had any questions.

Mrs. Flores asked which sponsorship did they usually do?

Ms. Vaughn said it's usually a thousand; but it's left up to the board if they want to do the silver, bronze, gold or title; but they normally do the silver sponsor.

Motion was made to sponsor the West I-10 Chamber Awards Banquet in the amount of \$1,000.

Secretary, Nathaniel Richardson / Director Mistie Flores

All For
Motion Carried

Agenda Item #7 Discuss and possible action to approve annual membership with Waller Economic Development Partnership.

Mr. Richardson said other than being cordial, what do we get out of this? He stated he was not being facetious ... he just wants to know.

Ms. Vaughn stated it's just a partnership.

Mr. Green stated he had a question for Mr. Barnes.... he asked what his opinion was on this.

Mr. Barnes stated historically since he's been here, and he's now been retained for eleven years. We've done this as goodwill, as a jester of ... a partnership. He's been in meetings where they've been advised that they really don't do much in Brookshire, meaning the partnership. He read recently in some of their comments, Empire West is not in Brookshire it's in "Precent 4".

Ms. Vaughn said he's correct.

Mr. Barnes continued by saying he found that offensive. If they in fact and he's had this conversation with their staff ... if good citizens of the city of Brookshire they by definition are residents of the county. The tax payers of the city of Brookshire are by definition of the county, and he sometimes since that the EDC here is not treated accordingly. He did notice in a resent publication or press release they did acknowledge that Grundfos was in Brookshire; because they were talking about their international influence and that they've opened an office in Europe and heavily involved in this reverse investment into the United States. He's waited more than four months for their attorney to advise us if there is an ...if, but, for, clause in a Chapter 380. He thinks he knows the

answer to that question. They did advise them they don't do 381's so therefor they don't have to answer the question when they were trying to structure a 381. He is pretty confident that Brookshire is more business friendly, they ... as the board members ... you as city council members. He would be hard pressed to say anything other than, we're in the amen corner they get from this. He and Pastor, Jones attended one of their meetings a year or so ago ... and they reported it to the board, it was nothing more than slander and libel session against the gentleman that use to run the Katy EDC. He thought it was totally inappropriate, totally unprofessional and so did the member of the board. They actually told him to cease and desist his comments. It's a question ... do they not want to participate? Then therefor be ostracized? If they participate, he will keep his explanation known. He knows how he would vote if he was setting at that table.

Mr. Green said he wanted to share; he was told by a business man who was reaching out to the county. He mentioned doing work in Brookshire ... and this is the person over precinct 4 ... pulled him to the side and told him that Brookshire was poorly represented. The gentleman, he won't say he's a friend of his but they talk a lot. He was offended by it because he's been trying to do work in Prairie View and Brookshire, and he's noticed the same thing between the two cities from the county. He called him and he shared that with him, and that falls right in line what he (Mr. Barnes) just described. He has personally reached out to the representative of precinct 4 and his phone calls are now ignored. He thinks that's a poor representation of Brookshire ... of precinct 4 altogether. Ms. Vaughn asked did he mean the commissioner?

Mr. Green replied yes ma'am. Then added, if they are not getting anything from them, they are being slandered by them ... why would they even renew the membership?

Ms. Vaughn stated that's the boards decision.

Mr. Richardson stated he hears both discussions ... he thinks they need to retire and let them continue to roll on. Let's do what they know is the right thing to do, knowing that they have the best interest at heart, and he hopes it's being taped so they can hear it. Let's do the right thing ... lets go high when they go low, that would be his recommendation.

Ms. Vaughn stating in reading his memo, City's can stand at 1,250 but that level will no longer have a board position.

Mr. Barnes said he didn't believe they have a board position now.

Ms. Vaughn replied correct.

Mr. Barnes added that they had changed the membership structure.

Ms. Vaughn replied correct and added, or the city can increase to 3,000 that would generate 7,000 addental revenue to help cover some of their cost. Those to make the extra effort they will retain a board position which is consistent with the trustee membership level paid by partners who set on the board. She will entertain a motion, 1,250 or 3,000?

Motion was made to retain the minimal amount that is asked for to serve as a member on Waller County Economic Development Partnership, which is in the amount of \$1,250.

Secretary, Nathaniel Richardson / Director Mistie Flores

3 For

1 Opposed / Direct, Eric Green

Motion Carried

Mrs. Pierre asked if it was only EDC's that could be a member, could a water district? Several answered but was unable to hear, due to talking so low.

Agenda Item #8 Discussion and possible action to approve an amendment to a Vendor Agreement with Helms Landscaping design, LLC.

Mr. Pruitt stated that this could be tabled until next month because the representative was not there. All it is, they approved the contract late last year and their attorney and vendor have picked apart a few things they want to amend that's minor; but their attorney had not verification from the vendor yet.

Ms. Vaughn stated that she did have an update that he sent to the EDC. They should be starting next week on irrigation, and then started to excavate, do drain pipes. Once that is done then they will be moving forward. The turf should be ready in about two weeks.

Mr. Pruitt stated that the amendments that were purposed because it was a general vendor agreement the way he was structuring his payment schedule there is some conflict in the general language effected his invoices so they're clearing that up so, that should be back on the next agenda.

No Action

Ms. Vaughn moved to agenda item #10

Agenda Item #9 Discussion and possible action to approve a Vendor agreement with Myan Technologies, LLC.

No Action

Agenda Item #10 Conduct a public hearing and provide discussion and possible action regarding covering a cost of a smoke test and repairs of sewer lines that affect any and all commercial businesses in the Brookshire Municipal Water District boundaries. *Stephanie Green*

Ms. Vaughn opened the public hearing at 6:28 p.m.

Mrs. Green addressed the board and also passed out information of the scope of work that was presented on this job by Dr. Clay, the districts engineer. They also have a list of all the commercial businesses within the city of Brookshire which includes apartment complexes, churches are considered businesses and all the other businesses in Brookshire. She directed them to the last page of the smoke testing of commercial sewer mains and manholes report. It gives them the footage at the bottom of the last page that was commercial 43,808 sq. ft. of commercial pipe that was smoke tested, and if they will look at the invoice ...the smoke testing ... they tested 128,954 ft. of line and 35.2% was commercial businesses. They were billed .90 a sq. ft. ... she apologized getting it to them late but they've just literally received it from the company this week. They were able to ... the total is not on there so she just calculated it. It was .90 cents a sq. ft. and the totals for commercial was \$39,427.20. She is requesting the board to consider reimbursing for the commercial cost to do the smoke testing on the lines. The purpose for the smoke testing is to see where they have leaks and once, they received the report the leaks will be pin pointed and repaired. She then asked if they had any questions.

Mrs. Flores asked the amount again.

Mrs. Green replied \$39,427.20, which is 35.2% of the total job that was done. Once again stated if they had any questions, she would be happy to answer them.

Mr. Pruitt stated that since they were in a public hearing, that's part of the presentation ... then addressed the President and stated she may want to ask if there were any other comments and if not then close the public hearing and then continue the discussion. Ms. Vaughn then asked if they had any other public comments. If not, they'll conclude the public hearing.

Public Hearing closed at 6:32 p.m.

Ms. Vaughn asked the board if they had any questions.
Mrs. Flores asked how often they did these test on the lines.
Mrs. Green stated they normally do them when they find they have a lot of repairs. The last time they did this was about 12 years ago.
Ms. Vaughn added, in which they (EDC) assisted.
Mrs. Green stated this time they did the entire city ...
Ms. Vaughn said that's why it's increased because they did the entire city.
Mrs. Green said they did residential and commercial but they only thing they are presenting the board tonight is the commercial.
Mr. Pruitt stated that two things to think about is there churches listed on the list?
Ms. Vaughn stated she didn't think the churches ...
Mrs. Green stated they are classified as businesses.
Mr. Barnes said not for a type B.
Ms. Vaughn stated that before that was the issue, the churches.
Mr. Pruitt said multifamily to ...
Several begin to talk and was not understandable.
Ms. Flores asked about the mobile home communities.
Mr. Pruitt said it was all up to the board; but he thinks the state law is actually written broader than that. There are two ways they can approve this project. One way is they are allowed to approve the project that relates to water supply facilities and water conservation programs would fall into that. For the water supply it says a project concludes land buildings, equipment facilities and improvements found by the board to be suitable for the development and improvement of water supply facilities which includes the lines and other alternatives. He thinks that would actually include churches and everything else; because they're talking about the project ... the water supply facilities. That's one way to approve the project. Another way to do it is they find this is an expenditure of the EDC and if they do it that way then it's going to be limited to business development and improvement business development. If they, do it that rout then what they will need to do is ... this will require subsequent council approval with two reading of a resolution. That's the two ways this project can be approved. If they find they want EDC funds to support the water supply in the facilities or they, do it as a business improvement project and then therefore eliminate churches and multifamily, His guess that will include any other kind of residential type of uses on the list.
Mr. Green stated he thought it needed to be done, they just need to figure out which way is ...
Ms. Vaughn added which way is going to be more feasible.
Mr. Green replied, yea.
Mr. Pruitt. stated, it's not supporting that infrastructure something that type B's can do so, like even ... he's seen these programs go to where theoretically may not seem like a business improvement project but you'll have a residual developer come in and EDC theoretically can come support the public improvement of the project. You can do that through some of the projects that are outlined allowable for them to under their state code. So, this is supporting the water supply system is not for a type project that their trying to stretch or work into the code.

Ms. Vaughn asked if there were any other discussion?

Mr. Richardson asked the attorney if they could make a stipulation not to exceed \$40,000?

Mr. Pruitt replied yes.

Ms. Vaughn stated this was it, \$39,427.20 was what was presented ... they are not going over this. So, when you make the motion ... that motion needs to state what has been presented to them which is \$39,427.20.

Motion was made to approve the Smoke Testing of Commercial Sewer Mains and Manholes not to accede over the amount presented.

Director, Eric Green / Director, Mistie Flores

All For
Motion Carried

Agenda Item #11 Discuss and approve minutes of the BEDC November 9, 2021 meeting.

Motion was made to approve BEDC November 9, 2021 meeting as printed.

Secretary, Nathaniel Richardson / Director, Eric Green

3 For
1 abstained / Director, Mistie Flores

Agenda Item #12 EDC Coordinator's report

Mr. Barnes addressed the board, he then directed them to his report and added that they can see that most of the work he's been engaged in has been with Empire West. There is a million and a half sq. ft. completed and occupied. They are completing the finishing touches with the Ferguson project. There is two and a half million sq. ft. that is coming out of ground and moving very quickly that they will have available. Their working with Stream Real Estate group to help find their occupants. Moving very aggressive both as an EDC and as a city council in laying forth some foundational tax incentive ... get that project up and going and when it gets tendance coming in they'll put additional incentives together for that. That project he thinks they'll find in the next 10 - 20 years will be the main source of revenue for their community. They should take great pride in the leadership there. There are other projects going on their trying to interact with the plaining staff which is on board now ... the worse thing that an economic developer can see is with somebody with a name with, AICP after it, which is academy international certified planner. They are trying to review a few projects that he's been involved in, he thinks there could be better communication. He's tried to reach out to them, and attended some of their development meetings. There needs to be a better means of communication in terms of who they are working with. If he's worked with a company that's developing a piece of land and we've told them this is what we think you can get done based on president ... we hope that continues to happen.

He spoke how they all attend the TEDC Sales Tax, they were well represented and he was proud to be a part of that group. He knows the TEDC group told him repeatedly how happy he is to see all of them in attendance there. He then asked if they might have any questions.

Ms. Vaughn then thanked him and stated they needed to go into Executive Session.

Agenda Item # 13 Executive Session.

Notice is hereby given that the Brookshire Economic Development Corporation may go into Executive Session in accordance with the following provisions of the Government Code: Sec. 551.071 (1) (A) pending or contemplated litigation; 551.071 (1) (B) a settlement offer; Sec. 551.071 (2) an attorney-client privilege/relationship Sec. 551.072 the purchase, exchange, lease, or value of real property; 551.087 (1) to discuss commercial or financial information that the Corporation has received from a business prospect that the Corporation seeks to have locate, stay, or expand in or near the City of Brookshire with which the Corporation is conducting economic development negotiations; Sec. 551.087 (2) to discuss the offer of a financial or other incentive to a business prospect that the Corporation seeks to have locate, stay, or expand in or near the City of Brookshire.

Executive Session begin at 6:43 p.m.
Executive Session ended at 7:15 p.m.

Agenda Item # 14 Discussion and possible action on Executive Session items if necessary.

No Action

Agenda Item # 15 Adjournment.

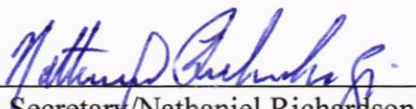
Motion was made to adjourn.

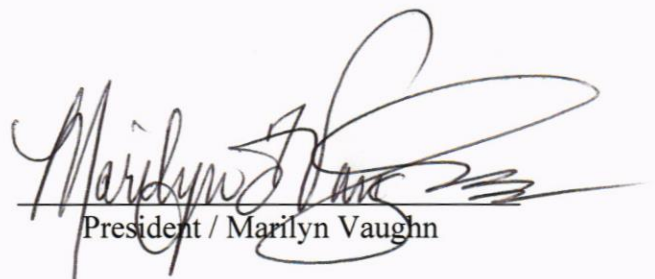
Secretary, Nathaniel Richardson / Director, Mistie Flores

All For
Motion Carried

7:20 p.m.

It is possible that a quorum of the Brookshire City Council may be present at the meeting and participate in the discussion of the items on the agenda. No official action of the Brookshire City Council will be taken at this meeting.


Secretary/Nathaniel Richardson


President / Marilyn Vaughn

Prepared by Vickie Casto