

Visitors in Attendance:

Bob Casale
Sam Reyna
Nicole Mireles
Ruben Rubenato
George Matamoros
Jason Hayes
Jana Price
Gardner Campbell
Brian Thompson
Robert Bacon
Donald Miller
Jason Wierzbicki
Cailyn Anderson

I. Call to Order

Mingo Marquez called the meeting to order at 6:02 PM. A quorum was present.

II. Invocation and Pledge

Shonda Marshall led the invocation and David McGinty led the pledge.

III. Citizens Comments

There were no citizen comments.

IV. 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 6:04 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation April 12, 2022 meeting and do hereby convene an executive session, said executive session authorized under the following sections of the Texas 551.071 (Consultation with Attorney.)

Joint Executive Session-City Council

1. Discussion on Project 2022B

The Freeport Economic Development Corporation and the Freeport City Council will conduct a joint meeting in executive session regarding Project 2022 B pursuant to Texas Government Code Chapter 551, Section 551.087 (Economic and Community Development Matters)

Reconvene into Open Session

Board President's statement:

It is now 7:00 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session.

V. Discussion and Possible Action

1. Discussion and possible action on EDC Project 2022A

Tim Kelty said in regards to economic development project 2022B, there is a company looking to invest over 100 million dollars into Freeport that will create 28.5 million dollars in assessed value and would bring is between 250 and 300 new jobs to this facility. Tim Kelty said in consideration of this, the company is looking for a tax abatement from the City of Freeport. Tim Kelty asked the EDC if they have a recommendation for the Council.

Mingo Marquez said the EDC recommends the City proceed with a 7-year 100 percent tax abatement and the Council continue to negotiate for further incentives. Jeff Pena made a motion to support this recommendation. Sandra Loeza seconded. **Motion passed unanimously.**

VI. Presentation

1. Cailyn Anderson/Culture Coffee

Cailyn Anderson was present but declined to present at this time. She stated that issues with the building and coding department are keeping her from moving forward.

VII. Consent Agenda

- 1. Approve Meeting Minutes for March 22, 2022**
- 2. Approve Meeting Minutes for April 4, 2022**
- 3. Approve Invoices**
- 4. Approve March Financial Statement**

Mingo Marquez instructed the board to pull discussion and action items 1 and 2 and add to them to the invoices.

Cathy Ezelle said these were added separately as she did not have them at the time of her agenda items being submitted.

Sandra Loeza said the invoices for Duncan Law Firm have the incorrect date. They state 2021 and should say 2022.

Melanie Oldham said she would like to approve Consent Agenda items 1 and 2 but hold 3 and 4 for discussion.

Jeff Pena made a motion to approve Consent Agenda items 1 and 2. Melanie Oldham seconded.

David McGinty asked for clarification on 1 and 2.

Mingo Marquez said this would be for the meeting minutes for March 22 and April 4.

Motion passed unanimously.

Mingo Marquez opened the discussion for invoices.

David McGinty said the invoice from Penny Electric is for the repair of the lighting on the way finding signage. David McGinty said he asked the City to repair the sign but did not approve outsourcing of the work.

Jeff Pena said he is curious how this was given to Penny Electric.

Brian Thompson of Penny Electric said the city does not have a licensed electrician to perform the work so Penny does all electrical work for the City.

Cathy Ezelle said any time the City has electrical work they contract it through Penny Electric. Cathy Ezelle said this was a communication issue.

Jeff Pena said the EDC is being held to a high standard. The EDC did not know and was not informed that this would be outsourced.

David McGinty stated he wants to be clear that he did not approve the work to be performed.

Jeff Pena asked how this can be fixed.

Cathy Ezelle responded this could be fixed through improved communication.

Mingo Marquez asked if there are any additional questions over the invoices.

David McGinty said to preface, the last invoice with the pier platform and handrails, he gave it the benefit of the doubt and let it go by but the power pole invoice has him very concerned. David McGinty said the cost is astronomical. David McGinty said he reached out to McCoy's where he believes the power poles came from and the cost on the pole with tax included is \$741.

Brian Thompson said it would not even cost that much as the EDC is tax exempt and it would have cost \$684. Brian Thompson said it is 3.5 times the cost it should have been.

Mingo Marquez said to the discussion is between the board.

David McGinty said it goes more than that. There were two workers, one of which was a helper and the other may or may not be a carpenter. David McGinty said \$112.50/hour is ridiculous. He has been a carpenter his whole life and has never been paid this much. David McGinty said the entire bill is padded and he can't go to approve this.

Jeff Pena said he could give some insight to this. Jeff Pena said with supply and demand, the project was done to get ready for the Grand Opening of Outriggers.

David McGinty said he is talking about the power poles.

Jeff Pena said as for the cost per hour, he is looking at the invoice from Penny's which stated \$120/hr which is even greater. Jeff Pena said there was an invoice previously from Praise the Lord Electric which was even more costly. Jeff Pena stated there has been issues getting contractors to work on EDC projects. Jeff Pena said the meter work that was to power the light poles along the river front work was performed by His Power Electric and charged the EDC \$3300. Jeff Pena said this company was approached by owners in the area and threatened that he would lose work in the county. Jeff Pena said he did not want to mention his, but he felt it is important the board knows this. Jeff Pena said the new invoice is for two poles which require holes to be dug and poles to be set. This company, Tailorbuilt, pulled permits and are a licensed electrician.

Brian Thompson said they should have been.

Mingo Marquez told Brian Thompson the board is not taking citizen comments.

Brian Thompson responded that Jeff Pena did not know what he was explaining.

Mingo Marquez said Brian Thompson had a chance to comment during citizen comments.

Jeff Pena said the invoice for His Power to install a meter box was \$3300 and the invoice from Tailorbuilt is \$3500 for two poles. Jeff Pena said he does not want to get in the habit of "Tuesday morning quarterbacking" of people coming in saying they could have done it cheaper. Jeff Pena said it is a repeated pattern of resistance on the 8 acres property where the EDC cannot get contractors to come in.

David McGinty said he still believes the invoice is over the top and asked what the approval process for this invoice was. David McGinty said he did not remember this coming to the board for approval and how did the EDC have work done without approval.

Jeff Pena said this was done under the scope of work for the fish market project. Jeff Pena said subcommittee policies and procedures should be buttoned up but he tried to get as many estimates as he could but could not get anyone to return his calls. Jeff Pena said there are two different types of subcommittees and they were created to streamline the processes; they were tasked to move forward with the project plans and infrastructure.

Melanie Oldham asked which subcommittee this was and who the subcommittee members are.

Jeff Pena responded this was the Fish Market committee which consists of Mingo Marquez, Josh Mitchell, and himself.

Melanie Oldham asked Jeff Pena if the subcommittee discussed this and left it to Jeff Pena to get bids.

Jeff Pena said the subcommittee was informed and aware of the issues that were occurring.

Mingo Marquez reminded the board that they have already voted and allocated \$25,000 to this project.

Shonda Marshall said for future reference, do subcommittees have the authority to go spend the money just because the project has been approved? For the sake of transparency and to ensure the EDC is doing things on the up and up. Shonda Marshall said she agrees the policies need to be buttoned up so that there is a procedure for getting quotes and sharing information with the board.

Jeff Pena said subcommittees were created to streamline processes.

Shonda Marshall said she is just speaking in regards to spending.

Jeff Pena said this particular subcommittee was given the authority to move forward and spend money.

Shonda Marshall asked from who?

Jeff Pena responded from the board when they made a vote to commit to the Fish Market project.

Shonda Marshall said she had not even heard of an update on the Fish Market project.

Jeff Pena said the update is this. Jeff Pena said if the board decides this work flow does not work, then they can have that vote. Jeff Pena said the board should ensure each subcommittee has specific directives.

Shonda Marshall said this would cut down on confusion and keep board members on the same page.

Chris Duncan suggested doing a policy that states a dollar amount. Chris Duncan gave the float committee as an example. They were given a \$1000 budget and did not have to come back to the board for approval. Chris Duncan suggested the board state during the motion if the committee is or is not allowed to spend money without returning to the board for approval.

Melanie Oldham said she agrees and when she was appointed to the EDC in November, she was given a package that had information about the proposed fish market and has had no update since. Melanie Oldham asked what the emergency was to get the poles installed at this time and did the subcommittee have a thorough discussion and check

references. Melanie Oldham asked how the board can verify these people are even qualified because according to some, the work is not quality work.

Brian Thompson said they are not qualified

Mingo Marquez said the board should not be cutting businesses down. Mingo Marquez said he is on board to get something in writing as to what needs approval and what does not, but he does not think the board needs to make a vote over things like which candy should be thrown. Mingo Marquez said the emergency was “lets get something done” when we have been talking about it for months and months. Mingo Marquez said it took two and half years to get the fountain repaired is it going to take that long to get the fish market ready. Mingo Marquez said if the board gives a committee a budget there needs to be trust that the money is spent wisely.

Shonda Marshall said she agrees but there needs to be a clear process and it needs to be clear that money is being spent for a particular project because she was not aware this was for the fish market.

Jeff Pena said no good deed goes unpunished and the board is all volunteers trying to good deeds and good work. Jeff Pena said he is on a subcommittee with Melanie and Shonda and they are doing an executive director search. Jeff Pena said even though there are disagreements they are working together and have a game plan and this should be the same for other subcommittees. Jeff Pena said no one else knows what this subcommittee is up to because they want to avoid a walking quorum. Jeff Pena said they can clean up the process without prolonging projects and hindering themselves.

Mingo Marquez said he is in agreement with Shonda and that it is important for all committees to update the board on what they have going on so they can avoid what happened tonight.

David McGinty said he understands the argument that the \$25,000 budget has been passed but he believes it is the boards job to be fiscally responsible. David McGinty said money has now been wasted when there is a trip charge and an upcharge of over \$1700 for material and labor is \$115 an hour.

Jeff Pena said it is important to not get caught up in Tuesday morning quarterbacking and he could dissect every invoice provided if that is what the board wants to do.

Sandra Loeza said it would have been nice to see other estimates to compare this one too. Sandra Loeza said she does believe the invoice is high but the work has already been performed and she would like pricing to compare.

Jeff Pena said on the Higher Power invoice, was not itemized and this should be looked at in the future as well.

Melanie Oldham said she thinks there should be a discussion on subcommittees and how money is spent and a new policy needs to be written so that the board is not surprised by a bill like this again.

Shonda Marshall said she appreciates that Mingo Marquez asks for subcommittee updates at every meeting and this would have been the perfect opportunity to mention they were working on the lights. Just because the money is given is fine, but the committee should still give the courtesy of an update.

Mingo Marquez asked to move forward to the financial statement.

Cathy Ezelle reviewed the Financial Statement.

Shonda Marshall made a motion to approve invoices and the financial statement. Mingo Marquez seconded.

David McGinty said he could not support the padded invoice. David McGinty said he would like the company's information.

Melanie Oldham asked if the board could approve all but the one invoice.

Mingo Marquez responded yes but there is a motion on the floor and called for a vote.

Motion Passed 5-2. David McGinty and Melanie Oldham voted nay.

VIII. Discussion & Action Items

1. **Discussion and possible action on Penney's Electric invoice -David**
See consent agenda
2. **Discussion and possible action on Tailorbuilt invoice -Jeff**
See consent agenda
3. **Discussion and possible action on Invoice Payment Approval Policy -Mingo/Cathy**
Cathy Ezelle said this policy was requested at the last meeting. Cathy Ezelle said this could be modified as the board so chooses. This invoice policy allows the President, Treasurer, and Executive Director to approve invoices and they are then brought to the board to review once a month. Cathy Ezelle said she did add that no signatory could sign a check payable to themselves or someone they have vested interest in.

Jeff Pena made a motion to pass this policy. Josh Mitchell seconded.

Sandra Loeza asked if two people still need to sign the checks.

Cathy Ezell said yes. This policy allows one person to approve the invoice, the invoice is given to her for a check, and then two people are required to sign the checks.

Sandra Loeza asked if these three people sign the checks together.

Cathy Ezelle responded no; any single one can approve. Cathy Ezelle said the board can assign limits to which the invoice must be presented to the board for approval.

Sandra Loeza said she would like to set a limit so that invoices over a certain amount must be brought back to the board.

Cathy Ezelle said her limit with the City is \$5,000 but this amount can be decided on with the board.

David McGinty said he agrees with this process for routine monthly bills but not one-time invoices.

Tim Kelty said once an invoice is provided, typically the work has already been authorized and performed.

Cathy Ezelle said a policy the city used is that a purchase order has to be approved before a purchase is made and requires two signatures.

David McGinty asked to modify the motion to include a dollar amount.

Melanie Oldham asked if since there is no current Director, the President Mingo Marquez and Treasurer Jeff Pena can approve any invoices.

Cathy Ezelle responded yes.

Shonda Marshall asked who is eligible to sign checks.

Cathy Ezelle responded Mingo Marquez, Jeff Pena, Josh Mitchell and herself. Cathy Ezelle said she is typically one signature as she is the one who cuts the checks.

Jeff Pena said he wanted to reiterate the clause stating no checks may be signed if you have a vested interest in a business and this sounds just like what he wanted added to all Councils and Boards. Jeff Pena said he also wanted to point out that if his name is on an invoice, it is because he is the person corresponding with these contractors.

Shonda Marshall asked why the board is considering changing the bill payment policy.

Josh Mitchell said this is because there are many bills that go past due.

Mingo Marquez said it is also because there are many mom and pop shops that cannot wait months for payment.

Cathy Ezelle added that by law you are only allowed 30 days to make payment on an invoice before they can charge interest and penalties.

Shonda Marshall asked what the process would be for the invoices getting approved by Mingo or Jeff.

Mingo Marquez said Kaytee Ellis will call Jeff Pena or himself to approve them.

Mingo Marquez asked if Jeff would amend his motion to include a dollar amount.

Sandra Loeza suggested setting the limit at \$5000.

Jeff Pena amended his motion to approve the Invoice Payment Policy with a limit of \$5000 per invoice. Josh Mitchell seconded.

Josh Mitchell asked if any recurring payments are over \$5000.

Cathy Ezelle responded no there are not.

Jeff Pena suggested creating an approved contractor list to add with the invoices to support the contractor is trusted.

Cathy Ezelle creating this separately.

Melanie Oldham said she would like to make a comment.

Mingo Marquez said the board needs to move forward and they just keep talking about it.

Melanie Oldham said she asked why there are such limited choices for the EDC and why these discussions were rushed.

Mingo Marquez said this is a different topic and can be discussed during subcommittees.

Kaytee Ellis asked Mingo Marquez for clarification if whoever brings the invoice has the authority to approve or if the invoice needs to be taken to the other approving authority. Kaytee Ellis gave the example of Mingo Marquez bringing an invoice and approving himself.

Mingo Marquez said they could approve their own invoices.

Mingo Marquez called for a vote. **Motion Passed** 5-2. David McGinty and Melanie Oldham voted nay.

- 4. Discussion and possible action on Barcadia Bike Fest Sponsorship -David**
David McGinty said this item has been withdrawn from the agenda for discussion.

- 5. Discussion and possible action on Texas Rivers Distilling Grant -Mingo**
Mingo Marquez asked to table this item until after subcommittee updates.

- 6. Discussion and possible action on Western Seafood property issues -David**
David McGinty said he wanted to update the board on the Western Seafood property. David McGinty said there is a tree down on the property and the repairs have been made to the fence. David McGinty said the property needs to be cleaned up if the board is wanting to showcase it to sell. David McGinty suggested hiring someone to come clean up the property and clear out the trees. David McGinty said he would even entertain the demolition of some structures on the property

Jeff Pena suggested negotiating with private businesses to do some collaborative work. Jeff Pena said he had a discussion with Jason Hayes in regards to tree and stump removal in exchange for some of the artifacts on the ground. Jeff Pena said if this was still a viable offer, he would support the exchange. Jeff Pena said in terms of demolition, a developer would not require they be demolished.

Melanie Oldham agreed with David McGinty that the properties should be cleaned as much as possible to market the property to its best ability. Melanie Oldham said the trees have been down since the hurricane.

Jeff Pena said Mr. Hayes is present and asked if the exchange offer was still on the table.

Jason Hayes responded yes.

David McGinty said he would like to see value estimates as there is a lot of stainless steel on the property.

Mingo Marquez asked David McGinty to take the lead on this project to get quotes on cleaning up the property.

David McGinty said he would take care of this.

- 7. Discussion and possible action on roles of EDC subcommittees -Melanie**
Melanie Oldham said she asked for this item because there are no written rules for subcommittees and she would like clarification. Melanie Oldham said she was under the impression that subcommittees were to bring all issues back to the board for full discussion. Melanie Oldham said she understands the board sets budget for projects but would like more discussion of the board and clear roles and rules in writing.

Mingo Marquez said when committees are created it is stated what their roles is. Mingo Marquez said when budgets are set a directive is typically given. Mingo Marquez said he does not believe this needs to be listed in the bylaws and should be at the discretion of the President. Mingo Marquez said a lot of these committees were created before the current board members were appointed.

Josh Mitchell added the Invoice Payment Policy will limit subcommittees from spending more than \$5000 on a single invoice.

Chris Duncan said if the board they can say “here is \$5000 go complete the task” or “you have a budget of \$5000 report back to the board for discussion/don’t spend a dime”

Kaytee Ellis suggested that with each invoice, state which project it belongs to and she can keep a running tab of amount spent in each budget. For example, the fish market has \$25,000, she can add the power pole invoices to this and ensure there is no overspending and report this each meeting.

Tim Kelty asked if the fish market has a budget of \$25,000 and a work authorized invoice of \$6000 does that invoice need to come back for approval.

Mingo Marquez responded the work can be approved and then the invoice brought before the board for approval.

Chris Duncan said the board has the power to set this specifically for each subcommittee.

Josh Mitchell said the issue is that the work is done before the invoice is provided.

Chris Duncan said setting a policy may not apply to everything because the fish market and the parade float are two very different projects.

Mingo Marquez said an upcoming example is Gensler has already been voted upon approved but the invoice will come back to the board. Will the board then nitpick the invoice then?

Josh Mitchell said the difference is that this was one component approved prior to the work being done whereas the fish market has multiple components and the invoice was not provided beforehand.

Chris Duncan said Gensler was approved for this amount, they will do the work, then send a bill, sine this is over \$5000 the invoice will come back to the board.

Jeff Pena said as a matter of good housekeeping, create a new subcommittee list including the chair, members, budget, and directives.

Kaytee Ellis suggested using a smaller scale example. Kaytee Ellis used Ann's Monogramming grant stating this was just approved Ann's grant for \$8000. This work is complete, the invoice was sent in, now does the invoice need to be brought back before the board in order for Cathy to cut a \$4000 check? Because this is how the policy was before today's meeting. So, with the new invoice policy, the invoice can be approved by Mingo or Jeff and her check can be cut the same day versus her having to wait possible another month for the board to reapprove an invoice that was already provided in her grant packet.

Jeff Pena said he does not believe this is how the policy was previously.

Kaytee Ellis said this is the procedure was followed with Port Café and with Sweet T's. Kaytee Ellis said the invoice is approved when the board approved their grant and asked why the board needs to approve it twice and prolong the process.

Josh Mitchell said he believes grants should be an exception.

Jeff Pena asked if Kaytee Ellis could create a detailed list of subcommittees.

Kaytee Ellis responded yes.

Jeff Pena said he could help with this.

Shonda Marshall asked if her training board that has an allotted budget is allowed to spend this money on trainings without coming back to the board. Shonda Marshall said with the training with Mike Barnes, they got board approval to spend the money beforehand. Shonda Marshall said her question is, do they need to bring trainings back to the board or are they allowed to spend the money freely.

Mingo Marquez responded yes as long as they stay within the budget.

Melanie Oldham said she knows it is decided by the president at some point, who would be on what subcommittees but some people are on eight different subcommittees and some are on less. Melanie Oldham said she herself is on 4 and two of which are no longer needed. Melanie Oldham said these need to be dispersed evenly.

Mingo Marquez said there are about 4 more subcommittees being created and he is planning to spread out the work. Mingo Marquez said he tries to look at people's talents when making assignments.

David McGinty said when subcommittees are appointed, they need to have established guidelines and limitations.

Jeff Pena said this is what he has asked Kaytee Ellis to come up with.

Melanie Oldham asked if the agreements is the board does not need a written policy.

Mingo Marquez said these will be different for all.

8. Discussion and possible action on Subcommittee Updates -Mingo Riverfront-

Josh Mitchell asked if anyone has access to previous studies for the city.

Melanie Oldham said they are listed on the City website.

Josh Mitchell said he sent Gensler the Freeport Harbor Vision Plan so they could see what the City wanted at this time. Gensler would report back to the EDC and allow the board to make changes and suggestions.

Grant Committee:

Mingo Marquez said there was a request from a grantee, Outriggers for an extension of 90 days. Outriggers stated they are having issues getting materials.

Jeff Pena asked Jason Hayes to speak on this matter.

Jason Hayes sated that many of the materials needed for his improvements are on back order, most importantly his roofing materials and garage doors.

Mingo Marquez made a motion to approve the 90-day extension. Jeff Pena seconded. **Motion passed unanimously.**

Mingo Marquez said there is a proposal for the fire suppression addition to the Gant program in the board packet. Mingo Marquez said this would increase the total amount businesses are eligible for up to \$55,000. Mingo Marquez asked the board their thoughts on building included.

Josh Mitchell said he believes it should include all buildings, new and existing.

David McGinty asked what the grant budget was.

Tim Kelty responded the grant project was approved for \$150,000.

Mingo Marquez said the board can always request an increase on this amount as well.

Josh Mitchell made a motion to approve the Fire Suppression Grant. Jeff Pena seconded. **Motion passed unanimously.**

Texas Rivers Distilling Co Grant Request:

Mingo Marquez said Texas Rivers has been working on getting their establishment together but has run into the issue of the sprinkler system. Mingo Marquez said all together their cost is \$32,000.

Jeff Pena asked the time frame for them to open.

Mingo Marquez said he is lined up to get open ASAP and he would hate to put this off for another month.

Donald Miller said the building department has not been the easiest to work with and getting permits has been difficult. Donald Miller said he estimates three months.

Jeff Pena asked what the tap was that is included.

Donald Miller said this is for City water and the sprinkler system but the sprinkler requires a larger 4 inch main.

Jeff Pena made a motion to approve the sprinkler grant for Texas river with the EDC paid portion to be \$16,053. Melanie Oldham seconded. **Motion passed unanimously.**

Melanie Oldham asked for an update on the MEGA Grant. Melanie Oldham said the deadline was February 28th and there was only one applicant.

Mingo Marquez said he would like to extend the deadline.

Mingo Marquez made a motion to extend the deadline for the MEGA Grant to August 31st. Jeff Pena seconded.

Tim Kelty said if the deadline is August 31st, this would push approval to the next fiscal year.

Chris Duncan said this could be corrected with budget amendments.

Jerry Cain suggested closing earlier in the year.

Shonda Marshall suggested the end of June.

Jeff Pena said he thinks the end of summer makes more sense to him especially with the announcements of new big business.

David McGinty said his issues it there is an applicant that will now have to wait even longer

Jeff Pena said the grant is still first in and first out so his application could still have the first right to approval.

Kaytee Ellis said this is not true for the MEGA Grant. With the MEGA Grant, the EDC accepts application until the deadline and then at this time all are reviewed and one is chosen.

Jeff Pena said in this case the board can decide if it will be first in and first out or review a pool.

Mingo Marquez said he has had request for applications for the MEGA Grant but the application was not available while the board was awaiting Council approval. Mingo Marquez said he would like to extend until the end of July.

David McGinty said someone on the grant committee needs to speak to the applicant and make them aware.

Mingo Marquez amended his vote to extend the deadline to June 30, 2022. Jeff Pena seconded. **Motion passed unanimously.**

Training Committee:

Shonda Marshall said there was a webinar training over marketing the board was able to sit in on. Shonda Marshall suggested Kaytee Ellis share the information with the marketing committee.

Mingo Marquez said the board did pay for this training and it was recorded if anyone would like to view it.

Shonda Marshall said she has met with the Fire Chief and Mrs. Roman to host a training for the EDC. Shonda Marshall asked the board to send in any questions they may have so they can address the needs of the EDC. Shonda Marshall said she would like to have this training at the end of May. Shonda Marshall said she wanted to make the board aware of the TEDC Bid EDC Course is being held in Corpus Christi this summer and asked that the board make Kaytee Ellis aware so she can begin making reservations.

Dock Committee:

Jeff Pena said this committee has completed its task and requests to close this subcommittee.

Melanie Oldham asked if the dock needs to be ADA accessible.

Jeff Pena said this is a good question but it previously was not.

David McGinty suggested this committee be put on a hiatus until a plan can be formulated.

Jeff Pena said he suggests this be added to the 8.8-acre subcommittee as it is a part of this property. Jeff Pena said this dock committee was formed for the Grand Opening and this has now passed.

Melanie Oldham asked if the subcommittee decided to close the dock so that people could not use.

Jeff Pena said that is another conversation.

Melanie Oldham said the dock has always been accessible to fisherman.

Jeff Pena asked if David McGinty could take this question.

Mingo Marquez said he has already had the lock removed.

David McGinty said never felt the dock should have been locked to begin with but when they let someone dictate EDC Policy via social media, there is a problem.

Jeff Pena said the discussion should be had now. Jeff Pena said there is a liability to that space. Jeff Pena said he feels it should have been closed the entire time and for that matter the entire EDC property should be fenced in.

Chris Duncan said this discussion is not on the agenda.

Executive Director Committee:

Jeff Pena asked the Executive Director discussion be added to the next meeting agenda.

Marketing Subcommittee:

Mingo Marquez said there is a group interested in painting a mural around the city and he will be getting with the marketing committee about this more.

Melanie Oldham asked if the board will have any say on the theme of the mural.

Mingo Marquez said the group seems open to suggestions and the business owner would have to have some say as it is their wall.

Mingo Marquez said there will be a meeting on Thursday and he will have more to update after this time.

Way Finding Signage Committee:

David McGinty presented photos of the current way finding signage as well as the proposed new designs. David McGinty said the Penny Electric bills will cause this to exceed the project budget once the signs are completed. David McGinty said he also feels the signs need minor landscaping work to draw attention to them.

Melanie Oldham said the signs look great.

Mingo Marquez said he was shocked at the price of the signs and he expected it to come in closer to \$100,000.

Shonda Marshall asked the marketing committee if they have made any headway with the website.

Mingo Marquez responded no.

Melanie Oldham asked if there was a timeline on the website.

Mingo Marquez said this has not been discussed but they will meet and update at the next meeting.

IX. Board Comments

1. President Mingo Marquez:

Mingo Marquez said the downtown building have received estimates and will provide them at the next meeting.

Melanie Oldham asked what the plan was for the EDC buildings if they will be leased out or selling.

Mingo Marquez said they will be fixed up and leased out by the EDC.

Mingo Marquez thanked everyone for their hard work and requested a report at the next meeting for the Skinner St. property.

Mingo Marquez said Kaytee Ellis is the EDC assistant. She has one boss but everyone is going to her directly and giving her tasks. Mingo Marquez said if the board wants to ask her to do something, requests should go through him. Mingo Marquez said he does not feel she need to have seven people giving her directives

Melanie Oldham asked Mingo Marquez to allow Kaytee Ellis to order bookshelves to help with filing.

Mingo Marquez instructed Kaytee Ellis to purchase shelves. Mingo Marquez said there is already a budget allocated for furniture.

Shonda Marshall asked when the next TIRZ meeting is to be held.

Tim Kelty said he received an email asking for direction. Tim Kelty said Jeff Pena was going to assign a subcommittee to gather information for the report.

Melanie Oldham said the EDC copier/printer is in bad shape and asked if this was included in the budget.

Chris Duncan said this is not on the agenda.

2. Vice President Josh Mitchell:

Josh Mitchell said he is appreciative of all the questions and concerns. Josh Mitchell said he wanted to point out that five of the board members were appointed in the last two years so there is a learning curve. Josh Mitchell said he is looking forward to seeing how the fish market ends up as well as what Gensler can come up with to fit the City.

Shonda Marshall asked when the Market should open.

Jeff Pena said they are waiting for the plans for that space but are shooting for June 1, 2022.

3. Secretary David McGinty:

David McGinty said he appreciates all the discussion tonight. David McGinty said the board does not always agree, but they find a way to work through it. David McGinty said it is important that when work is done it needs to be performed by qualified people. David McGinty said looking at the photos provided, these were not qualified but he is not looking to argue. David McGinty suggested coming up with a policy to prevent this. David McGinty would like to see an invoice before-hand and an example of their work. David McGinty said the joints are loose, the boards are curing, and in a couple months-time it will pull the screws out and no longer be functional.

Melanie Oldham asked if the same company did the work on the dock and on the poles.

Josh Mitchell said it was two different committees.

Jeff Pena said yes it was the same company.

David McGinty said he would like to have a discussion about remediation on the property. When the metal poles were cut out, it now smells like diesel and there are brown spots on the ground.

Jeff Pena asked if there are any current reports on file.

Chris Duncan said when the EDC bought the property there was an environmental study done and the tank had been properly cleaned out.

David McGinty said the pipes running towards the pier are what are broke.

Melanie Oldham said Terracon's study stated it was a partial review.

Tim Kelty said he believes there were gas tanks underground by the dock.

Chris Duncan said there is pipeline that runs from the big tank out.

Tim Kelty said there is a concrete structure with a manhole.

Melanie Oldham said she knows poles need to be set so many feet underground.

Jeff Pena responded these are temporary poles and the whole idea is temporary until there is a developer top come in.

4. Treasurer Jeff Pena:

Jeff Pena said there was a good talk tonight in regards to cleaning up policies and procedures to provide a transparent process. Jeff Pena thanked everyone viewing live and said the EDC is under a magnifying glass now more than ever. Jeff Pena said in regards to the mobile food unit, is there a group involved with helping her.

Mingo Marquez said that Kaytee Ellis has been helping with this.

Jeff Pena said it concerns him that two businesses were heard tonight expressing their issues with Code and this needs to be worked on. Jeff Pena said he is glad to hear of a training in the working with Code and Fire.

David McGinty said an issue with Culture Coffee is the matter of a PopBox/food truck with a needed drive thru.

Kaytee Ellis added that a restriction is that is need to be on a paved space with approved parking.

Jeff Pena said he has some ideas he can share with the committee.

5. Shonda Marshall:

Shonda Marshall asked if there is any type of annual report the EDC is required to submit to the state.

Mingo Marquez responded yes.

Shonda Marshall asked when this is due and who is doing this in the absence of a director.

Mingo Marquez asked Tim Kelty if the finance department was taking care of this.

Chris Duncan said there is an annual financial report due to the state and he will check on this. Chris Duncan said there is also an eminent domain report that he files every January.

6. Melanie Oldham:

Melanie Oldham said she thinks the board had a good discussion and she appreciates the open discussion.

7. Sandra Loeza:

No comment

X. 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 9:51 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation March 22, 2022 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 551.087 (Economic and Community Development Matters) 551.074 (Personnel Matters),

- 1. Discussion on EDC Project 2022A**
- 2. Discussion on EDC Project 2022B**

Reconvene into Open Session

Board President's statement:

It is now 10:00 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session.

XI. Discussion and Possible Action

- 2. Discussion and possible action on EDC Project 2022A**
No action
- 3. Discussion and possible action on EDC Project 2022B**
No action

XII. Adjourn

Motion to close board meeting made by Jeff Pena and seconded by Shonda Marshall. **Motion passed** unanimously.

It is now 10:01 p.m. and I hereby close the board meeting.