

Larry Weber, President
Ben Campbell, Interim Vice-President
Linda Dickens, Interim Secretary-Treasurer
Michael Page, Board Member
Kurt Herrington, Board Member
Charles Drane, Board Member
Suzanne Eiben, Board Member



Lisa Denton, ED Director
Terry Johnson, ED Project Manager

Minutes from October 22, 2020 Joint Meeting
Palestine Economic Development Board of Directors & City Council

The Economic Development Board convened in a Virtual Joint Meeting on Thursday, October 22, 2020 at 11:45 am, with six PEDC Board members present at Council Chambers: President Larry Weber, Charles Drane, Linda Dickens, Ben Campbell, and Suzanne Eiben present at City Council Chambers. Kurt Herrington joined meeting at 12 noon and stayed for the duration of meeting. Michael Page was absent.

Others present: Economic Development Director Lisa Denton; Interim City Manager, Teresa Herrera; Interim Finance Director, Andrew Sibai; ED Project Manager, Terry Johnson; PEDC Counsel, Chris Nichols; City Attorney Gary Landers; Mayor Steve Presley, Councilwomen Dana Goolsby and Larissa Loveless. Zoom attendees included Councilwoman Vickey Chivers, Mark Fletcher, Streets Director and Felipe Garcia, Public Works Director. Travis James attended via Zoom for the TIRZ portion of the meeting.

A. **CALL TO ORDER** – With a quorum present, Larry Weber called the PEDC meeting to order at 11:45 am.

B. **PROPOSED CHANGES OF AGENDA ITEMS** – none

C. **PUBLIC COMMENTS** – none

D. **CONFLICT OF INTEREST DISCLOSURES** – None

E. **DIRECTOR'S REPORT** – Lisa Denton provided the September 2020 report for Economic Development Board member review. Larry Weber welcomed new PEDC Board member Suzanne Eiben.

F. **DISCUSSION AND ACTION ITEMS**

1. Consider approval of PEDC minutes dated September 22, 2020

Charles Drane made motion to approve minutes; seconded by Linda Dickens; motion carried 5-0.

2. Consider approval of financial statements dated September 2020

Ben Campbell motioned to approve the September 2020 financials as presented; seconded by Linda Dickens; motion carried 5-0.

3. Ratify action regarding confirmation of appointment of McCall, Parkhurst & Horton as Bond Counsel for PEDC by Resolution and authorize President to execute engagement letter, as previously approved by PEDC. Charles Drane made motion to ratify previous approval regarding confirmation of appointment of McCall, Parkhurst & Horton as Bond Counsel for PEDC, and authorize PEDC President to execute engagement letter; seconded by Linda Dickens; motion carried 5-0.

Kurt Herrington, Board Member, arrived at 12:00 p.m.

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4. Discuss and take action regarding Broadband Plan for Palestine/Anderson County
After lengthy discussion of broadband options, Charles Drane made motion for PEDC to fund up to \$1,100,000 to support a public-private partnership with Etex Communications; seconded by Ben Campbell; motion carried 6-0. The partnership plan would involve PEDC funding a portion of construction costs, with partial reimbursement made through a revenue sharing agreement with Etex, at an agreed upon percentage. Staff is to research financing options and report back to board.

5. Discuss and take action regarding the following PEDC Performance Agreements:

a. Economic Development Performance Agreement, Deed of Trust and Promissory Note with Tahwahkaro Distilling Company

Ben Campbell made motion to approve the EDPA as presented; seconded by Charles Drane; motion carried 6-0.

Linda Dickens made motion to approve the Deed of Trust and Promissory Note; seconded by Ben Campbell; motion carried 6-0.

b. Economic Development Performance Agreement with SCC Palestine Partners

Linda Dickens made motion to approve the EDPA as presented; seconded by Ben Campbell; motion carried 6-0.

6. Discuss and take action regarding establishment of TIRZ

PEDC Board approved \$45,000 for TIRZ professional services in the 9-22-20 meeting.

Additional information regarding the creation of a potential TIRZ was shared with Council.

Council determined there was no interest in the creation of a TIRZ at this time.

7. Discuss and take Action regarding the following items related to Palestine Economic Development Corporation:

a. PEDC By-Laws– PEDC Counsel, Chris Nichols, shared that while working on a request from the previous city finance director to update the administrative agreement, he took the opportunity to review the current By-Laws of PEDC, to ensure alignment with the new agreement. He found a few areas of concern, in that the current structure does not follow some requirements of the statute for a Type B Corporation, and criteria associated with a non-profit. After discussion with both the PEDC Board and City Council, direction was given to PEDC Counsel to create necessary amendments and bring back for review and approval.

b. Administrative Agreement between PEDC and City of Palestine – in conjunction with above, PEDC Counsel is to create an updated agreement that corresponds with the current structure.

G. CLOSED SESSION – 1:51 pm

The Board will go into Closed Session pursuant to Texas Government Code, Chapter 551, Subchapter D.

1. Section 551.072 deliberation regarding real property; the purchase, sale, exchange, lease, or value of real property:

a. Possible lease of 100 Willow Creek Parkway, Suite A-1

b. Possible purchase of real property

c. Value/possible sale of real property

d. Palestine Mall

H. RECONVENE INTO REGULAR SESSION – 2:44

1a. Take any action necessary regarding possible lease of Willow Creek Pkwy., Ste A-1
Ben Campbell made motion to allow Palestine Police Department access to the space, with no charge for monthly lease, seconded by Linda Dickens; motion carried 6-0

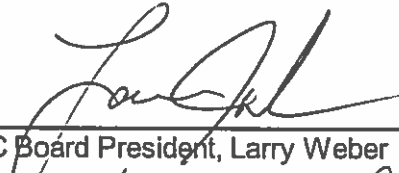
1b. Take any action necessary regarding possible purchase of real property – no action

1c. Take any action necessary regarding value/possible sale of real property

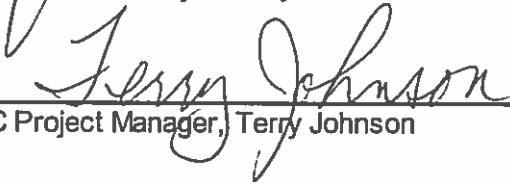
Linda Dickens made motion to sell the 160 +/- acres of land at the south end of Willow Creek Business Park; seconded by Charles Drane; motion carried 6-0

1d. Take any action necessary regarding Palestine Mall – no action

I. ADJOURNMENT – 2:45 pm



PEDC Board President, Larry Weber Date 11-19-20 Time 2:20p



PEDC Project Manager, Terry Johnson Date 11-19-20 Time 2:20pm

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