

I. Call to Order

Mingo Marquez called the meeting to order at 7:04 PM. A quorum was present. David McGinty was absent.

II. Invocation and Pledge

Shonda Marshall led the invocation and Jeff Pena led the pledge.

III. Citizens Comments

George Matamoros said he is present to speak on the actions of the board president during the last meeting. George Matamoros said he was called a liar about the comments he made on the Open Meetings violation in April. George Matamoros said when he asked the attorney general if when one citizen speaks on an agenda item, can another resident speak on the same item. George Matamoros said this is where the violation occurred and the Attorney General did agree a violation had occurred. George Matamoros urged the board to go back and view the Facebook live where this occurred and he asked that it be remedied.

Sam Reyna said he would like to speak on Item 6.

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 7:08 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation May 25, 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) 551.071 (Consultation with Attorney).

1. Discussion and legal consultation regarding project 2022C.

Reconvene into Open Session

Board President's statement:

It is now 8:20 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 Project 2022C

No Action

VI. Consent Agenda

1. Approve Meeting Minutes for May 10, 2022

Josh Mitchell made a motion to approve the consent agenda. Jeff Pena seconded. **MOTION PASSED UNANIMOUSLY.**

VII. Discussion & Action Items

1. Discussion and take possible action on reorganizing and possible consolidating EDC subcommittees -Melanie

Mingo Marquez said he thought the board would be waiting until reappointments were made to the board to do reassignments to subcommittees.

Josh Mitchell made a motion to table. Jeff Pena seconded. **MOTION PASSED** unanimously.

2. Discussion and possible action to have detailed summary reports from each EDC Subcommittee- Melanie

Melanie Oldham has requested each subcommittee to provide detailed reports for each meeting but due to the time restraint of the meeting she would like to table.

Mingo Marquez said he agrees with what Tim Kelty suggested at the last meeting for each subcommittee to submit a written report to be added to the packet for each meeting.

3. Discussion and possible action on Gardner Campbell/EDC Property Agreement -Josh

Josh Mitchell said to his understanding, Mr. Campbell is looking to purchase a piece of EDC property according to an agreement made with the previous EDC board.

Gardner Campbell asked if the board had any questions. Gardner Campbell said this is the last piece of property in the agreement. He stated he has received a permit as required by the contract and will sign a check for \$5000 to the EDC at the time of the deed signing. Once this is done, he will proceed with building the last house in the agreement.

Mingo Marquez asked for questions or a motion.

Josh Mitchell made a motion to issue a deed for the property to Gardner Campbell in exchange for \$5000 in accordance with the agreement. Melanie Oldham seconded.

Jeff Pena asked Chris Duncan if the parameters of the contract have been met.

Chris Duncan said this is correct, they have all been met.

Jeff Pena asked if there are any performance agreements or claw backs the board needs to be aware of.

Chris Duncan said no there are not.

Gardner Campbell said to finish the total agreement, he has to follow through with the actual building of the home. Gardner Campbell said he has every intention of finishing the project and the pilings for the home take about 6 months to come in.

Chris Duncan said the home has to cost at least \$160,000 without the land.

Jeff Pena asked about transferability of the property. Can Mr. Gardner sell the property and someone else build the home or does he need to be the one to build it.

Gardner Campbell responded he needed to be the one to build the home.

Shonda Marshall asked where the homes were located.

Gardner Campbell responded they are behind Girouard's.

Mingo Marquez called for a vote. **MOTION PASSED** unanimously.

4. Discussion and possible action on adding Zoom Prospector to Website - David/Melanie

Melanie Oldham said Zoom Prospector was previously had on the website and it showed EDC property as well as other available properties around town. Melanie Oldham said this was set up by Courtland Holman and after doing research, the bill was due for this in November. Melanie Oldham said during a recent webinar with the TEDC it was asked if Zoom prospector was a good tool for the EDC and they said yes it definitely is. Melanie Oldham said they asked about loop net and they suggested Zoom Prospector instead. Melanie Oldham asked Kaytee Ellis to update further.

Kaytee Ellis said she received an email on Friday stating Zoom Prospector was never cancelled and the only reason these services are not active on the website now is because the bill is severely past due and was due in September.

Jeff Pena said in the spring of 2021 the board deliberated on this issue and retail strategies confirmed that loop net was the preferred program. Jeff Pena said the board decided not to continue with Zoom Prospector. Jeff Pena said if the previous executive director did not follow through with the cancellation, this is something that needs to be negotiated.

Melanie Oldham said LoopNet is good for brokers but Zoom Prospector is good for everyone from the public to developers. Melanie Oldham said there are also a lot of hidden fees in the LoopNet and this was discussed with the Texas EDC.

Kaytee Ellis said she did speak Zoom Prospector in regards to the lack of use, and they did state that it was still active on the website, however the property listings were deactivated.

Kaytee Ellis told the board she did check this herself and the zoom prospector system is on the EDC website but shows no available properties.

Chris Duncan asked where the invoices have been going.

Kaytee Ellis responded they were going to Courtland's email as well as an incorrect email address for herself and was finally relayed on Friday through Mr. Kelty.

Melanie Oldham said this is a bad look because if anyone gets on our website, it shows there are no available properties.

Jeff Pena said Zoom Prospector is a good tool, but LoopNet is better. Jeff Pena said LoopNet is cheaper and has a much larger reach.

Melanie Oldham reiterated the experts from Texas EDC recommend Zoom Prospector and most EDC sites use this. Melanie Oldham said again LoopNet may be cheaper initially but there are a lot of hidden fees.

Mingo Marquez asked why we would pay for a service when our website already has a property tool that we are paying for.

Kaytee Ellis responded the website feature is posted only on the website, while LoopNet or zoom prospector will list them all of the internet.

Shonda Marshall said this was asked during subcommittee and she feels they need the extra services. Shonda Marshall said she would like to see the cost of LoopNet as well.

Chris Duncan said he is disturbed by the start of the conversation saying we owe a lot of money to Zoom Prospector and we have not been using the service. Chris Duncan said he needs to review the contract and get down to the bottom of the bills before moving further.

Jeff Pena asked to get a cost comparison with LoopNet.

Kaytee Ellis asked if Jeff Pena had a copy of the previous cost to share with her.

Jeff Pena said he does not but it is probably in the minutes but may not be relevant.

Shonda Marshall asked for not only a cost comparison but a product comparison.

Melanie Oldham said for the last 8 months it looks like there are no properties available and her question is what happened.

Mingo Marquez said exactly nothing as happened. Just like the window scaping budget was voted 2 years ago and nothing has been done and it took the fountain two and a half years.

Melanie Oldham said there was also \$9000 approved for a beach sign and noting has been done.

Shonda Marshall said the board is getting off track.

Josh Mitchell agreed.

5. Discussion and possible action on Social Media Campaign -David

Kaytee Ellis presented the social media campaign that is presented in the packet. Kaytee Ellis said this would be a local business of the week feature on Facebook or other social medias. Kaytee Ellis said the businesses can be chosen at random or on a nomination basis. Kaytee Ellis said this would promote a business daily and help utilize the EDC's Facebook page to boost local businesses and bring new faces into the City. Kaytee Ellis said there a lot to be discovered here in Freeport, we just have to push it out.

Jeff Pena said he thinks it is a great idea and would suggest promoting those who have received EDC Grants first and foremost.

Josh Mitchell said he loves the idea and would like to open it to all social media platforms.

Mingo Marquez said it is an awesome idea but he wonders if a week is long enough. Mingo Marquez said he would also like to set a budget to boost the post and suggested \$25 per week.

Josh Mitchell made a motion to approve the social media campaign with a \$25 per week budget. Shonda Marshall seconded.

Jeff Pena said he wants to be clear the process is extended to just grant recipients in case a business comes forward and wanders why they are not picked.

Mingo Marquez said there are only a handful of grant recipients so we would use those first.

Jeff Pena suggested cycling through the grant recipients.

Kaytee Ellis suggested using grant recipients first and then the following weeks use other businesses at random.

Josh Mitchell said these details will be worked out with the marketing committee.

Mingo Marquez called for a vote. **MOTION PASSED** unanimously.

6. Discussion and possible action on McBride Funeral Home Grant Extension -Josh

Sam Reyna said he is present on behalf of McBride Funeral Home and is requesting an extension due to having trouble getting permits.

Jeff Pena asked how long of an extension.

Sam Reyna said at least until September or 90 days. Sam Reyna said they found out this week they will need a new air conditioning unit.

Jeff Pena made a motion to give a 90-day extension to McBride Funeral Home. Josh Mitchell Seconded. **MOTION PASSED** unanimously.

7. Discussion and possible action on Texas Rivers Distilling Grant Extension -Josh

Donald Miller said he is here to ask for an extension on their grant application. Donald Miller said they are making progress but due to needing to add water lines for the sprinkler system, they have not been able to complete their work on the parking lot. Donald Miller said they are shooting for completion by July 1st and aging for an extension to August 1st,

Josh Mitchell made a motion to give a 90-day extension to both grants for Texas Rivers Distilling Co. Melanie Oldham seconded. **MOTION PASSED** unanimously.

8. Discussion and possible action on Mist Lounge Grant Application -Mingo

Mingo Marquez said Mist Lounge has applied for sprinkler grant of \$60,000 and a sign of \$9699.

Josh Mitchell said he would like to clarify the sprinkler cap of \$25,000 and \$3,500 for the sign.

Mingo Marquez made a motion to approve he grant for \$25,000 towards the sprinkler and \$3500 towards their sign. Seconded by Shonda Marshall.

Jeff Pena asked the total square footage of the space.

Mist Lounge responded 2700.

Chris Duncan reminded the board to set performance agreement standards.

Mingo Marquez said they would need to be open within 90 days and open for one year.

Mingo Marquez asked if they own other businesses and if these have sprinkler systems and their occupancy.

Ariana Flores responded yes, the Lounge is 300, Wings over Texas 100+, Backyard Patio 100+, Downtown Tacos is 45-50. None of these other businesses have required sprinkler systems.

Mingo Marquez asked the occupancy of Mist Lounge.

Ariana Flores responded 100. Ariana Flores said the Fire Marshall said they were over capacity by 20 people to need a sprinkler.

Chris Duncan asked if they were already open and operating.

Ariana Flores responded no they cannot open until they have a sprinkler.

Chris Duncan asked if they are serving alcohol.

Ariana Flores responded yes.

Jeff Pena said he is worried about the 20 additional people and if it made sense to stay under 100 people.

Ariana Flores said she would like to extend her storage area to cut down on her space and occupancy versus installing a \$60,000 fire sprinkler.

Jeff Pena suggested looking into expanding the store to avoid installing the sprinkler system.

Mingo Marquez called for a vote. **MOTION PASSED** unanimously.

9. Discussion and possible action on Daly Liquor Grant Application -Mingo

Kyle Devine introduced himself and Coy Matula. Kyle Devine reviewed his grant request with the board.

Jeff Pena asked where they would be located.

Kyle Devine responded right beside Western Auto.

Jeff Pena asked if they would need a sprinkler system or if they have acquired the necessary permits.

Kyle Devine responded yes. Kyle Devine said the plan is to have a package liquor store inside the building and then a food truck permanently installed in front with outside seating.

Chris Duncan asked if there will be alcohol consumption on the premises.

Kyle Devine responded no there will not.

Josh Mitchell made a motion to approve the facade for \$8481.69, the sign for \$650 and the property improvements for \$6565.67. Melanie Oldham seconded.

Jeff Pena asked the plan for the facade as they have already started work.

Kyle Devine said installing windows, a door and applying logos

Jeff Pena said he notices the façade is under construction so is the board willing to approve this grant.

Mingo Marquez said their request stated that this part was already completed and the amount for the work already done was not included.

Kyle Devine said they had already started work on the building before they were introduced to the EDC and made aware of the assistance they could get. Kyle Devine said they had only put up the wall and once they realized this, they stopped all work.

Sandra Loeza asked the name of the business.

Kyle Devine responded Mom's Liquor

Mingo Marquez called for a vote. **MOTION PASSED** unanimously.

10. Discussion and possible action on expanding the PopBox Project-Mingo

Tabled by Mingo Marquez.

VIII. Subcommittee Updates

TRAINING:

Shonda Marshall said there was a webinar since the last meeting. The training was over open meetings and open records and the documents from that are on print. Shonda Marshall said one thing she has asked Kaytee to do is to create a training binder with all of the information she gets on webinars and presentation. This will be available in the office. Kaytee Ellis can make a list of all of the trainings in the binder to start an EDC training library. Shonda Marshall said there will also be a webinar this Wednesday over TIRZ.

Mingo Marquez asked if this TIRZ webinar will be recorded.

Kaytee Ellis said she would check but she believes it is.

Shonda Marshall said the training committee has also set a date to have a training with the building department on June 9th at 6:00.

WEBSITE:

Melanie Oldham said the committee has met with Kaytee and gone over the option for the website. Melanie Oldham asked Kaytee Ellis to go over the website.

Kaytee Ellis said she did not have that information with her as it is not on the agenda, but the current website is very restricted and very dated. Kaytee Ellis said she will have it on the agenda for the next meeting and present more.

DIRECTOR:

Melanie Oldham asked for an update on the Mike Barnes Contract.

Mingo Marquez said he reached out the following morning and sent the contract to Chris Duncan.

Chris Duncan said he made a few small changes and has sent it back to Mike Barnes to sign.

Mingo Marquez said the board needs to start thinking about what qualities they are looking for in a director and send this to the committee.

IX. Board Comments**1. President Mingo Marquez:**

Mingo Marquez thanked the board members for their work. Mingo Marquez said a lot of people have a lot of ideas and the board needs to move forward with the projects already budgeted.

Mingo Marquez said the grant project has really taken off and he wants to help make sure the businesses that are here really take off and stay in business.

2. Vice President Josh Mitchell:

Josh Mitchell said to keep Uvalde in mind and everyone still in school in your thoughts and prayers

3. Secretary David McGinty:

David McGinty was absent.

4. Treasurer Jeff Pena:

Jeff Pena said he wanted to thank everyone for attending meetings and he agrees with Shonda that it takes a lot of work and everyone is giving a great effort.

5. Shonda Marshall:

Shonda Marshall said she knows there is a possibility the board may change within the next month and she wants it on record that she really enjoys working with the board now. Shonda Marshall said the board takes a lot of work and a lot of hours and she appreciates the work everyone is putting in.

6. Melanie Oldham:

Melanie Oldham asked for an update on the beach sign.

Jeff Pena said the subcommittee for the beach signage will be meeting next week after the holiday. Jeff Pena said the concept is the same as was presented to council. Jeff Pena said it is difficult to get renderings but the architect should have it in the next week or so.

7. Sandra Loeza:

Sandra Loeza asked why the two buildings next to subway are still vacant.

Mingo Marquez said he asked and it was rumored Pizza Hut has a contract that is still ongoing.

Sandra Loeza asked if there was an update on Churches chicken.

There was none.

Sandra Loeza said she had a good remark on the code enforcement department. She got a note on her door for having a nice yard and she felt that was a nice gesture and they need to keep it up.

X. Adjourn

Motion to close board meeting made by Jeff Pena and seconded by Josh Mitchell. **Motion passed** unanimously.

It is now 9:42 p.m. and I hereby close the board meeting.