

MPR EDC Monthly Activities
September 4- November 21, 2024
Discover Morgan's Point Resort Tx Website: <https://mpr-edc.org>

Upcoming EDC Meetings:

- Thursday, January 16 from 12:30 to 2 PM @ Event Center (60 Morgan's Point Blvd.)

Treasurer's Report:

- Invoices authorized to pay by Greg and Terry (CPA for 990 tax return \$850 + \$95 for monthly review, Main Street America Membership \$295 and Canva program \$119.99)
- 2024 EDC Sales Tax and 990 Tax Year 2023 have been filed.

Bylaw changes (meetings) We operate under Texas Municipal Code 501 & 505 and Open Meetings Act. I believe it would be helpful to add the Action without Meeting clause and the Videoconference meeting option.

Texas Municipal Code 501

Sec. 501.071. ACTION WITHOUT MEETING. (a) An action that may be taken at a meeting of a board of directors, including an action required by this subtitle to be taken at a meeting, may be taken without a meeting if each director signs a written consent providing the action to be taken.

(b) The consent has the same effect as a unanimous vote and may be stated as such in a document filed with the secretary of state under this subtitle.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Open Meetings Act

Videoconference Call Meetings

- The Act also authorizes governmental bodies to conduct meetings by videoconference call and, unlike with telephone meetings, does not limit that authority to emergency circumstances. Section 551.127 authorizes a member or employee of a governmental body to participate remotely in a meeting of the governmental body through a videoconference call if there is live video and audio feed of the remote participant that is broadcast live at the meeting and the feed complies with the other provisions of section 551.127.190
- As a preliminary matter, a meeting held by videoconference call must meet the regular notice requirements of the Act. In addition, section 551.127 authorizes two logistical scenarios depending on the territorial jurisdiction of the governmental body and requires that the notice specify a particular location of the meeting and who will be physically present there, as follows:
 - A state governmental body or a governmental body that extends into three or more counties may meet by videoconference call only if the member of the governmental body presiding over the meeting is physically present at one location of the meeting.
 - The notice must specify that location, which must be open to the public during the open portions of the meeting, as well as state the intent to have the member of the governmental body presiding over the meeting present there.

- For all other governmental bodies, the Act authorizes a meeting by videoconference call only if a full quorum of the governmental body is physically present at one location of the meeting.
 - In that instance, the notice must specify that location, as well as the intent to have a quorum present there. The location where the presiding member is physically present must be open to the public during the open portions of the meeting.
 - Beyond notice and location, the Act specifies certain technical requirements. The meeting location where the quorum or presiding member is present as well as each remote location from which a member participates “shall have two-way audio and video communication with each other location during the entire meeting.”
 - The Act requires that, while speaking, each participant’s face must be clearly visible and the voice audible to each other participant and to the members of the public in attendance at the location where the quorum or presiding member is present and any other location of the meeting that is open to the public.
 - The Act additionally requires that each open portion of the meeting is to be visible and audible to the public at the meeting location where the quorum or presiding member is present and that at any time that the meeting is no longer visible and audible to the public, the meeting must be recessed until the problem is resolved.
 - The meeting must be adjourned if the problem is not resolved in six hours. The Act tasks the Department of Information Resources to specify minimum standards for the audio and video signals required at a videoconference meeting and the quality of the signals at each location of the meeting must meet or exceed those standards.
 - Generally speaking, a remote participant “shall be counted as present at the meeting for all purposes.” However, if the audio or video communication is lost for any portion of the meeting, the remote participant is considered absent during that time. Should this occur, the governmental body may continue the meeting only as follows: (1) If the meeting is being held by a statewide body or one that extends into three or more counties, there must continue to be a quorum participating in the meeting. (2) If the meeting is held by another governmental body, a full quorum must remain physically present at the meeting location.
 - Section 551.127 also requires the governmental body to “make at least an audio recording of the meeting” and to make the recording available to the public.
 - And section 551.127 expressly permits a governmental body to allow a member of the public to testify at a meeting from a remote location by videoconference call. Relating to certain special districts subject to specific chapters of the Water Code and with a population of 500 or more, subsection 551.1283(e) provides that “[n]othing in this chapter shall prohibit a district from allowing a person to watch or listen to a board meeting by video or telephone conference call.”

Work Plan 2024-25:

- Tiny Business Village
 - Motion was passed to spend up to \$5,000 for the Tiny Business Village Design Workshop. Jason and I engaged the services of H & H Design Studio (Jared & Brooksey Humes) 832.535.7697 Website: h-hdesignstudio.com hhdesignstudio@gmail.com. Jared is completing a concept (layout) drawing for us- Quoted @ \$350.00

- I have also reached out to the organizers of the Batavia Tiny Business Village to see if they could give us a report on their success (or not). Great news received. Here's the response I received from **Beth Walker**

From: beth@downtownbatavia.com

To: Linda Bridges, Kristen Desler Wed, Nov 20 at 9:47 AM

Hi Linda,

Thanks so much for your interest in the Boardwalk Shops. Here's the information requested:

- Would you happen to have any reports (that you could share) on the Boardwalk Shop impact to your community (economic/quality of life)? Any information you can share will be very much appreciated!
 - **Since the start of the program in 2020, the shops have generated over \$1.7 million in sales. Of the 35 businesses who have finished the program, 13 are currently in brick-and-mortar locations (not all in Batavia). They have filled 8 vacancies in our downtown district (some shop have joined forces to share locations).**
- I have read the list of Boardwalk Shop tenant and MainStreet expectations and the information has been very helpful. Quick question. Do you have an electric meter on each shop building? I see you include electric (up to a specific amount) with the tenant lease?
 - **No meters. The City generously provides electricity to a certain amount. We have yet to exceed this. If this amount is exceeded, the maximum amount each would pay monthly is \$25.**

Please let me know if you have additional questions. Thanks, Beth Walker Executive Director,
beth@downtownbatavia.com, 630-761-3528 or 630-263-1429