

III. Citizens Comments

Matt Rowden said he came to the last meeting and asked about purchasing an EDC owned property on Skinner Street. Matt Rowden asked to be placed on the next agenda.

Jason Hayes said he has talked to the EDC previously about using the dock next to his restaurant, Outriggers Bar and Grill. Jason Hayes asked to be placed on the next agenda.

Ruben Renobato said he lives at 1507 west 2nd street. Ruben Renobato wanted to make a statement to the EDC Board. He paraphrased the City of Freeports Ethics Ordinance: Public Service is a public trust, honesty, integrity, fairness, transparency are the foundations for public trust. The city encourages ethical conduct, encourages public service, prohibits conduct incompatible with the interests of the City, and requires disclosure of economic interests that may conflict with the interests of the city. It is the basis for disciplining those who fail to abide by its terms. It is the policy of the city that all city officials shall conduct themselves inside and outside of the city services so as to give no indication of distrust, impartiality, or their devotion to the best interests of the city and the public trust which the city holds. No officer shall engage in any business or business transaction or professional activity or incur any obligation of any nature which is a conflict with the proper discharge of its public duties with the public interest. All boards of the City are at all times to be maintained as a non-partisan body. All city officials have a responsibility to ensure and enhance the public competence in city government and strive not only to maintain ethical compliance but also to avoid the appearance of impropriety at all times.

Ruben Renobato said each of the board members applied for public service and were chosen on the basis of the unique qualifications they possess and can bring for the performance and execution for the business corporation. This corporation is governed by and operates under a set of bylaws, among them a presence of a quorum. Ruben Renobato said the bylaws state the process for the removal of any officer. Ruben Renobato said he was disappointed that this process was not utilized and that it raises questions about the integrity of the city's government.

IV. Consent Agenda

a. Approve Meeting Minutes for October 27, 2021

Motion to Approve Meeting Minutes for October 27, 2021 with the exception of changing "60,000" to "6,000" on page 14 was made by Mingo Marquez and seconded by Jeff Pena. **Motion passed** unanimously.

b. Approve October 2021 Financial Statement

Motion to Approve October 2021 Financial Statement was made by Mingo Marquez and seconded by Jeff Pena. **Motion passed** unanimously.

c. Approve Invoices

Motion to Approve for the amount of \$6695.12 with the exception of those invoices for Wells Nursery was made by David McGinty and seconded by Jeff Pena. **Motion passed** unanimously.

V. Discussion & Action Items

a. Discussion and possible action on the Port Café grease trap invoice.

Josh Mitchell stated that this was for the Port Café Grant.

Chris Duncan said he suggests confirmation that the performance agreement has been signed prior to handing Port Cafe the check. Chris Duncan said he did not know if had already been signed but wanted to remind the board of this. Chris Duncan said the board can go ahead and approve the invoice and check but make sure the agreement is signed before handing the check to them.

Jeff Pena asked if the board wanted to assign someone to give the check to Port Café.

Josh Mitchell said this would probably be best and asked if Jeff Pena would like to.

Jeff Pena responded yes.

Mingo Marquez asked if the EDC was still paying 50 percent of the amount on the invoice.

Josh Mitchell responded this was correct and asked if anyone would like to make the motion.

Mingo Marquez made a motion to approve the check for Port Café for their 50 percent of their invoice up to \$10,000 with the stipulation that the agreement be signed before handing it over. Jeff Pena seconded.

Motion passed unanimously.

b. Discussion and possible action on Downtown Christmas Market Partnership.

LeAnne Strahan presented the Downtown Historical Market to the board and requested a partnership with the EDC on this event.

David McGinty commented that the museum, visitor center, and EDC are one in the same and have the same goal in mind: to bring visitors to town. David McGinty said it is his recommendation that the EDC approve the \$3500 and partner with the Freeport Historical Museum on this event.

David McGinty made a motion to partner with the Freeport Historical Museum and provide a \$3,500 sponsorship. Mingo Marquez seconded.

Chris Duncan said this would be considered a promotional expense and the EDC is limited to 10 percent of the total budget. Chris Duncan said that even though the EDC is nowhere near this budget because it is the start of the fiscal year, the EDC needs to keep this in mind.

Josh Mitchell called for a vote.

Jeff Pena added that he would like to table this until after the discussion of Agenda Item K. Jeff Pena said he would like the board to take a look at the overall budget and allocate a specific amount for events. Jeff Pena asked LeAnn Strahan when she needed an answer from the board.

LeAnn responded tonight due to the time limit.

Jeff Pena asked how many other sponsors there were.

LeAnn responded there are no other sponsors, she was counting on the EDC due to their common interests of the City of Freeport.

Jeff Pena said he would definitely like to revisit after the board discusses event sponsorships. Jeff Pena said he would like to support the museum in their efforts but he wants to make sure the board is spending EDC funds wisely.

David McGinty withdrew his motion.

c. Discussion and possible action on EDC Board Officer elections.

Josh Mitchell said he would like to wait until the EDC has a full board to hold elections.

Mingo Marquez asked if Shonda Marshall was going to be able to call in. Mingo Marquez said he heard that she was in the hospital.

Chris Duncan said he spoke with her the day before and she had asked to be able to call in. Chris Duncan said that he would try to call her and reminded the board that she would be able to listen and to speak, but she would not be able to vote. Chris Duncan asked the Board if they all knew the situation with Shonda Marshall. Chris Duncan informed the board that Shonda Marshall was in the hospital due to a heart attack. Chris Duncan said Shonda Marshall called him due to being concerned about the board and that this concern should show her dedication to the EDC. Chris Duncan said she was looking at open heart surgery but he would reach out to her and see if she would still like to listen in on the meeting.

There was no further action at this time (see item D).

d. Discussion and possible action on the removal and addition of board members as signatories.

Cathy Ezelle informed the board that former EDC President Ed Garcia was a signatory for the EDC bank account. Cathy Ezelle said the board could remove Ed Garcia at this time or wait and remove him once new EDC Officers are assigned. Cathy Ezelle recommended that the board wait and make the changes at one time due to the inconvenience of trying to get all signatories together and at the bank at once.

Josh Mitchell said it made sense to him that the board wait.

Jeff Pena said he feels the opposite and that it is even more imperative to get Ed Garcia removed and have the correct signatories in place. Jeff Pena asked how the board would proceed with item C and if the board would set a specific window to circle back and discuss this item.

Chris Duncan said the board did not make a decision but they had three options; move forward with elections, motion to table for a specific time, motion to table indefinitely.

David McGinty made a motion to table officer elections until the next regular meeting. Mingo Marquez seconded. **Motion passed** unanimously.

Josh Mitchell asked Cathy Ezelle for clarification on the signatories.

Cathy Ezelle said that it would be her recommendation to wait to designate signatories after the elections. Cathy Ezelle said in order to remove Ed Garcia, the remaining signatories would have to go to the bank together and in person to fill out a new signatory card and then do this again once elections are held and new officers are assigned. Cathy Ezelle said there is a safe process set in place to insure there are no financial wrong doings. She signs the checks herself, gives them to the administrative assistant to have an appropriate board member sign, and then the check is returned to herself.

Jeff Pena asked if basically the bank needed one card on file with all signatories at all times.

Cathy Ezelle responded yes and reassured the board that there are checks and balances in place to prevent any wrong doing.

Jeff Pena made a motion to table the removal and addition of signatories until after the EDC Board elections. Mingo Marquez seconded. **Motion passed** unanimously.

e. Discussion and possible action to organize Freeport Job Expo with Hispanic Chamber.

Gina Aguirre Adams presented the businesses expo to the EDC board. Gina Aguirre Adams said this would be a county wide expo to be able to highlight local businesses and give networking opportunities to the Hispanic Chamber, the EDC, and local businesses. Gina Aguirre Adams suggested the EDC give a presentation on what they had to offer local businesses and try to bring businesses to Freeport. Gina Aguirre Adams said the requested investment is \$3,500 to assist in marketing and advertising as well as materials/expenses for the day of the expo.

Whether

Jeff Pena asked the proposed date.

Gina Aguirre Adams responded February 24, 2022 from 10am-7pm at Riverplace. Gina Aguirre Adams said this is an affordable, effective event that could boost businesses and revenue for Freeport. Her intentions are for it to become an annual event.

Mingo Marquez asked if this was a Business Expo or a Job Fair

Gina Aguirre Adams responded that this is a business fair for networking and things of this nature.

Jeff Pena asked for an estimate on businesses on the list.

Gina Aguirre Adams said that she was not aware there was a list of local businesses until earlier that day. Gina said she reached out to the EDCs assistant who informed her that she was working on a list.

Jeff Pena asked Kaytee Ellis how many businesses were on the list.

Kaytee Ellis responded there are 347 on the list but it is a rough number as some have closed and other new businesses may not have been added.

Mingo Marquez asked if this list was from the water department or where it came from.

Kaytee Ellis said she got an initial list from the water department but did drive around town and made changes to business names and added and removed businesses as needed.

Gina Aguirre Adams said she would have to assign someone to strictly work on this list so they could physically visit each of them and invite them to join on the expo.

Josh Mitchell asked Chris Duncan if this would be part of the promotional budget and should a decision be held until after the discussion of Item K.

Chris Duncan said yes.

f. Discussion and possible action develop 8.8-acre landscape and lighting improvements.

Josh Mitchell said the architectural firm, Gensler, the committee has been speaking with urges the importance of lighting on the river and to get the bridges lit up as well. Josh Mitchell asks if anyone has ideas on how to do this.

Jeff Pena said he knows the EDCs plan was to have an area to promote the space and include it as part of a fish market area. Jeff Pena says the goal was to do some nominal lighting and landscaping. Jeff Pena said the question is in regards to a budget and have a preliminary plan in place. Jeff Pena suggested approving a subcommittee first to go out and initiate a site plan.

Josh Mitchell asked if there was a motion on the board for a subcommittee.

Mingo Marquez asked for clarification on if the board was talking about lighting the bridges, downtown, or the 8 acres.

Jeff Pena said he would like all three areas to be discussed.

Mingo Marquez asked about the status on the levee lights.

Jeff Pena said 6 lights have been activated by CenterPoint but he did not know if the power was turned on to them. Jeff Pena said there needed to be contact with CenterPoint on the current status of the lights

Mingo Marquez made a motion to get the levee lights turned on and repaired. Mingo Marquez said these have been discussed for months, possibly years and action needs to be taken. David McGinty seconded.

Jeff Pena added that the board has already agreed to this motion previously, it is just a matter of contacting the electric. Jeff Pena requested Mingo Marquez to amend his motion to include a budget for a site plan for the 8 acres property.

Mingo Marquez asked Jeff Pena what information would be included in the sight plan.

Jeff Pena said preliminary renderings and the board would go from there.

Mingo Marquez said he would like to amend his motion. Mingo Marquez made a motion to repair and turn on the levee lights and to develop a site plan for the 8.8 acres property. David McGinty seconded. **Motion passed** unanimously.

Jeff Pena said this brings up the issue of subcommittees and suggests they be added to the next agenda.

Josh Mitchell asked if anyone had ideas for lighting on the bridges. Josh Mitchell said the City of Freeport is extremely dark at night and lighting the bridge would not only help with this, but highlight the river.

Mingo Marquez said he believes the river is one of the city's biggest assets and the board should beautify it and showcase that area. Mingo Marquez said the committee should move forward on getting proposals to light up the 3 bridges and then the 4th once it is repaired.

Mingo Marquez said to make note that Josh Mitchell has been added to the EDC Project 2 committee.

g. Discussion and possible action to approve beach entry sign project.

Jeff Pena said he would like to go ahead and approve a budget amount of under \$10,000 so that the subcommittee can put together preliminary renderings for the sign to present to the board.

Mingo Marquez made a motion to approve a \$9,000 budget for the beach entry sign project. Josh Mitchell seconded. **Motion passed** unanimously.

h. Discussion and possible action to modify financial management.

Jeff Pena wanted the board to revisit the subject of moving the EDC financials inhouse or to a third party. Jeff Pena stated this will help the EDC operate as efficiently as possible and not as part of the City of Freeport.

Josh Mitchell asked if this would cost the EDC.

Jeff Pena said it would be a cost, but it could be bid out to different companies for competitive pricing. Jeff Pena believes ADP is capable of this.

Josh Mitchell said he would like to see financials on this.

Mingo Marquez said he would also like to see the cost of using a company or a local CPA as the EDC used before.

David McGinty agreed.

Jeff Pena said he would take on the project and get quotes to provide the board.

i. Discussion and possible action to develop an EDC agenda process and policy.

Josh Mitchell said the current process is to have the agenda one week before the meeting.

Jeff Pena said he would like to put some more clarity to this process in terms to deadlines for agenda submissions. Jeff Pena said he feels the one-week prior timeline should be a fluid deadline due to the board having fluid lives and constantly working with businesses who do not necessarily follow the same time restraints. Jeff Pena suggested the one-week prior deadline be only for the preliminary draft of the agenda through email and the board could revise as needed until the final be sent out on Friday. Jeff Pena wanted to remind the board that every member is able to contribute how ever many items they wish to the agenda.

Mingo asked what day and time the agenda had to actually be posted to follow the 72-hour rule.

Jeff Pena responded Saturday at 6:00pm

Mingo Marquez said the office is closed on Saturdays and he feels the assistant needs at least 2 days to get the packets together. Mingo Marquez said he believes the deadline should be Wednesday.

Jeff Pena said perhaps there should be two deadlines set; one for the draft and one for the final.

Mingo Marquez said he would like to leave the final at Wednesday so that the assistant can not only type the agenda and get all of the items added, but to gather the supporting documentation and deliver packets to the board.

Jeff Pena asked if the board wanted to draft a formal policy and vote on it at the next meeting.

Josh Mitchell agreed it would be best to have this written out.

Mingo Marquez said he just wants to make sure the staff has enough time to compile everything and he recommends that be at least 2 days time

***Shonda Marshall joined in via phone call

Chris Duncan informed the board that Shonda Marshall had another heart attack earlier in the day and would be needing surgery.

j. Discussion and possible action to renovate downtown EDC buildings.

Josh Mitchell asked the status on this item. Josh Mitchell said he was under the impression that this was already agreed on and in the works.

Mingo Marquez asked that the EDC put a timeline on bids and after this point the board vote on a contractor to proceed. Mingo Marquez said the EDC has still only received the one bid and he would like to see 2-3 additional bids.

Jeff Pena made a motion to establish a 30-day deadline for final bids on the downtown façade renovations. Josh Mitchell seconded.

Mingo Marquez asked what work would be included.

Jeff Pena answered that this would include scope of work already defined including the façade, the elevations, and the interior renovations.

Chris Duncan reminded the board that this also included the drainage in the back being blocked by the dirt and limbs.

Mingo Marquez said he asked about the dirt previously and if it could be moved to the 8 acres to make the job more cost efficient.

Josh Mitchell called for a vote.

Motion passed unanimously.

k. Discussion and possible action to designate event sponsorships.

Jeff Pena said to be clear, the overall promotional budget is 10 percent of the total budget (\$120,000)

Chris Duncan said this is correct and there is an additional \$100,000 marketing budget. Chris Duncan reminded the board that not all marketing is considered promotional. Marketing EDC properties would not be promotional and would fall under the 10% limit.

Jeff Pena asked if sponsoring local events would be part of the marketing fund or the promotional budget.

Chris Duncan said the 10% limit is for items promoting the city.

Jeff Pena said earlier in the year it was a thought of the EDC to create their own volunteer group but upon closer look the board realized the museum and chambers were doing a wonderful job already and the EDC could benefit more by sponsoring their existing efforts. Jeff Pena suggests setting a fluid budget of \$10,000 per month.

Josh Mitchell said he agreed there should be a rough monthly budget so the board does not blow through the budget too quickly.

Chris Duncan told the board to keep in mind that part of the marketing budget was meant for hiring a social media marketing company.

Jeff Pena said a social media marketer is another topic the board should discuss.

Mingo Marquez said the EDC has the resources available to market and promote the EDC and they need to be doing so quickly and wisely.

David McGinty urged the board to make a decision on the sponsorship for the downtown Christmas market and said the subcommittee can work out the other issues.

Jeff Pena agreed and asked for calendars from both the Museum and Hispanic Chamber. Jeff Pena said if both requests are for \$3500 and falls within the budget, he does not see an issue with approving them both tonight.

Chris Duncan said another thing the board should keep in mind when discussing social media, because it can be costly to hire a company for this, is that the administrative assistant could be assisting with this already.

Mingo Marquez agreed and said at the Marina they use google advertisements and they are simple. Mingo Marquez said he believes the EDC should absolutely utilize the resources that are already available in any way they can.

David McGinty made a motion to approve the partnerships with the Freeport Historical Museum Downtown Christmas Party for \$3,500 and the Brazoria County Hispanic Chamber of Commerce Business Expo for \$3,500. Mingo Marquez seconded. **Motion passed** unanimously

Jeff Pena asked both the Museum and the Chamber to ensure the EDC will be represented properly.

Mingo Marquez said they need to be given EDC Banners.

Josh Mitchell instructed the Museum and the Chamber to coordinate this with the assistant, Kaytee Ellis.

1. Discussion and possible action on Wells Nursery invoices.

Tabled until itemized invoiced are provided by Wells Nursery.

VI. Subcommittee Updates

Josh Mitchell said he was given a city revitalization plan by the Gensler that lays out a few ways they could help; however, he is still waiting for pricing.

Chris Duncan said Josh Mitchell sent these documents to him this afternoon and was not able to print them out, but he would be emailing them to the board.

David McGinty said he wants to make sure the board takes action on this and that previous boards have gone through the same process yet nothing was achieved.

VII. Board Comments

a. Josh Mitchell- Vice President

Josh Mitchell said coming to meetings and seeing all of the action taken will hopefully show those in attendance that the EDC does intend to take action and make a difference in the city. Josh Mitchell said the board is getting out there and trying to make big decisions for the city and going to architecture firms, and along with the partnerships with the museum and the chamber they all want to see Freeport get off of the ground. Josh Mitchell said it is very encouraging to see the changes happening.

b. Mingo Marquez- Treasurer

Mingo Marquez said he wanted to thank Gina and the Hispanic Chamber for moving forward with the Business Expo. Mingo Said it is something he has wanted to see for awhile and with Freeport not having its own Chamber of Commerce, it is nice to see the Hispanic Chamber step up and fill that role for the community. Mingo said he would like to reach out to LeAnn as well in regards to the Way Signage. Mingo Marquez said this is something that has been talked about over and over and he would like to see some work getting done.

LeAnn Strahan said she has received a couple of quotes but none of these are local vendors. LeAnn said she has recently been informed about someone local who could help. LeAnn said she believes it is important to update the current signage they have; not to scrap, but add to them or revitalize them.

Mingo Marquez asked if it was painting that needs to be updated or what.

LeAnn said that they just need updated information.

c. Shonda Marshall

Absent

d. David McGinty

David McGinty said that he would like to apologize for the way finding signage as he has been working out of town so the lack of communication on this matter falls on himself. David McGinty said to add it to the next agenda for a presentation on the signage. David encouraged the board and audience to be active in the community and visit some of the holiday events scheduled for the City of Freeport.

e. Jeff Pena

Jeff Pena said he would like to thank the board that is present tonight, especially Shonda Marshall for remaining involved despite being in the hospital and he hopes she get well. Jeff also thanked the citizens in attendance for participating and asked they be patient with the board, stay involved, and continue to commit to attend meetings. Jeff Pena thanks the board for working together tonight. He believes it has always been the boards goal to work together and provide transparency, honesty, fairness, and integrity. Jeff Pena asked the community to be patient, but be excited because there are good things coming.

Jeff Pena said he also had a few administrative items he would like to mention. The landscaping on the 8 acres waterfront pier has not been attended to. Jeff Pena said he wants the public to be aware the board will be issuing invitations for the rental spaces downtown and they will be advertised. Jeff Pena said these are currently available and will hopefully begin renovations soon.

VIII. Executive Session- Adjourn into Executive Session

Executive Session Disclosure Statement: The FEDC Board of Directors reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

It is now 7:56 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation October 12, 2021 meeting and do hereby convene an executive session, said executive session authorized under the following sections of the Texas 551.071 (Consultation with Attorney.)

In Accordance with the Texas Government Code:

Section 551.071 (Consultation with Attorney)

1. Review and discuss pending litigation.

Reconvene into Open Session

Board President's statement:

It is now 8:17 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session.

IX. Adjourn

Motion to close board meeting made by Mingo Marquez and seconded by David McGinty. **Motion passed** unanimously.

It is now 8:18 p.m. and I hereby close the board meeting.