

**CITY OF FREEPORT**  
**ECONOMIC DEVELOPMENT CORPORATION**  
200 West 2<sup>nd</sup> Street, Freeport, Texas 77541

**MINUTES**

STATE OF TEXAS            )  
  )  
COUNTY OF BRAZORIA    )  
  )  
CITY OF FREEPORT         )

BE IT REMEMBERED that the Economic Development Corporation of the City of Freeport met on Tuesday, November 10, 2020 at 6:00 p.m. in the Freeport Police Department Municipal Court Room, located at 430 North Brazosport Boulevard, Freeport, TX, for the purpose of considering the agenda items.

**MEMBERS OF THE BOARD PRESENT:**            Quorum Present

Jeff Pena	President
Marinell Music	Vice President
Lesa Girouard	Secretary
Ed Garcia	
Nicole Mireles	
Mingo Marquez	Absent
Trey Sullivan	Absent

Courtland Holman: Executive Director  
Tim Kelty: City Manager  
Christopher Duncan: Attorney  
Stephanie Russell: Finance Director

**Visitors in Attendance:**

None

**I.        CALL TO ORDER:**

Mr. Jeff Pena opened the meeting at 6:02P.M. A quorum was present. Jeff Pena, Nicole Mireles, Lesa Girouard, Marinell Music and Ed Garcia.

**II.       INVOCATION AND PLEDGE**

Mr. Jeff Pena the Pledge.

**III.      SWEARING IN OF BOARD MEMBER**

Nicole Mireles was sworn in by Chris Duncan.

**IV. CITIZEN COMMENTS**

Mr. Ed Garcia said he would like to propose for the next agenda the board has a letter requesting the use of the formal Visitor Center building for the use of the Economic Development Corporation. Mr. Garcia stated he believes it is in a very good spot for the EDC to get real good exposure. Mr. Garcia said if this could be added to the next agenda so City Council can consider it, get a quick approval and maybe be in the building by the first of the year. Mr. Garcia said for each board meeting the EDC has, he would like to get a full packet of the agenda delivered either to the board members office or residence.

Mrs. Nicole Mireles said she thinks it would be perfect to bring back the Visitor Center to its building and for the EDC to be in the same building as the Visitor Center. Mrs. Mireles said she was familiarizing herself with the EDC packet and she could not print at home and she agrees with Mr. Ed Garcia and would like to get a full packet ahead of time with all the documentation.

Mrs. Marinell Music said one thing she would like to see in the EDC agendas is a workshop section like City Council has where the board members can bring issues to the board.

**V. CONSENT AGENDA**

**a) Approve Meeting Minutes for October 8 Special Board Meeting and October 11 Regular Board Meeting.**

**MOTION** to Approve Meeting Minutes for October 8 Special Board Meeting and October 11 Regular Board Meeting was made by Mrs. Lesa Girouard, **seconded** by Mrs. Marinell Music. Motion **PASSED** unanimously.

**b) Approve September Financial Statement.**

**MOTION** to approve September Financial Statement was made by Mrs. Lesa Girouard, **seconded** by Mr. Ed Garcia. Motion **PASSED** unanimously.

**VI. DISCUSSION AND ACTION**

**A. Discussion and possible action regarding new EDC positions**

**i. Analyst-Admin**

Tabled for next meeting.

**B. Update to City's 192 lots.**

Mr. Courtland Holman said he talked to Mr. Doug Kirk has talked to Mayor Bass and himself and has a proposal that would like to bring to Mr. Holman.

Mr. Ed Garcia asked Mr. Courtland Holman if Mr. Doug Kirk is the only responding developer that is interested in the 192 lots.

Mr. Courtland Holman said Mr. Jeff Pena had brought another developer but they were looking at the market and at this time and they did not respond back.

Mr. Ed Garcia said they are a lot of local builders that are interested in building in this area.

Mr. Jeff Pena said Michael with Riverway was interested in developing and was waiting for the board to decide what was going to be done.

Mrs. Lesa Girouard asked if Mr. Doug Kirk is more interested in the 25 foot lots, 50 foot lots or either one.

Mr. Courtland Holman said at this point he is not sure what the thought process of Mr. Doug Kirk is but he called him about two weeks ago stating that he has had multiple conversations with citizens, City staff, City Council and he is going to come up with a proposal.

Mr. Jeff Pena asked what does Mr. Courtland Holman thinks can be accomplished between now and December.

Mr. Courtland Holman replied to Mr. Jeff Pena said he can follow up with Mr. Doug Kirk and see where he stands with this project and see if he can get him at the round table. Mr. Holman said the round table consist of a quorum of the board, council member, city staff, engineering, member from planning and zoning and himself.

Mr. Jeff Pena asked Mr. Courtland to reach out to Riverway and Mr. Renobato to get them included in the discussion and giving them also the opportunity to put in a proposal.

### **C. Update to Bryan Beach Entry**

Mr. Courtland Holman said Mr. Jeff Pena, Mrs. Gina Adams and himself met with Freeport LNG and part of the discussion was who controlled Quintana beach. Mr. Holman said he was looking to partner with the Quintana people to create a better entrance way into Bryan beach. Mr. Holman stated one of the things he did not realize is Freeport LNG is not Quintana they have their own City Council and he would have to reach out to that Council to see if there is any interest in developing the beach access entrance together. Mr. Holman said he also had a conversation with Mrs. Adams regarding T- Mobile and wanting to see if they would like to help do the Bryan beach entry if the City of Quintana do not want to participate. Mr. Holman stated he would like to get T-Mobile grant funds to possibly help fund and implement the development at least for the entry design and the Wi-Fi. Mr. Holman stated in one of the building that Freeport LNG uses will be a good location for possibly putting a Wi-Fi signal.

Mr. Jeff Pena said the conversation with Freeport LNG they learned that LNG does not control Quintana beach. Mr. Pena said Mr. Courtland Holman will reach out to the City of Quintana. Mr. Jeff Pena said he reached out to the City of Quintana and talked to the secretary and they are interested in having that space developed.

Ms. Stephanie Russell said the only available FEMA reimbursement from Harvey there was some damage to the entrance roads which the engineers are currently working on to design and receive reimbursement for that and it will only be to restore it to what it looked like before.

#### **D. Update to Downtown Fountains**

Mr. Courtland Holman said he was not able to get an estimated cost because the person he was talking to had to leave the area for a family emergency. Mr. Holman said in the packets given to the board there is pictures of what he has drawn up. Mr. Holman said the conversation with the gentleman on the fountain is to bring back as close as the original as possible. Mr. Holman stated he contacted Building Official Mr. Billy Shoemaker and the Fire Marshal to find out what is necessary for the fountain. Mr. Holman said the current fountain right now is cracked and it is not up to code today. Mr. Holman stated the estimate he is doing it will be probably more than \$9,000 and has asked him for an alternate for both the big and smaller fountain. Mr. Holman said the second fountain that is smaller is also dysfunctional. Mr. Courtland Holman said when the board approved the agenda it was approved with his understanding that the Executive Director is supposed to take the lead in having the fountain repaired. Mr. Holman said with that being said he contacted the gentleman from Clute which met with him and Mr. Jeff Pena.

Mr. Jeff Pena said the scale of repair is going to be a small one and not a large renovation of the fountains. Mr. Pena stated the public would like to get it back to its original design but at this point fixing and getting it repaired is the main goal.

Mrs. Lesa Girouard said she thinks this is good information and she likes the thought of restoring it to its original look.

Mr. Jeff Pena said he has some estimates and one is at \$5,000 just to get it running again safely and clean without bulldozing it. Mr. Pena said he would like clear communication with the City tonight or if this is needed to be taken to City Council.

Mr. Tim Kelty said he asked Building Official Mr. Billy Shoemaker about this particular project and he said depending upon the scope of the work that is being done it will have to be instructed to code and no engineering drawings are necessary. Mr. Kelty said the electrical and plumbing would be need to be up to code and the permit fees will be waved. Mr. Kelty said he would like this to be from a life safety stand point he wants to make sure this is safe. Mr. Kelty stated he said in previous meeting the City has spent thousands trying to fix the crack the fountain has and lasted less than a week for one case and the other case lasted for several weeks but ultimately the fountain did not function. Mr. Kelty said the last time the fountain was looked at the crack was in the inside area which was a more complicated situation. Mr. Kelty said if the board had already received quotes he would recommend giving them to Mr. Holman it is required to get 3 quotes.

Mrs. Marinell Music said if the contractors have not seen any applicable code then we need to get Mr. Billy Shoemaker to produce code to comply.

Mr. Jeff Pena said the contractors that are licensed and qualified should have enough sense to know what to ask for code and permitting. Mr. Pena said he will get the scope of work to Mr. Billy Shoemaker or Mr. Holman.

Mrs. Nicole Mireles asked Mr. Tim Kelty if Building Official Mr. Billy Shoemaker has been trained or has been sent to training. Mrs. Mireles said she knows for a fact when Mr. Shoemaker took that job he did not have the qualifications or the training to make those calls.

Mr. Tim Kelty said he knows for the last couple of years he has been going to training and has gotten a number of certifications.

Mrs. Nicole Mireles asked Mr. Tim Kelty if Mr. Shoemaker has gone physically to get the training or what kind of training is he talking about. Mrs. Mireles said we need to be careful with that and make sure Mr. Shoemaker knows what he is doing because she knows for a fact that he moved from the Fire Department and she has always been very vocal about that. Mrs. Mireles stated we should be very careful about this especially when putting something out there for the public and need to make sure no one is hurt.

#### **E. Update to WIFI**

Mr. Jeff Pena said this agenda item was also in a subcommittee and there is a couple of efforts being made and he knows Mr. Courtland Holman has some updates that he has been working on with T-Mobile.

Mr. Courtland Holman said he has been working with T-Mobile which he met with 3 weeks ago for various items one being have them come to the City and upgrade our infrastructure which is actually done. Mr. Holman stated they have put in a 3G system in the City of Freeport that is a lot sooner than we would have ever gotten and the 3G tower is now operational. Mr. Holman said also part of the conversation was to have them open a couple of stores as well as bringing Wi-Fi into the Downtown which they are very interested in doing but that is going to be a longer conversation. Mr. Holman stated also Mrs. Gina Adams from the Hispanic Chamber of Commerce was able to do an out reach with a different community in the meeting and she contacted him saying they are interested in working with the City of Freeport.

#### **F. Update to Popbox**

Mr. Chris Duncan said he had a discussion with Mr. Billy Shoemaker because there was miscommunicated that there were some concerns regarding building standards for the Popbox and also it was conveyed to him the concerns from the City about moving from its current location and so he is still working with Mr. Shoemaker on his concerns to see if there needs to be any alterations done. Mr. Duncan said there will need to be another subcommittee meeting that week to talk about the location of where the PopBox will be relocated to and what is upcoming.

Mrs. Marinell Music said the sign has been attached to the Popbox.

Mr. Chris Duncan said Mr. Billy Shoemaker also had some concerns about the electrical cable that hooks up to the generator. Mr. Duncan said he is confident the electrical work was done properly but will schedule a time with the electrician to meet with Mr. Shoemaker to look at.

Mr. Courtland Holman said the generator is in his office he put it together all it needs is gasoline and oil. Mr. Holman said he thinks they need to make certain the connector of the generator is the same connector for the exterior of the building.

**G. Discussion and possible action regarding EDC Attorney contract**

Mr. Jeff Pena said he brought this particular item up because it came to his attention that they have a retainer for the attorney for the EDC and there was a motion in the past that made the agreement with the EDC attorney. Mr. Pena stated with the recent discussions was to get that under a formal contract and is not sure that any other attorney retentions services with the City or with EDC in the past have been under contract.

Mr. Tim Kelty said in regards to Mr. Shaw when he was the City Attorney he was hired in 1992 in the minutes in the agenda reflect a contract was approved. Mr. Kelty said at some point City Council did ask to review this. Mr. Kelty stated Mr. Duncan operates with the City under the terms of a contract.

Mr. Chris Duncan said there is two way to go about hiring an attorney, one being there is a written contract with the attorney and both parties sign the contract and the second option would be retention letter with the motion, terms, sign it and then send to the client. Mr. Duncan said he has no preference but if the board prefers a written contact because they would feel secure with this he is fine with that.

Mr. Jeff Pena said a big part of he is trying to make sure they do is have a good house keeping in place. Mr. Pena said it would be nice to be able to have an agreement in writing with the EDC attorney. Mr. Jeff Pena asked Mr. Chris Duncan if he could just draw up a retention letter or a contract for the next board meeting to be put on the agenda.

Mr. Chris Duncan said he will do a contract similar to the one he has with the City of Freeport.

Mr. Ed Garcia said he would like to see both methods and see which is more proper for the EDC.

Mr. Nicole Mireles said she agrees with Mr. Ed Garcia and have Mr. Chris Duncan draw up a retention letter and a contract for next board meeting.

Mr. Chris Duncan replied to Mrs. Nicole Mireles and said yes, he could draw up a sample of each.

#### **H. Discussion and possible action regarding EDC Networking Mixer**

Mrs. Marinell Music said they are hosting their first mixer at Lucy Goose Market this Thursday, November 12, 2020 from 6:00pm-8:00pm. Mrs. Music said the Hispanic Chamber of Commerce will be also doing a ribbon cutting for the tea room at the same time.

Mrs. Nicole Mireles asked Mrs. Marinell Music if she thinks it is a conflict of interest to have the mixer at her place.

Mrs. Marinell Music said the mixer is designed and the intent is to use it to showcase different businesses. Mrs. Music said originally, they wanted the first mixer to be at Bridge Harbor but they were not ready yet. Mrs. Music stated any business can be set up and be a host to showcase their business may do so. Mrs. Music replied to Mrs. Mireles and said no she is a business owner just like many other people and just because she is on EDC it does not penalize her being able to host a mixer.

Mr. Jeff Pena said the mixer has been advertised on social media for several weeks.

Mr. Chris Duncan said it is important for the subcommittee to come up with a plan to reach out to all the businesses in Freeport and make sure they are aware of the opportunity to do the business mixer.

Mr. Jeff Pena asked Mr. Chris Duncan regarding the public meeting, open meeting, rules and whether there is a quorum at the event.

Mr. Chris Duncan replied to Mr. Jeff Pena and said a notice of a potential quorum the board members should not be talking about specific economic development items.

Mrs. Marinell Music said the concept is to engage as many local businesses in Freeport it does not matter what kind they are. Mrs. Music said Mrs. Girouard can have a mixer at Girouard's there might be people that may not know the history and can give an opportunity to speak about it.

Mr. Courtland Holman said there are other ways local businesses can know about this and the local newspaper may be another option but multiple sources will have to be used to get the word out better for participation.

#### **I. Discussion and Update Retail Strategies progress**

Item discussed in executive session under Retail Attraction

**VII. EXECUTIVE SESSION-ADJOURN INTO EXECUTIVE SESSION**

It is now 7:20p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation November 10, 2020 meeting and do hereby convene an executive session, said executive session authorized under the following sections of the Texas Government Code: (1) Government Code, Section 551.087 (Economic and Community Development Matters), 551.072 (Deliberations about Real Property), 551.074 (Personnel Matters).

In Accordance with the Texas Government Code:

**A. Section 551.087 (Economic and Community Development Matters)**

- 1. Review of current Contracts and/ or 380 agreements**
  - a. Realty World Contract**
- 2. Update on Project Wing Tips and Sky High**
- 3. Update on Retail Attraction.**

**Reconvene into Open Session**

**Board President's statement:**

It is now 9:40 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session

**Discussion and Action**

**1. Discussion and potential Actions on Realty World**

**MOTION** made by Marinell Music for "Chris Duncan to draft and file a Lawsuit to recover the property for which Realty World has a breach of contract with the FEDC." Ed Garcia second. **PASSED** unanimously.

**VIII. Director's Notes**

Directors Report given by FEDC Director Courtland Holman.

**IX. ADJOURN**

**MOTION** to adjourn was made by Lesa Girouard, **seconded** by Nicole Mireles. Motion **PASSED** unanimously. Meeting adjourned at 9:51 p.m.

  
Lesa Girouard- Secretary