

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

SPECIAL MEETING 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, March 24, 2021 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.

FEDC BOARD MEMBERS Quorum Present

Jeff Pena President
Marinell Music Vice President
Nicole Mireles Secretary (voted in at this board meeting)
Ed Garcia
Ruben Renobato
Mingo Marquez (Absent)
Trey Sullivan (Absent)

Courtland Holman: Executive Director
Tim Kelty: City Manager
Christopher Duncan: Attorney
Cathy Ezell: Finance Director
Jerry Cain: Council Liaison

Visitors in Attendance:
Gardner Campbell
P.H. Crow(?)

I. Call to Order

President Jeff Pena opened the meeting at 6:02 p.m. A quorum was present: Jeff Pena, Marinell Music, Ed Garcia, Ruben Renobato and Nicole Mireles. Trey Sullivan and Mingo Marquez were absent.

II. Invocation and Pledge

President Pena led the Pledge of Allegiance.

III. Citizen Comments

Mr. Gardner Campbell spoke on timeline of his previous agreement with the EDC. He came in February 9 to ask for the deeds to the property so he could start on the next home. The board went into executive session and when the board came out said that they would have a special meeting promptly after the EDC reviewed the minutes over the situation. That never happened. Mr. Cambell stated that Mr. Holman informed him that he was going to be on the next board meeting but could not attend as he was skiing with his grandson. He understands that the deed are being prepared to be delivered to him and appreciates that. He asked the board what he was supposed to do while the board determine what to do about the deeds which the board responded it was up to him so he canceled his order. He has contacted his suppliers and now the pilings are not available and no knowledge of when they will be available. He was put off 40 days as he had to cancel his order due to not having the deeds and in this time per McCoy's Lumber cost has risen 16 percent on his dry end package alone. He expressed at the previous meeting that costs were going up without concern he was put off for 40 days under a good contract even if the board did not like it. He is currently at a \$10,000 loss on this home if he can get the supplies. He is in a bind and does not want the \$10,000 to come out of his pocket as he did nothing wrong. He is expecting when he has the deeds for the two lot that should not have taken 40 days to get as precedence was already set with the previous deed he got and this time will be reviewed by his attorney. He asked who dropped the ball and discuss it in executive session. He is upset with the board and that the board has lost the vision of what the city needs. The bus stops for the poor people and sidewalks on the southwest side of the Velasco bridge were a child had an accident on his bike. The board has lost the vision on what we need for the city. The board talks about big businesses which is great and Freeport attracts them.

Jeff Pena stated that Mr. Campbell's three minutes have expired.

Mr. Campbell ask what the board will do to address these talks. Jeff expressed they will discuss in executive session. Mr. Campbell asked if it would take 40 days, Jeff said he hope not.

Board Comments:

Marinell Music said she has been contemplating and watching and we as a board that made a Policy about being able to discuss thing with Courtland. She is finding that this is not working. We are a corporation not a city county and knows we are bound not to have a walking quorum or discuss thing behind each other's back to make a plan on how to vote. Marinell stated that this goes on anyway. Marinell is re-thinking how we coordinate with Courland and it is hindering things she would like to talk about whether it is questions she would like to ask or information Courtland need to talk to her about. He opinion is that this policy is a hindrance but what the board decides to do is up to the board.

She would like a list of businesses that are paying sales tax so that the board can do an outreach on things we can offer an welcome or re-welcome them. Marinell has given some new businesses Courtland card as they did not know we existed. Marinell would like to see a business license being developed at no cost to the businesses to make sure they don't open in the wrong zone. We could visit them and tracking them. Board members should be meeting with the new businesses. The board should ask the city to create a procedure that outlines the codes, ordinances whatever the requirements are and the contacts for each department Whatever the business needs. That way the Board can get a list as the new businesses come in as they have to get there permit so we can meet with them.

As far as Mr. Campbell there are two more deeds left but we should take action on selling the last two to Mr. Campbell as it does the FEDC no good to keep them. Its in the contract on the price and we should sell the additional two. He has proven that he has spent over a Million dollars building quality housing in Freeport. The board need to stop rehashing this and put it to bed so he can build and sell the lots for a higher value. We have not hassled people we don't know as much as we have hassled Mr. Campbell.

IV. Discussion and Action

- a. Discuss and take possible action appointing a new FEDC Secretary.
 - ✓ Jeff started the discussion on nominations. Ed Garcia nominated Nicole Mireles for Secretary position and Seconded by Ruben Renobato. Motion **Passed** with 4 Ayes and 1 Nay.

Nicole Mireles asked if she was to take the minutes but Chris Duncan clarified that Nicole Mireles makes the decision on whom will take the minutes.

Ed Garcia had a question to Mr. Duncan regarding the By-Laws on the use of the corporate seal in the absence of the secretary and not to wait two weeks. Chris Duncan stated you can amend the By-Laws but has not seen a board that has an

alternate secretary. The only time when the Secretary is required is when we purchase property. But that can be placed on the agenda to amend the By-Law change.

Mr. Holman stated that sometimes the Treasure and Secretary are the same person but he has not seen an alternate Secretary. Mr. Holman stated that the board decided that he is to take the meeting minutes until the hire the Analyst Admin and at that time the new employee would take the minutes.

Mr. Duncan corrected Mr. Holman's statement that now Nicole Mireles has been voted in as Secretary it is at her discretion to do the minutes or have someone else do them.

Nicole said that she has up until the next board meeting to decide to do them or not.

V. Executive Session – Adjourn into Executive Session

It is now 6:23 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation March 24, 2021 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), 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.074 (Personnel Matters).

In Accordance with the Texas Government Code:

- A. Section 551.071 (Consultation with Attorney)
 - 1. Discuss regarding potential litigation of a cancelled contract for service.

- B. Section 551.087 (Economic and Community Development Matters)
 - 1. Discussion and Possible action regarding Lucy Goose Contract. (Duncan)

- C. 551.072 (Deliberations about Real Property)
 - 1. Acquisition of Real Properties

Reconvene into Open Session

Board President's statement:

It is now 7:57 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

Discussion and Possible action regarding Lucy Goose Contract.

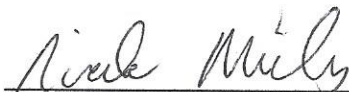
Chris Duncan recited the motion that the FEDC will vote on.

The FEDC board has discussed the matter of the Lucy Goose lease and they determine since the building came into the FEDC ownership and she had been there 6 months with out any payment during the 6 month the FEDC will give a credit for the vent hood at \$800 per month for the last 6 month or a credit \$4800. Execute a 12-month rent at \$800 per month going forward for the next 12 months with a remainder of \$5200 to be paid for the vent hood to Lucy Goose if they stay business for the entire 12 months term as the FEDC would like the Lucy Goose to remain in business. If the Lucy Goose is given a 30-day notice by the FEDC prior to the 12-month lease term then the FEDC will pay the Lucy Goose the \$5200 remainder. At least 60 days prior to the end of the lease term which is 12-month next year at least 60 days prior to end of the term the parties will need to negotiate a new rent at that time Further the FEDC will pay and install a new façade within the next 12 months.

Jeff asked the board if they wanted to go with the language as read and asked for a motion. Mr. Ruben Renobato made a **Motion** to approve the language of the motion that Mr. Duncan described. Mr. Duncan ask for an amendment of the motion that the lease would start on April 1, 2021. Ruben Renobato amended his **motion** to include Mr. Duncan's amendment. Nicole Mireles **seconded** the motion. No questions or discussion were given. Motion **Passed** Unanimously 4 Aye and 1 Recusal.

Motion to close board meeting made by Nicole Mireles and second by Ed Garcia.
Motion **Passed** Unanimously.

It is now 8:03p.m. and I hereby close the board meeting.



Nicole Mireles - Secretary