

I. Call to Order

Mingo Marquez called the meeting to order at 6:22 PM. A quorum was present.

II. Invocation and Pledge

Shonda Marshall led the Invocation and Josh Mitchell led the pledge.

III. Citizens Comments

Sam Reyna presenting a Business Improvement Grant Application to the board. Sam Reyna stated both of the signers were unable to get together and the application is missing a signature but he would get it added as soon as possible. Sam Reyna asked the board if he could submit the application as it stands and update at a later time.

Mingo Marquez instructed Sam Reyna to get with Kaytee Ellis on the other signature and she would give the application to the grant subcommittee once complete.

Sam Reyna warned the board to be careful with a TIRZ.

IV. Consent Agenda

1. Approve Meeting Minutes for January 11, 2022

2. Approve January 2022 Financial Statement

3. Approve Invoices

Cathy Ezelle informed the board of a correction to the invoices. Cathy Ezelle stated the invoice for Parade Float Supplies Now has been taken care of via the EDC credit card.

Sandra Loeza questioned the invoices from VT Enterprise asking if since the invoices say “dormant season” will the prices increase later on.

David McGinty said he would refer back to the contract.

Shonda Marshall asked if there was a policy in place for the EDC Credit card and how those invoices are approved.

Cathy Ezelle said there is not a policy in place but she can present the invoices to the board each month.

Sandra Loeza asked about the credit card usage currently.

Kaytee Ellis stated she only used the card when she had written approval. Kaytee Ellis stated the card has been used three times: for the EDC iPad, for the renewal of her notary services, and for the parade float supplies.

Jeff Pena questioned the notary renewal and if there was a board vote to approve this item.

Mingo Marquez said he instructed Kaytee Ellis to use the card for this item as it is necessary to perform her duties in the EDC office.

Mingo Marquez made a motion for the EDC to pay for Administrative Assistant, Kaytee Ellis', notary renewal. Shonda Marshall seconded. **MOTION PASSED** unanimously.

There was no further discussion.

Mingo Marquez made a motion to approve all consent agenda items. Shonda Marshall seconded. **MOTION PASSED** unanimously.

V. Discussion & Action Items

1. Discussion and possible action placing ad in Guide to Brazoria County

Josh Mitchell informed the board of the Facts' request for the EDC to place an ad in the Guide to Brazoria County.

Kaytee Ellis stated the ad included in the packet is not the proposed ad for the EDC but is a copy of last years article and ad.

Jeff Pena asked if the EDC could have input on the article.

Kaytee Ellis stated the Facts is just asking the EDC to place an ad.

Jeff Pena proposed the EDC having a full-page ad so that it would be noticed and suggested the back page.

Shonda Marshall asked what message the EDC would be wanting to portrair with the ad.

Mingo Marquez said the marketing committee would be in charge of designing the ad.

Josh Mitchell asked if the committee could have free reign to approve since it would be unlikely the EDC would beet again before the March 2nd deadline.

Mingo Marquez responded yes.

Josh Mitchell made a motion to place a full-page ad in the Guide to Brazoria County with the first choice being the back cover, second choice being the inside of the front cover, and third choice being the inside of the back cover and give the marketing committee the power to approve the final without representing to the board. Jeff Pena seconded. **MOTION PASSED** unanimously.

Melanie Oldham asked if any member could sit in on the committee with this item.

Mingo Marquez said any additional board members could send ideas to the committee but could not be a part of the discussion as to follow quorum rules.

Mingo Marquez asked to move to executive session out of those who made the drive for discussion on Project 2022A. Sandra Loeza made a motion to adjourn to closed session. Josh Mitchell seconded. **MOTION PASSED** unanimously.

VI. 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 6:50 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation February 8, 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)

1. Discussion on Project 2022A

Reconvene into Open Session

Board President's statement:

It is now 7:12 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session.

VII. Discussion & Action Items

2. Discussion and possible action on EDC Logo Contest

Shonda Marshall discussed the logo contest and asked the board to vote on the logo they preferred.

David McGinty asked where the logo would be used.

Shonda Marshall responded this logo would be used everywhere for the EDC.

David McGinty said he appreciated the effort of the students but does not think any are suitable.

Melanie Oldham said she looked them over and they do not look professional but the EDC may be able to use the idea as a base. Melanie Oldham said she visited Efran Reyes and she has copies of the logo he previously provided to the EDC.

Jeff Pena agreed with Melanie Oldham and added the EDC could use one of the provided and clean it up to make it professional as possible.

Josh Mitchell agreed.

Shonda Marshall said the art teachers were very welcoming and she felt the art teacher could help the student chosen to make the image more professional and use this as a learning experience for the student.

Mingo Marquez asked the board to write down their vote for their favorite logo.

The board agreed on logo #6 provided by Aracelli Woodard and asked to invite her to the next meeting to present her with the \$250 prize.

Sandra Loeza asked the student be invited to the next EDC meeting to present them with the prize.

Mingo Marquez said the student would be invited to the next meeting to be presented with the prize money and a certificate and then Shonda Marshall will correspond with the student and the teacher to tweak the logo to fit the EDC's expectations.

David McGinty asked if the other entries would get anything for their participation.

Mingo Marquez said yes, a participation certificate.

3. Discussion and possible action on Outriggers Bar and Grill Grand Opening

Jason Hayes informed the board that he would like to use the EDC owned dock to offer a kid fish event at his grand opening.

Jeff Pena said the agreement would be to allow Jason Hayes to use the dock with the stipulation that he would fix it up and make it safe to use for the children.

Melanie Oldham asked if the dock would be used just for fishing off of, not boat to pull up to.

Jason Hayes said right now it would just be for kids to fish from.

Melanie Oldham asked if life jackets would be needed.

Jason Hayes responded yes and he would have people supervising as well.

Shonda Marshall asked if the dock would need to be inspected after.

Mingo Marquez responded no.

David McGinty said he would like to be involved in the scope of work.

David McGinty made a motion to give Jason Hayes permission to make improvements to the EDC owned dock and use for Outriggers grand opening. Jeff Pena seconded **MOTION PASSED** unanimously.

4. Discussion and possible action on EDC Conference

Shonda Marshall said there is an EDC conference in Sugarland, TX on the 16th of February if the board is interested in attending. Shonda instructed the board to review the information in the packet.

Melanie Oldham asked if the conference offered by TEDC in Round Rock at the end of February would be an option as well.

Shonda Marshall responded yes, that information was included as well. Shonda Marshall informed the board that the conference at the end of the month

Jeff Pena asked if these trainings were targeted more for EDC Employees or board members.

Tim Kelty said there are EDC training courses available online but the EDC Training is more for a director or EDC employees.

Chris Duncan said he would recommend the EDC doing the one day in person course instead of these.

Mingo Marquez said the one-day course is not included in the packet.

Tim Kelty read a list of dates for the one-day course online. The course would be offered in Houston on October 7th.

Melanie Oldham said she would like to attend the training in Roundrock from February 22-25th.

Jeff Pena said he would like to see multiple members go together. Jeff Pena said he would like to go to Roundrock as well.

Sandra Loeza said she would like to go also depending on her schedule with work.

Mingo Marquez made a motion to allow the EDC to pay for and allow three board members to attend the EDC Basic Course in Round Rock, Tx including flight and hotel fees. Jeff Pena seconded. **MOTION PASSED** unanimously.

5. Discussion and possible action on Gensler menu

Josh Mitchell said the committee has met and would like to proceed with item #4, Boardwalk Development/Expansion Plan, on the Gensler menu.

Melanie Oldham asked if there has been any discussion on an additional study for the riverwalk development.

Josh Mitchell responded no.

Jeff Pena said the subcommittee has met and this is the more efficient method available.

Josh Mitchell said this would be the first step in a ripple effect of growth in the City.

Melanie Oldham asked if the board has looked at any of the previous studies the board has had done.

Josh Mitchell responded yes.

Jeff Pena reminded the board this is not a study; it is a plan.

Josh Mitchell said they are now just looking to purchase the boardwalk plan, not the others listed on the menu.

Sandra Loeza asked how long it would take for this to happen.

Josh Mitchell said he does not have a timeframe available but would provide one at a later date.

Sandra asked how the \$25,000 would be paid. Would it be half up front or full?

Jeff Pena said the contract could be negotiated.

Josh Mitchell said he would talk to Gensler and see if they can come present to the board.

Jeff Pena made a motion to move forward with Gensler boardwalk plan for \$25,000. Mingo Marquez seconded. **MOTION PASSED.** Josh Mitchell abstained.

6. Discussion and possible action on all pending Business improvement Grant Applications

Ann's Monogramming:

Mingo Marquez to review the application from Ann's Monogramming in the packet.

Mingo Marquez read the improvements requested in the packet.

Jeff Pena said the total is \$16,000 and the EDC would pay half.

Chris Duncan asked if the payments were perspective or retroactive.

Mingo Marquez said the work has not been performed.

Melanie Oldham asked if the way the grant is written now means she can repair her roof rather than replace the whole thing.

Mingo Marquez responded yes.

Sandra Loeza asked if it matters that her grant application is dated in September.

Mingo Marquez responded no.

Tim Kelty informed the board the sign included in her packet is not compliant with city code.

Chris Duncan suggested the board approve a dollar amount for the sign but inform her the current is not complaint and will need to be changed.

Tim Kelty said the air conditioner work has already been completed.

Jeff Pena asked the board to remove the air conditioner and the sign and proceed with only the roof repair.

Chris Duncan said the board could still approve the sign with the agreement to comply with the city.

Shonda Marshall asked who is responsible for communicating with the applicants.

Mingo Marquez responded the grant committee and Kaytee Ellis.

Shonda Marshall asked who is responsible for making sure the work is complete before the EDC issues payment.

Jeff Pena asked who did this for Sweet T's and Port Café.

Mingo Marquez said it was easy to drive by Port Café and see the work complete.

Jeff Pena said he thinks a member of the committee or Kaytee Ellis should be responsible for checking to make sure the work is complete. Jeff Pena said he also likes the idea of pictures being submitted so the board can see the improvements.

Chris Duncan reminded the board a participation agreement needs to be signed as well. For port café this meant to stay in business for twelve months. An agreement was not done for Sweet T's.

Jeff Pena suggested using the same agreement or consistency.

Chris Duncan said the agreement does not have to be the same as not all businesses are the same.

Jeff Pena made a motion to approve the grant request for Ann's Monogramming's roof for \$8,000 and sign for \$1,200 so long as it complies with City code with the addition of a signed performance agreement to stay in business for one year and a 90-day timeframe to complete the necessary improvements. Mingo Marquez seconded. **MOTION PASSED** unanimously.

Mingo Marquez said he would be reaching out to Ann's Monogramming in regards to her application.

Texas River Distilling:

Donald Miller presented his grant application for Texas Rivers Distilling to the EDC board for a total of \$12,007.69. Donald Miller stated there may be a city coding issue for the parking lot but he would like to get approval for the quote provided and then address the issue with the City.

Jeff Pena asked if the subcommittee has reviewed this application.

Mingo Marquez responded the subcommittee has not had time to meet to discuss this application but would like to be able to move forward tonight instead of waiting another month for a meeting.

Sandra Loeza asked Donald Miller if his signage was appropriate due to the issue with Ann's Monogramming application.

Melanie Oldham asked for clarification as to if a business needed to be existing or if the EDC could work off of their business plan.

Mingo Marquez responded they could be a new business with a plan.

Jeff Pena asked Texas Rivers what their projected sales are.

Donald Miller responded \$580,000 for the first year.

Jeff Pena made a motion to approve Texas Rivers Distilling Business Improvement Grant Request for a of \$12,007.69 with the EDC Paid portion of \$6,003.85. Seconded by Josh Mitchell. **MOTION PASSED** unanimously.

7. Discussion and possible action on EDC Officers – Melanie

Melanie Oldham said she wanted to add this on the agenda because on November 22nd before she and Sandra Loeza were added to the board, EDC elections were held. Melanie Oldham recalled during that meeting Jeff Pena had said he would put his treasurer position

up for reelection once the new board members were assigned. Melanie asked Jeff Pena if that was something he was still wanting to do.

Jeff Pena said a lot of things have changed since this meeting and he could have been in a surly mood that day. Jeff Pena said in matter of months there would be new board elections and at this time he has reconsidered and will stay on board until the next elections.

VIII. Subcommittee Updates

David McGinty said he has met with Jim Maddox and will discuss further in executive session.

David McGinty said the mowers have been out doing a good job and the properties are looking good. David said there has been talk of the prices being too steep so the board may want to revisit the contract.

Shonda Marshall said she would like to speak briefly on the board training and retreat. Shonda said Mingo Marquez has the opportunity to meet with Mike Barnes who is an EDC consultant that offers trainings. The EDC could pick the topics they would like to discuss. Shonda Marshall said the subcommittee and Mingo Marquez have talked about a training on the incentives such as 380's, tax Abatements, PID, PUD, MUD so the board can have a working knowledge of these items. Shonda Marshall said currently she does not feel comfortable agreeing to these contracts when she has no knowledge of them. Shonda Marshall said another topic would be on topics to sell the City, such as the EDC website. Shonda Marshall said the EDC should really work on sprucing up the marketing.

Mingo Marquez said the first thing Mike Barnes asked was how the EDC marketing was and about the website and discussed the importance of digital marketing.

Shonda Marshall said she would be selling a cost at the next meeting.

Jeff Pena asked if any of the information overlaps with the upcoming conferences.

Shonda Marshall responded no; this training would be tailored just to the EDC.

Jeff Pena asked for an update on the Mardi Gras parade float

Josh Mitchell responded the supplies would be delivered on the 18th.

Sandra Loeza stated the committee would need volunteers for decorating the float.

Jeff Pena responded to utilize the museum and chamber volunteers.

David McGinty responded the Museum does not have volunteers and that he does a lot of the work himself.

Sandra Loeza asked how the whole board will be able to participate.

Kaytee Ellis said she would post a Notice of Possible Quorum for the decorating and the float decorating.

Jeff Pena asked if there has been any communication in regards to the Business Expo

Sandra Loeza said she did have the information with her.

IX. Board Comments

1. President Mingo Marquez:

Mingo Marquez said he would like to thank the board for their time and hard work. Mingo Marquez said it is important the board get out and help with the parade. Mingo Marquez said he is wanting to call an extra meeting due to the number of events going on in the EDC and the lack of time tonight.

Mingo Marquez said there are also trespassers on the 8-acre property so he has asked David to get quotes on repairing the fence.

2. Vice President Josh Mitchell:

Josh Mitchell said he is looking forward to seeing the Gensler project being visualized.

3. Secretary David McGinty:

David McGinty said he has spoken with the mayor and the attorney and the issue with Facebook live bothers him because it was presented as an order by council. David McGinty said he would not mind if it was a decision from the board but it came across the wrong way.

Jeff Pena asked Chris Duncan what the legality of this is.

Chris Duncan said the rights of the council in regard to the EDC are: 1. Council has the right to appoint and remove EDC board members. 2. Approve the EDC Budget. And 3. Approve EDC Projects.

Chris Duncan said this does not fall under something City Council has the power to dictate.

Jeff Pena requested this item be added to the next meeting agenda.

David McGinty said there is also three areas on the Western Seafood property that need to be addressed and he would get a quote and provide back to the board.

4. Treasurer Jeff Pena:

Jeff Pena said the Port Café has reached out to him regarding their check.

Josh Mitchell said it would be dropped off the following morning.

5. Shonda Marshall:

Shonda Marshall said it is nice to be in a meeting where things go smoothly and productively. Shonda said she wanted to reiterate the need for a more interactive website as well as create process maps in order to provide better assistance to businesses. Shonda Marshall said she would like to see the EDC invest in something for our youth as well stating that a return on investment is not always measured in a dollar amount.

6. Melanie Oldham:

Melanie Oldham said she is learning a lot and enjoying working on the Skinner st development and the Mardi Gras float.

7. Sandra Loeza:

Sandra Loeza reviewed the Business Expo flyer and asked that a Notice of Possible Quorum being posted.

Kaytee Ellis said she would take care of it.

Jeff Pena said he believes it a good idea the EDC have a booth with material to pass out.

Sandra Loeza asked if the EDC even has material to pass out at the event, marketing materials, a banner

Shonda Marshall asked that Gina Adams attend the next meeting and give an update.

Kaytee Ellis asked the board to set any kind of budget for promotional items and banners.

Mingo Marquez said he would discuss this with her after the meeting.

X. Executive Session- Adjourn into Executive Session

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It is now 9:29 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation February 8, 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),551.072 (Deliberations about Real Property)

1. Discussion on EDC Real Estate -**Jeff**
2. Discussion on hiring an EDC Director -**Melanie**
3. Discussion on Skinner Street Housing Development -**David/Melanie**

Reconvene into Open Session

Board President's statement:

It is now 10:19 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

1. **Discussion on EDC Real Estate** -No Action Taken
2. **Discussion on Project 2022A** No Action Taken
3. **Discussion on hiring an EDC Director** No Action Taken
4. **Discussion on Skinner Street Housing Development** No Action Taken

XII. Adjourn

Motion to close board meeting made by Shonda Marshall and seconded by Mingo Marquez.
Motion passed unanimously.

It is now 10:21 p.m. and I hereby close the board meeting.