

# MINUTES

## FLORESVILLE ECONOMIC DEVELOPMENT CORPORATION

### RESCHEDULED SPECIAL MEETING SEPTEMBER 21ST, 2023 6:00 PM

#### FLORESVILLE CITY HALL COUNCIL CHAMBERS

1120 D STREET, Floresville, Texas 78114

**Call meeting to order at:** President Del Bosque called the meeting to order at 6:00 pm

**Establish Quorum:** David Del Bosque, Mary Helen Tieken, Nick Nissen, Joel Arroyo, Jacob Silva, Wayne Alexander

**Absent:** Charlotte Ximenez-Nelson, Sam Carter

**Guests:** Andy Joslin City Manager, Margaret Tejada HR Director, William Gibbs WCN, Fred Gonzales, Derek Gaudlitz, Randy Bruett, Gloria Cantu, Nancy De La Zerda, Nicole Alcantera, Felix Juarez

**Invocation by:** Fred Gonzales

**Recite U.S. Pledge of Allegiance & Texas Pledge by all.**

**Citizen Comments:** Fred Gonzales, Derek Gaudlitz, Felix Juarez, Nancy De La Zerda, Nicole Alcantera, Randy Bruett, Gloria Cantu

#### 1. EXECUTIVE SESSION:

Executive Session in accordance with Texas Government Code Chapter 551

#### **MOTION TO GO INTO CLOSED SESSION:**

**Motion:** Joel Arroyo, **Seconded:** Wayne Alexander, **Time:** 6:26 pm.

**Citizens Comments:** Ben Reed, Nicole Alcantera, Gloria Cantu

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
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Joel Arroyo	X			
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Sam Carter				X
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David Del Bosque				
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Nick Nissen	X			
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Jacob Silva	X			
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Mary Helen Tieken	X			
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Wayne Alexander	X			
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The Floresville Economic Development Corporation may at any time during the meeting close the meeting and hold an executive session pursuant to the Texas Open meetings Act codified as Chapter 551, Texas Government Code which permits closed meetings pursuant to Section 551.071 for purposes of consulting with its attorneys; Section 551.072 deliberating about real property; section 551.073 deliberating about gifts, and donations; section 551.074 deliberating about personnel matters; Section 551.076 deliberating about security devices; Section 551.084 regarding exclusion of witness in connection with an investigation; Section 551.086 deliberating, voting, and taking action as a power utility on a competitive matter; Section 551.087 deliberating about economic development negotiations;

and Section 551.088 deliberating about test items to discuss and/or deliberate any of the posted matters to be considered during the open meeting. If it does go into Executive Session, the Floresville Economic Development Corporation may deliberate in executive session, vote on the matter in open session, and announce it for the minutes.

1. (a). Pursuant to Section 551.071 of the Texas Government Code – for purposes to consult with legal counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act, to wit legal issues related to the Family Medical Leave Act, performance issues of Executive Director Benjamin Reed, and with the possible transition of FEDC employees to the City on October 1<sup>st</sup>.

(b). Texas Government Code Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public employee; or to hear a complaint or charge against an employee; to wit: Executive Director, Benjamin Reed. [Mr. Reed may request any deliberation be held in public]

Following consultation in closed session the Board will return to open session to consider and take possible action on the following items:

1. The possible employment, evaluation, reassignment, duties, discipline, or dismissal of Executive Director Benjamin Reed and the terms and conditions of the foregoing.

**MOTION TO OPEN SESSION:**

**Motion:** Vice-President Tieken, **Seconded:** Joel Arroyo, **Time:** 7:21 pm.

**Citizens Comments:** None

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Joel Arroyo	X			
Sam Carter				X
David Del Bosque				
Nick Nissen	X			
Jacob Silva	X			
Mary Helen Tieken	X			
Wayne Alexander	X			

**REGARDING 1. a. No action.**

**MOTION TO GO INTO CLOSED SESSION:**

**Motion:** Nick Nissan, **Seconded:** Vice-President Tieken, **Time:** 8:23 pm.

**Citizens Comments:** None

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Joel Arroyo	X			
Sam Carter				X
David Del Bosque				
Nick Nissen	X			
Jacob Silva	X			
Mary Helen Tieken	X			
Wayne Alexander	X			

**MOTION TO OPEN SESSION:**

**Motion:** Joel Arroyo, **Seconded:** Vice-President Tieken, **Time:** 8:29 pm.

**Citizens Comments:** None

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Joel Arroyo	X			
Sam Carter				X
David Del Bosque				
Nick Nissen	X			
Jacob Silva	X			
Mary Helen Tieken	X			
Wayne Alexander	X			

**REGARDING 1.b.**

Motion to terminate.

**Motion:** Nick Nissen, **Seconded:** Vice-President Tieken

**Citizens Comments:** None

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Joel Arroyo	X			
Sam Carter				X
David Del Bosque				
Nick Nissen	X			
Jacob Silva	X			
Mary Helen Tieken	X			
Wayne Alexander	X			

**2. ADJOURN**

Motion to adjourn by Nick Nissen.

**Motion:** Nick Nissen, **Seconded:** Joel Arroyo, **Time:** 8:30 pm.

**Citizens Comments:** None

**Vote:** For: 5 Against: 0 Abstain: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Joel Arroyo	X			
Sam Carter				X
David Del Bosque				
Nick Nissen	X			
Jacob Silva	X			
Mary Helen Tieken	X			
Wayne Alexander	X			

David Del Bosque, FEDC President