

III. Citizens Comments

Melanie Oldham said she resides at 922 w 5th street. Melanie Oldham said she attended the city council meeting and they allow visitors to speak at the start of the meeting and then again on each and every agenda item. Melanie Oldham said she attended the port commission meeting and they also voted and approved to allow the public to speak during citizen comments and on each and every agenda item because it shows they are completely open and transparent. Melanie Oldham encouraged the board to follow their example. Melanie Oldham said is in favor of the business improvement grant program but she is concerned that all three building on the agenda tonight are owned by the same family. Melanie Oldham said Percival Beacroft owns the building in question tonight, Outriggers Bar and Grill building, and the Port Café building. Melanie Oldham said she would like the board to take this into consideration. Melanie Oldham said she would like to comment on agenda item 8, policies for the EDC attorney and she believes the board needs to have a serious discussion on Open Records requests and this process has gotten harder. Melanie Oldham said the request goes to Kaytee Ellis, EDC Assistant, who then send them to Chris Duncan and he decides if he wants to provide the information or not and send to the Attorney General and the process can be drug out for 55 business days. Melanie Oldham said she thinks the board needs to set standards. Melanie Oldham said when she was on the EDC, she asked for five months for the EDC Attorney to give updates on the EDC lawsuits and this never happened. Melanie Oldham said she thinks that when a board member asks the attorney for information, they should be given that. Melanie Oldham said she appreciates that Mingo and David had put discussion for EDC lawsuits in the public.

IV. Consent Agenda

1. Approve Meeting Minutes for July 12, 2022

2. Approve Invoices

3. Approve June Financial Statement

Sandra Loeza asked why there were two checks to McBride Funeral Home.

Cathy Ezell responded there was a typo on the original check.

Sandra Loeza asked what Patti's Partnership was.

Cathy Ezell responded this was CivicPlus.

Shonda Marshall asked how invoices are coded.

Cathy Ezell responded by herself and Kaytee Ellis using a premade list of corresponding codes.

Mingo Marquez asked about the decline in revenue and asked if it would be made up.

Cathy Ezell responded yes, they will recover, especially with the back-to-school season.

Ken Tyner made a motion to approve the consent agenda. Josh Mitchell seconded.

MOTION PASSED UNANIMOUSLY.

V. Discussion & Action Items

1. Discussion and possible action on 2021-2022 Budget Amendment

Cathy Ezell said there are a few line items that are over budget; professional services, marketing, and electricity. Cathy Ezell explained professional services was not allotted any funds in the initial budget but this is where the mowing services and the Kelly contract are paid from. Cathy Ezell said that Kaytee Ellis did find things mis allocated in the marketing budget but she would still recommend to make the change just to be safe.

Mingo Marquez asked if the \$5000 to marketing would be enough.

Cathy Ezell responded yes. Cathy Ezell told the board they had a line item for \$600,000 for debt services and this money was not needed. Cathy Ezell said her recommendation is to pull funds from this account to cover the deficit. Cathy Ezell said if the board chooses to approve the amendment tonight, it will go before council at the next meeting.

Josh Mitchell made a motion to adopt the budget amendment. Shonda Marshall seconded. **MOTION PASSED UNANIMOUSLY.**

2. Discussion and possible action on 2022-2023 Budget

Tabled by Mingo Marquez.

3. Discussion and possible action on Billfish Classis Sponsorship

Mingo Marquez said this event has gone on for a few years and brings visitors from all over Texas and other states. Mingo Marquez said its nice to see the visitors come in and eating at our restaurants and staying at our hotels. Mingo Marquez said with the sponsorship, the EDC will be featured in a video they do of the event.

Mingo Marquez made a motion to sponsor the Texas Billfish Classic in the amount of \$2500. David McGinty seconded. **MOTION PASSED UNANIMOUSLY.**

4. Discussion and possible action on 3 Sisters Boutique Grant

Mingo Marquez said 3 Sisters is going in to the historic Tobey Hardware building and they were previously in the mall. They are looking for help with their sigh, ceiling, a/c, and window wrap.

Sandra Loeza asked if they currently have a lease on the building.

James McDonald responded yes; they have already put in a good amount of work but the biggest issue is the A/C in the building is trash.

Sandra Loeza quested the lease stating September of 2021.

James McDonald said yes that is correct, they had an illness in the family that halted work for a little bit.

Ken Tyner asked what their rent is for the building.

James McDonald said \$1000.

Chris Duncan asked if he was leasing both floors

James McDonald responded no, just the first floor.

Chris Duncan asked how many square feet the building is.

James McDonald responded about 4300.

Sandra Loeza asked what they would be selling.

James McDonald said they when Justice went out of business, they bought out every store in the state of Texas and they order wholesale.

Mingo Marquez made a motion to approve the grant request for 3 Sisters Boutique in the amount of \$9,044 with a stipulation of 6 months to open. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY.**

5. Discussion and possible action on Barcadia Grant

Mingo Marquez said Barcadia consists of the arcade and Pop's Pizza and has invested about one million dollars into the business in the past two years. The facility is 13,000 square feet and their biggest issue is keeping the building cool. Their electricity bill is about \$10,000 a month and they are hoping to add some window tinting also.

Josh Mitchell made a motion to approve the grant request from Barcadia in the amount of \$6397. Sandra Loeza seconded. **MOTION PASSED 6-0; David McGinty was absent during the vote.**

6. Discussion and possible action on Stop N Shop Grant

Mingo Marquez this is where the old Rook's corner store was; the building is needing some interior and exterior work. Mingo Marquez said they are also wanting to add a mural along the side of the building and a new sign. Mingo Marquez said the total grant he is seeking is \$17,294. Mingo Marquez said there is an item in the request for \$25,000 but Mr. McDonald is aware of the \$10,000 cap.

James McDonald said the mural would state "Sponsored by the EDC"

Sandra Loeza asked what they would sell in the store.

James McDonald said it would be a regular corner store plus coffee. James McDonald said he is looking to add a sort of Bodega style to sell deli sandwiches. James McDonald said he would like to eventually add gas pumps back to the store as well.

Ken Tyner asked James McDonald how much money he spends on advertising.

James McDonald said he spends about \$2500 a month on Facebook ads alone.

Ken Tyner said he likes the mural shown, but he wants to be mindful of how many are going around town and does not want the city to end up covered in them.

Shonda Marshall asked James McDonald if he was a member of the local chambers.

James McDonald said he is a member of the Brazosport Chamber of Commerce and was formally a member of the Brazosport Hispanic Chamber of Commerce but is no longer a member.

Sandra Loeza made a motion to approve the grant request for Stop NS Shop in the amount of \$14750 with a stipulation of 6 months to open. Josh Mitchell seconded.

George Matamoros asked if there would be a performance agreement.

Mingo Marquez responded yes

George Matamoros asked if there would be enough funds left over for the MEGA Grant.

Mingo Marquez said there would be \$27,000 left if this is approved. Mingo Marquez asked George Matamoros to speak with Kaytee about the issues with the one mega grant applicant.

MOTION PASSED UNANIMOUSLY.

7. Discussion and possible action on VT Enterprise Contract

David McGinty said next month will be time to renew or get a new mowing contract.

Van Tomlinson presented his lower rates and asked for a 5-year contract in exchange. Van Tomlinson said he added a section that states properties may be added or removed as the EDC sells or purchases.

David McGinty said he is still waiting on one bid and will fill in the board next month.

Shonda Marshall asked if the timeline for the bid he is waiting on is the same five years.

David McGinty said he did not know because he does not have the bid yet.

Chris Duncan said he wanted to remind the board that they are not required to go out for a bid, but typically they bid is advertised for the same specifications, for example, one year or five years.

Mingo Marquez said a few months back, the board passed a rule that three bids were needed for all projects.

David McGinty said this would be a no action item tonight but he wanted to provide an update.

Shonda Marshall asked if the board does approve the 5-year contract, could they add a review every year to make sure all expectations are being met.

8. Discussion and possible action on Policies for EDC Attorney

George Matamoros said he put this on the agenda mainly for the performance agreements as there has been a delay in getting these in a timely manner so that we can hand over payment to the grant recipient. George Matamoros said he had asked Kaytee Ellis for copies of the agreements and as he was going over them, they are pretty much a fill in the blank type form. George Matamoros said this was brought up with the delay in getting General Work their payment. George Matamoros said he would like to create a policy to ensure these documents are received in a timely manner. George said he first wants to talk about the economic development agreement and he has three copies available to him, he would like to propose a three-business day timeline for the grant agreements. George Matamoros said he feels like this is sufficient time as names and dollar amounts are all that appears to be changing. George Matamoros said other documents such as notices of public hearing and resolutions to be published should also fall under a three-business day limit. George Matamoros said for a standard agreement, he would like to be a little more lenient and give a 10-day limit, with keeping in mind back a fourth discussion and meetings with council. George Matamoros said he would like to add a zero-tolerance policy for these timelines where the EDC could look into immediate action up to termination. George Matamoros said he is also concerned about the timeline for public information requests. George Matamoros said he has heard from multiple citizens who are upset with the amount of time it takes to get their information.

Chris Duncan said he would like to address these issues. Chris Duncan said in regards to public information requests, there seems to be some confusion. Chris Duncan said when a public information request is submitted, sometimes there are items that are protected and require confidentiality. So, the EDC has a legal duty to raise the concerns. Chris Duncan said the rule is not you have ten days to provide the document, the rule is you have 10 days to request an attorney general opinion. Chris Duncan said the rule is that you must produce the document unless there is an attorney general opinion saying we do not have to produce the information. Chris Duncan said the EDC has a great deal of provide and confidential information that cannot be shared with the public and going through this information can be a very time-consuming process. Chris Duncan said in April, there was a request that involved over 3000 emails over the last 3 years and it is the duty of the EDC to keep this confidential, but can only be done so with the permission of the attorney general. Chris Duncan said Melanie Oldham said it took 55 days to get a response and indicated that this was something I did. Chris Duncan said Melanie Oldham's request was for his bills. Chris Duncan said he does itemized billing and there

are a number of items pertaining to litigation for the City of Freeport and we do not want that information to get out. Chris Duncan said these bills were sent to the Attorney Generals office said these are the items we would like to exclude; do we have your permission. Chris Duncan said another thing you can do is ask for a request for clarification to help refine your request.

Sandra Loeza asked Chris Duncan, using the example he just gave when you have to send something to the attorney general, can you give a reply to that person requesting the information to show you are working on it.

Chris Duncan said there is an automatic response sent to that person. Chris Duncan said with regard to the agreement's deadline, he is open to having deadlines but he would like to know what happens when they are waiting for information or there is deliberation.

Mingo Marquez said there are a lot of times when all of the information is not being given and it makes it difficult to get things done on time. Mingo Marquez said he works full time and still spends 2-3 hours on EDC things and as a volunteer, he doesn't expect any deadlines put on him. Mingo Marquez said Kaytee Ellis get paid to sit in the office and do these things. Mingo Marquez said he doesn't like the idea of timelines being put on anyone, especially board members.

Tim Kelty asked if the 10-day guideline for the information request just refers to a response of any kind, not the documentation has to be provided within 10 days.

Chris Duncan said this is correct.

George Matamoros said there is no animosity in creating this policy, his issue is the delay in getting payment to the grant recipient. George Matamoros thought it took more time than necessary to get them their reimbursement. George Matamoros said he is also a volunteer and he is full time employee. If he does not do his job correctly, it can cost his company millions and he would lose his job. George Matamoros said this is a smaller issue, but there should be policies in place.

Shonda Marshall asked Chris Duncan what a reasonable timeline for getting performance agreements for the grants.

Chris Duncan said typically the grant is approved at the meeting, he then gets the information from Kaytee Ellis with the grant information, then he prepares the document and if everything goes smoothly, it should be completed within three business days. Chris Duncan said this should not be a problem but things can and do happen to prolong the process.

Mingo Marquez said waiting two weeks for a check should not even be an issue.

George Matamoros said it was over a month,

Mingo Marquez said even still, the grants are free money and people shouldn't be complaining about the time it takes to get free money. Mingo Marquez said himself and Josh Mitchell are both at work the time that Kaytee Ellis is at work and it is difficult to get free to go up to the office to sign checks. Mingo Marquez said it is ridiculous to even be having this conversation.

George Matamoros made a motion to create a policy for the EDC Attorney to have grant agreements proved to Kaytee Ellis within three days of approval with a zero-tolerance policy. There was no second.

9. Discussion and possible action on the addition of Audio Eye to Website

George Matamoros said this was brought up at the last meeting, this is to make our website ADA Accessible. George Matamoros said there is some information provided in the packets and shows the cost of \$3500.

Mingo Marquez asked if this was a third party or if it would be an add on.

George Matamoros responded this is an add on but provided by CivicPlus.

Sandra Loeza asked if other cities have this on their website.

Mike Barnes said he knows of none other than offer this.

Mingo Marquez asked if the city has this on their website.

Tim Kelty Responded no.

Mike Barnes asked if CivicPlus will provide the defense if there is an ADA complaint and some sort of litigation.

George Matamoros responded yes.

Kaytee Ellis said she would like to add that this service is on may websites but most people aren't aware of what it actually does. Kaytee Ellis said the website will display a little blue figure down at the bottom of the screen. You can touch this icon and it will read or adjust the page accordingly, however most of their services are performed on the backend.

Chris Duncan said the contract states \$3500 for 12 months and it shows a charge for so many text messages.

Kaytee Ellis said that is for a separate agenda item not Audio Eye.

Shonda Marshall said from experience she can tell when the website is accessible. For example, when she goes to the city website to read the agenda, there is a lot of mumble jumble or just saying image, image, image. Shonda Marshall said this feature would fix that and it would read the screen to her. Shonda Marshall said this feature does make a difference.

Mingo Marquez asked if this would correct the past minutes.

Kaytee Ellis said this will go back through everything on the website and bring it up to code, including descriptions for images. Kaytee Ellis said this adjusts for colorblindness as well and will adjust the colors of the screen.

George Matamoros made a motion to approve the purchase of Audio Eye for the EDC website in the amount of \$3500. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY.**

10. Discussion and possible action on EDC Newsletter

Josh Mitchell said he was brainstorming ideas to market the positive work the EDC is doing. Josh Mitchell said he was initially wanting to mail out the newsletter to all residents but would like to look into this a little more.

11. Discussion and possible action on Mass Communications Service (ex: Constant Contact, Simple Texting)

Josh Mitchell said he spoke with Kaytee Ellis and there is a spot on the website for text alerts and we are already paying for a similar service.

12. Discussion and possible action on EDC Litigation Update

David McGinty said he would like to get a current updated list of all ongoing lawsuits with the EDC to clear the air and any rumors going around.

Chris Duncan said the EDC is currently involved in two lawsuits one is with A&T and one with Realty World. Chris Duncan said the first is Freeport A&T who was looking for investment opportunities. In March of 2019 they had shown interest in developing the property by the old community house, the end of the river by the park, and the EC property. The proposed building a hotel at the end of the river, residential housing and the community house with a private club, and a mixed-use development on the EDC property with a hotel, condos and retail space. Chris Duncan said they have an agreement with a set amount of time to come back with a proposal for the three, 90 days. After the 90 days there was 60 days to discuss and try to reach an agreement. Chris Duncan said this was the entirety of the agreement and there were no guarantees. Chris Duncan said they did put together drawings and plans. September 30, 2019, they presented a proposal and asked for all of the land up front, they wanted to be able to change the plan however they wanted for three years, they wanted the city to pay for a large part of the project. They asked to reroute the levy and build a concrete wall, and they wanted to do the project in phases where they build the homes first and then get to retail and commercial. Chris

Duncan said at this time, the EDC's focus was the property downtown and retail. Chris Duncan said there are emails attached from former EDC Executive Director, Courtland Holman expressing his concerns with the project. Chris Duncan said the 60 days period then ran out with no action and the agreement had expired. Chris Duncan said he also attached minutes from a meeting on October of 2020, well past the 60-day term, voted unanimously by the EDC Board to cut ties with the project. The EDC then sent a letter to inform A&T of this decision. Chris Duncan said there has been a lot of rumor and conspiracy going around and he would assert any discussion is just bs and hurts the EDC. Chris Duncan said anyone in the public who believes they were shafted, has not read these documents and does not know the facts. Chris Duncan said he will discuss where the lawsuit stands during executive session. Chris Duncan said the second lawsuit is with Realty World. Chris Duncan said the EC executed an agreement with Realty world to build six houses, the EDC sold them the lots for \$500 each, they were to build the infrastructure and then turn the infrastructure over to the city for maintenance. Chris Duncan said the EDC took the business at their word in saying they had enough money for the project. The EDC gave them six months to build the road and it did not happen. Realty World got money from a friend to build two houses, they missed the deadline and asked the EDC for more time. They started to build the first two houses but did not finish and then got money from someone else to start building two more houses. The EDC was worried that they were not meeting deadlines. According to the finance companies, they gave Realty World enough money to build the road and all of the houses. Chris Duncan said the EDC extended their time period three to four times and each time they violated the contract. Chris Duncan said he had them sign an agreement saying they defaulted the contract two or three times stating they were in the wrong. They never completed the job. The contract stated they needed to be bonded to protect the EDC and they did not follow through and get a performance bond. Chris Duncan said the company eventually just took the money and left.

Tim Kelty asked what was the remedy under the contract.

Chris Duncan said there were two things, if you don't perform then the property the EDC sold you, comes back to the EDC and if you refuse to sign those documents, the EDC can go to the judge to get the deed. Chris Duncan said they got about \$500,000 from each finance company. The finance company went to get the land to recover their money when they found out the land defaults to the EDC. Chris Duncan said they would like to get the property back to recoup some of their losses and they are claiming the City of Freeport red tagged and shut them out of the job, preventing them from completing their job.

Chris Duncan said he wanted to tell the board that as board members if they ever have questions, they can call him and he can go over the facts with them because it is best to avoid talking about lawsuits with the public. Chris Duncan said he would like to divert any questions to executive question.

13. Discussion and possible action on Business Retention & Expansion Program

Shonda Marshall told the board there is a copy of a PowerPoint in their binders to give background information on business retention and expansion. Shonda Marshall said a BRE is the foundation of a solid EDC. Shonda Marshall said you want to have a good BRE so that you can expand businesses in your city. Shonda Marshall said a BRE keeps your businesses in your city, forms relationships with the businesses, and lets them know you appreciate them. Shonda Marshall said this program helps to identify if the business is having any issues and helps to make the businesses more competitive in the marketplace. Shonda Marshall said this is also a good recruitment tool for the EDC, for instance if we are trying to get a large corporation, they can reach out to these other businesses and they can talk up the City and EDC. Shonda Marshall said she and Kaytee Ellis went to Pearland and spoke with their EDC and had a conversation with Mike Barnes. Shonda Marshall said the BRE would consist of going to visit with each business for 30 minutes to an hour at least one time a year, Shonda Marshall said this would be an open conversation that would hit point of a standard survey for each business. Shonda Marshall said we would encourage partnerships with the local chambers, college, and workforce commission. Shonda Marshall said one employee should be sufficient to get out and perform one visit per year with each business and form these relationships.

Kaytee Ellis said in the board members binders, there is an example of the survey that would be performed. Kaytee Ellis said takeaways from the visit would be finding out any issues the business is having, number of employees, sales tax being paid, and vendors used. Kaytee Ellis said she would then gather the information into a mass spreadsheet and look for patterns. For example, if 75% of our restaurants are using the same vendor, would we be able to get that vendor to move locally to better serve the businesses. Kaytee Ellis said with the amount of business it would require four to five visits per week. Kaytee Ellis said this goal should be very obtainable, visits should only be thirty minutes to an hour and then a few additional hours to process so it could be served by ten to twelve hours out of the week. Kaytee Ellis said one thing we would like to do is to take top contributors or top employers to lunch quarterly to help serve them better as well as one large event annually to get as many of the local businesses together. Kaytee Ellis said this would encourage community over competition and help these businesses build relationships with one another. Kaytee Ellis said she has witnessed this with the grant program when she talks to businesses and they say "I need help, but my neighbor needs it more." Kaytee Ellis said from speaking to other cities, their BRE focus is on the big employers and while she does not want to take away from that, she would like to put more focus on the small business. Kaytee Ellis said small businesses are leaving Freeport rapidly because freeport either cannot sustain them or because they do not feel wanted. Kaytee Ellis said the EDC needs to help change this and build the bridge between the business and the city, the EDC, and anyone else we can.

Shonda Marshall said the cost of the BRE program is minimal and would consist of mileage reimbursements and luncheon and event costs, resource binders. Shonda Marshall said she did propose a budget amount to the committee and that would be discussed later on. Shonda said there is a nice quote on the PowerPoint that says you do

not want to watch your current businesses walk out of the backdoor, while you are bringing business in through the front door.

Mingo Marquez said he believes the grant program has been a good start to the BRE program but he realizes how important this BRE program is. Mingo Marquez said he appreciates all of the time Shonda Marshall and Kaytee Ellis put into this project.

Shonda Marshall said no action is needed at this time.

14. Discussion and possible action on EDC Staff Job Description

George Matamoros said he added this to the agenda because after the training with Mrs. Roman and the fire Marshall, something was added to Kaytee Ellis plate and he felt bad doing it. George Matamoros said he asked Kaytee Ellis to provide her with a job description, which she did provide. George Matamoros said looking at the job description there are a lot of tasks that she has been asked to do that are not in her job description. George Matamoros said he feels it is important to update this job description that more adequately fits what she is doing. George Matamoros asked Kaytee Ellis to give a small description of the things she does.

Kaytee Ellis said she does the meeting agendas and minutes, the business improvements grant promotion and going door to door, keeps track of the sponsorship, invoice intake and tracks payments, reviews expenses in addition to Cathy, business visits to establish relationships with businesses, most recently working with Kacey Roman on EDC Property inspections, listing properties on property zoom, maintaining the comprehensive business list with all businesses information, agenda binders, website maintenance, alliance board meetings, public information requests, social media, marketing design when needed, designed logo, filing records, state RFIs, and she helps businesses relocate to Freeport or within Freeport.. Kaytee Ellis said she has done everything that she can in the absence of a director.

George Matamoros said this is a lot more than the job description and he believed there needs to be more clarification and an updated job description. George Matamoros said he understands this will change when a director is hiring but it should change for the time being.

Mingo Marquez said he knows first hand because he passes a lot of calls on to Kaytee Ellis and he knows Gina Adams sends these to Kaytee as well. Mingo Marquez said he does think this will change when we get a director and he appreciates everything that Kaytee Ellis is doing. Mingo Marquez said this was started because Courtland Holman was with the EDC and needed an assistant.

Sandra Loeza said she would like a copy of the job description as she has never seen it before.

Josh Mitchell said he thinks there is a more up to date version.

Kaytee Ellis said if there is another job Description she was never informed and has not seen it.

Shonda Marshall said when Kaytee Ellis was hired with the EDC they came up with a job description and Kelly services maybe abbreviated it. Shonda Marshall said the position was supposed to be clerical in nature and has evolved due to the needs and the board did not realize how busy the office would become and how many tasks she would need to take on. Shonda Marshall said she would like to leave this up to the director as to what her job description would be.

Mingo Marquez said he agrees that this should be left to the executive director.

VI. Subcommittee Updates

There were no subcommittee updates.

VII. Board Comments

1. President Mingo Marquez:

Mingo Marquez said he heard a lot of great things about KidFest and thanked LeAnn with the museum for the event. Mingo Marquez said the budget committee would be meeting soon and he would get with board members to make sure their voice is included.

2. Vice President Josh Mitchell:

Josh Mitchell said he is all for transparency and to be wary of comments as they can be damaging to the city. Josh Mitchell referenced acronym “THINK” is it true, helpful, important, necessary, and kind. Josh Mitchell said he is bothered by things being said around town that are not based on any foundation of truth. Josh Mitchell said the city has a lot of promise and is continuing to grow up.

3. Secretary David McGinty:

David McGinty said KidFest was twice as big as last years and he heard nothing but good. David McGinty said he does believe there was a vote for the \$750 for the marketing event.

4. Sandra Loeza:

Sandra Loeza said she wanted to agree with George Matamoros on KidFest and she would also like to see the walk thru report for the buildings.

5. Shonda Marshall:

No Comments

6. Ken Tyner:

Ken Tyner asked if Walker Royall still owns the property by City Hall.

Tim Kelty responded yes but he believes it in a trust.

7. George Matamoros:

George Matamoros said KidFest was a great event with a great turnout and the smiles were worth the expense. George Matamoros said the kid’s logo on the back of the shirt was a nice touch. George Matamoros said he attended the Concerned Citizens of Freeport

meeting and it was brought to his attention that the expenses for the Fourth of July networking event was not voted on and there were concerns about this. George Matamoros said he was given information on this and it was stated to be a marketing event. George Matamoros asked the marketing committee why this was not voted on. George Matamoros said he has seen the reports for the EDC buildings downtown and would like to request these be put on the agenda for the next meeting.

8. Mike Barnes:

Mike Barnes said there is a dual contract going between his company and the EDC and the interim work will expire at the end of the month. The director search is sperate from this. Mike Barnes said he would be open to the pleasure of the EDC to continue his contract, or he could continue his interim.

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 9:01 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation August 09, 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.)

Executive Session

1. Discussion on Hiring of EDC Executive Director pursuant to Texas Government Code Chapter 551.074(Personnel Matters)
2. Discussion on Project 2022C pursuant to Texas Government Code Chapter 551, Section 551.087 (Economic and Community Development Matters)
3. Discussion on EDC Litigation Update pursuant to Texas Government Code Chapter 551.071 (Consultation with Attorney).

Board President's statement:

It is now 9:37 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session.

IX. Discussion and Possible Action

1. **Discussion on Hiring of EDC Executive Director pursuant to Texas Government Code Chapter 551.074(Personnel Matters)**
No Action
2. **Discussion on Project 2022C pursuant to Texas Government Code Chapter 551, Section 551.087 (Economic and Community Development Matters)**
No Action

3. Discussion on EDC Litigation Update pursuant to Texas Government Code Chapter 551.071 (Consultation with Attorney).

No Action

X. Adjourn

Motion to close board meeting made by Josh Mitchell and seconded by Shonda Marshall.
Motion passed unanimously.

It is now 9:39 p.m. and I hereby close the board meeting.