

CITY OF FREEPORT
ECONOMIC DEVELOPMENT CORPORATION
200 West 2nd 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 June 22, 2021 at 6:30 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
Ed Garcia Vice President
Mingo Marquez Finance
Nicole Mireles Secretary
David McGinty
Shonda Marshall
Josh Mitchell

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

Visitors in Attendance:
Sam Reyna
Ben Deal
Melanie Oldham

I. Call to Order

President Jeff Pena opened the meeting at 6:30 P.M. A quorum was present of all board members.

II. Invocation and Pledge

Mr. Holman led the pledge.

IV. Swearing in or welcoming of new or re-appointed board members

(Item was moved before III)

Attorney Chris Duncan sworn in Mingo Marquez. Josh Mitchell, Nicole Mireles, and Shonda Marshall were sworn in at city hall.

III. Citizen Comments

None

V. Election of Officers

As required in the EDC's By-Laws Article 5 section 5.02.

A motion was made by Ed Garcia to delay the election of officers until the July regular board meeting. Nicole Mireles second the motion.

Mingo Marquez asked if the election of officers could be delay as per the By-Laws that the election must take place on the first annual meeting in June.

Chris Duncan stated that in the future the board can change the By-Laws to allow a delay to occurs. Many times, in the past, the council has not appointed the board members in June as required and the board had delayed actions as well but per the current By-Laws the board must elect the officers at this meeting.

Jeff Pena stated that in previous years that the board has elected it had new board member that were allowed to participate fully and vote. Jeff mentioned that when Marinell Music and Lesa Girourd were appointed they recused themselves even though they were not required to and that the new members can do so as well if they choose.

Ed Garcia said that he has been on the board and remembers when they have not had the elections on the first meeting in June and can verify that by looking back in the minutes.

Jeff Pena asked Chris Duncan if the motion presented is valid. Chris Duncan said no.

a. President

A motion was made by Nicole Mireles for Ed Garcia to be President. Ed Garcia second the motion.

Mingo Marquez started to make a motion but was stopped by Jeff Pena as there was a motion on the floor. Jeff Pena asked for a vote. Nicole Mireles and Ed Garcia voted Aye.

Shonda Marshall asked if it is possible for Ed Garcia's or whomever else that wants to be considered for the president describe their background, where the board is going, and goals

so that Josh Mitchel and she can understand and have background knowledge if they are being asked to vote.

Jeff Pena asked for Ed Garcia if he wanted to respond.

Ed Garcia responded describing from the time he graduated Texas East State University with a BS and MBA , companies that he work for such as Atlantic Richfield and Ser Jobs for Progress that included a program under the Department of Commerce, President of the Dallas Mexican Chamber of Commerce, moving back to Freeport where he and his brother opened a safety equipment distributorship, consultant with Metro, Galveston, Houston, and private loan packaging for individuals in business, multi-million dollar renovations in Freeport for the Harbor Light Apartment and Apartments on Ave J to the present where he owns and operates an insurance company. He has served on the Planning Commission as the Chair, Board of Adjustment, Elected to City Council in 1990 for 4 terms. His commitment to the City of Freeport sees that the FEDC as an organization that can provide good benefits and services for the city but for the last few years this organization has not been working as a team. They had an election last year with the intent of changing coarse and becoming a team effort. That has not happened in his opinion. Ed said to the board vote your conscience and he is a Type A individual who if elected will try to do the best that they can but if not elected will not hold a grudge. He will continue to do his business.

Mingo Marquez said that there should not have been a motion there should have been nominations first. Chris Duncan affirmed this as well.

Ed Garcia said that the president should ask for additional nominations. Jeff Pena asked if there are any additional nominations. Mingo Marquez nominated Jeff Pena. Jeff Pena asked if there are any other nominations. There were none.

Jeff Pena spoke to his background. Jeff has been on the FEDC board on for four years. Went to Trinity University and obtained a degree in Chemical Engineering and music. Worked in IT for seven years then moved to public and corporate relations at the Houston Zoo. Jeff went on to mortgage finance and real estate for the last 20 years. With understanding of finance, he believes it is beneficial to the city and board. He has had his detractors and supporters such as Mingo Marquez and Ed Garcia. Jeff also became a councilman and would like to get the EDC moving forward. His vision the goldmine and hidden gem is the water, river, beaches, fishing and quality of life afforded here is unique. Jeff wants all to work as a team and participating along with Council.

Jeff asked Chris Duncan the procedure. Chris said that the board needs to go back to the motion on the floor.

Jeff asked for a vote for the motion by Nicole Mireles and second by Ed Garcia to have Ed Garcia as President. **Motion Passed for Ed Garcia to be Board President** with 4 Aye and 3 Ney. Aye were Nicole Mireles, Ed Garcia, Josh Mitchell and Shonda Marshall. Ney were Jeff Pena, Mingo Marquez and David McGinty.

Ed Garcia asked Jeff to continue leading this meeting.

b. Vice President

Jeff Pena asked for nominees. Mingo Marquez nominated Jeff Pena. Nicole Mireles nominated Josh Mitchell.

Josh expressed his resume. He is from Freeport and generational. Graduated from Brazoswood High, when to Texas State in San Marcos with a Planning Degree. He teaches school in Lake Jackson at Brazosport ISD.

Jeff as for any additional comment or questions. Jeff stated that he is recusing himself from the nomination to support Josh Mitchell.

Jeff asked for a vote from Nicole Mireles's nomination. Josh Mitchell was **voted Unanimously as Vice President.**

c. Secretary

Jeff Pena asked for nominees. Ed Garcia nominated Nicole Mireles. There were no other nominees. Nicole Mireles accepted the nomination. Nicole Mireles was **voted in Unanimously.**

d. Treasure

Jeff Pena asked for nominees. David McGinty nominated Mingo Marquez. There were no other nominees. Mingo Marquez accepted the nomination. Mingo Marquez was **voted in Unanimously.**

VI. Consent Agenda

Jeff asked if the board will take action of the meeting minutes for May 11, 2021 and May 18, 2021, and May 27, 2021 and April Finance Statement.

Nicole Mireles made a motion to accept the meeting minutes and financials. Ed Garcia second the motion. **Motion Passed Unanimously.**

VII. Discussion & Action Items

a. Discussion and possible action regarding Construction Policy

Mr. Holman describe the Construction Policy. There are two versions, one that David McGinty and I worked on developing and a second version that is very detailed but would need to be examined and made more into a Freeport version. The detailed version is a how to do from start to finish on a large project like development of Bryan Beach or teardown rebuild of an entire large structure. Mr. Holman does not expect Mr. Duncan has had time to review either document. This is for projects over \$50,000. The more detailed version is the type of development that we would be hiring a project manager.

Nicole Mireles has not reviewed it and she asked David McGinty if he reviewed it which he did not review the detailed version. Mr. Holman stated that he sent both

versions a week prior to sending the packet to the board for their review as it was very in depth.

Mr. Holman then recommended that a subcommittee of three board members and Chris Duncan go over the policy next week if possible.

Mingo Marquez asked if the approval of the policy is holding up development projects such as the downtown. Mr. Holman stated no and that in executive session there will be additional discussion regarding the downtown.

Mr. Holman stated that the policy is for future development. Mingo Marquez said that he does not want to hold up development such as what needs to occur in the downtown. He is ok with a subcommittee.

Mr. Holman stated that most EDC's will not have this type of policy as this is for corporations and organizations that do development daily.

Jeff Pena wanted to remind everyone why the policy was on the agenda it was so to give guidelines going forward. Mr. Holman said if we need to move forward on any construction, we would need to follow the short version 1 through 8.

A subcommittee was formed with David McGinty as head of the committee, Nicole Mireles, and Josh Mitchell meeting June 30th at 1:00 PM.

b. Discussion and possible action regarding Park Ave. Building Scope of Work (Courtland)

Mr. Holman discussed the scope of work for 212, 210, 208 W. Park Street and read the scope of work.

Jeff Pena asked if there were any questions on the scope. Mr. Holman stated that he made the scope very detailed for all three buildings. This is just approving the scope of work.

Nicole Mireles would like the board to start work on 212 W. Park Street as there is not much to do to get this building occupied.

Mr. Holman stated that in executive session there will be discussion on this building. The scope of work can be approved but before authorizing any work the board should consider the items in the executive session.

Mingo Marquez made a motion to approve the scope of work. Ed Garcia second the motion. Shonda Marshall asked who determines the scope of work. Nicole Mireles explained that she, David McGinty and Mr. Holman met to discuss at the sites what needs to be in the scope of work. David's background is in construction. Shonda wanted to make sure that there was someone who had the qualifications to create the scope.

Mr. Holman reminded the board that a contractor was approached to give a quote to renovate all three buildings. The cost for the renovations is substantial so the board requested options. The Scope of Work was requested to be created in order to bid the work out to other contractors instead of just one contractor.

On the floor is a motion that Mingo Marques made to approve the scope of work that Ed Garcia second. Motion **Passed** Unanimously.

- c. This is a blank on the agenda
- d. Moved to executive session
- e. Moved to executive session
- f. Moved to executive session

- g. T-Mobile Downtown WIFI Concept Discussion

Jeff Pena discussed our meeting with a representative from the T-Mobile group to install WIFI in the downtown and at Bryan Beach. They have provided a proposal which is in the Packet.

Mr. Holman discussed that Jeff and he met with Len Kowalkowski of Wi-Fiber that he has been in discussion with through T-Mobile. The idea is to attract people to the downtown and Bryan Beach by utilizing free WIFI. Mr. Holman stated that there are two different proposals one covering Memorial Park and specifies where the WIFI units will be. The second near Bryan Beach near the potential police substation. There are some security issues at Bryan Beach and in discussion with Police Chief Garvey, Mr. Holman asked him if security cameras would be helpful of which Chief Garvey said it would help as part of the WIFI installation. Some people try to block the entry onto Bryan Beach by creating issues with the sand for small cars the charging them to tow the car out when they get stuck in the sand. Mr. Holman stated he would like to get a quote to add security video to the equipment.

Mingo Marquez said that he does not see T-Mobile information in the packet only Wi-Fiber. Mingo asked if T-Mobile owns Wi-Fiber. Mr. Holman said not that this is the company that T-Mobile works with on WIFI that they brought to speak with him. Mingo asked if T-Mobile will be providing the service. Mr. Holman was not sure and will need to contact Len to find out. Mr. Holman did state that the downtown service is coming from City Hall via the fiberoptic line but it appears that the beach connection is from the T-Mobile tower but will need to confirm.

Nicole Mireles asked what is the purpose of the WIFI. Mr. Holman stated the purpose for the first portion is to bring people into the downtown using the existing city infrastructure such as light poles and power poles. This allows people to connect wireless and we could use this as advertising as a tool.

Nicole asked what is the cost and is this a one-time fee. Mr. Holman said the installation is a one time cost but it appears the quote does not state a monthly or annual charge for the landing page. Jeff Pena said yes there will be an annual cost for maintenance and service providing the network. Jeff said this is to show

marketing the city of Freeport is going into a technology centric posture and help enhance the brand of Freeport. Ed Garcia asked what is the annual cost and Mr. Holman will need to get this cost. Jeff Pena said that he has met with another firm recently that will be giving him a quote and will bring to the next board meeting.

Mingo Marquez asked if we bring it to the beach can we bring it farther that just the entrance which Jeff Pena said it should have a 2 mile reach. This needs to be confirmed. Mr. Holman said using you cell phone, if with T-Mobile you can access the internet from most of the beach although there are some dead spots. But it does not do the advertising that we would like to do such as say come to downtown.

Mingo Marquez made a motion to table this item until the board gets additional bids. Ed Garcia second. Motion Passed Unanimously.

h. Analyst Admin Position (Nicole)

Nicole Mireles does not believe Mr. Holman needs an Analyst Admin but just an Office Professional or Assistant and asked what others think.

David McGinty said that Mr. Holman is paid to be the Executive Director and he should be able to chose what employee he needs.

Ed Garcia said his understanding of an Analyst is almost the same abilities as a "Director" and in his opinion what the board was looking for is an Administrative Assistant to facilitate certain duties. The Analyst Admin is too broad and the position is too much pay.

Mr. Holman said that the person he is looking to hire is not salaried position, not a project manager and not a step for being a director as that is an entirely different criterion. Mr. Holman said that he is not looking for a secretary that is just answering phones but needs someone that will be able to conduct business retention calls and work with businesses when I am not available that he would train over time and have them obtain their ED certification over time to be a professional in this field as he wants that person to continue educational growth in Economic Development. Mr. Holman want to make sure that person is a qualified individual.

Ed Garcia wanted to make a point that Mr. Holman does not need an assistant director which he feels the job description shows. Mr. Holman said he has a different job description for an Administrator that would be closer to the duties of the Executive Director that he has used before in his last city.

Mingo Marquez said he is confused that we already have applications turned in for this position and we voted to post this position. Mr. Holman said he has a stack of application and the position is still posted. Mingo asked if this is still the same exact position which the answer is yes. Mingo said that the board has already voted and

approved to advertise for the position, the budget has been approved, and we already have applications turned in to the office.

Nicole Mireles said that she wants all the board members to choose the candidate. Mr. Holman said that is too onerous for the entire board to choose a person to hire. Mr. Holman described his method that he has used over and over for years that works as this position interacts with the public which is having a max of two board members, HR, a city staff person, a RE Broker from the community and one other that looks at Mr. Holman's recommendations, narrow it down to 5 candidates, then interviews the 5 candidates and he will then decide the person to hire from the recommendation(s) of the group.

The item was tabled.

i. Bi-Monthly

Jeff Pena said this was taken off the agenda last meeting as we did not have a full board attend. Jeff Pena asked Ed Garcia if he wanted to consider it due to the amount of work needed or table it. Ed Garcia said to table this item.

VIII. Board Comments

Jeff said that he is excited about the FEDC and City. The FEDC is in good hands with Ed Garcia and the rest of the board.

Ed Garcia thanked Jeff Pena for his service and hopes he continues to participate. Ed Garcia wants to make this board work in a team effort and believe that is what is lacking in the past leadership.

Mingo Marquez thanked Jeff Pena dedication to the board. Mingo agrees with Ed Garcia that the board needs to work as a team. With the new board it is not like a revolving door and with this core group the board should be able to get things done. He is happy seeing the activity in downtown. He would like to have us concentrate on getting added businesses in downtown quickly.

Nicole Mireles thanked the owners of Barcadia taking a big chance in opening in downtown.

David McGinty thanked Jeff Pena for his passion and hopes it continues. He thanked the new members and stated that he is part of the historical committee that needs help for events every month and signage to bring people to the downtown to shop and help us with sales tax as that is how the FEDC is funded.

Mingo Marquez asked about the signage on what committee is handling. Jeff Pena said that is what Ed Garcia will need to decide on how to proceed and what subcommittee will take this on. Mingo does not believe we need to start over and just add a member to the existing subcommittee.

Jeff Pena stated that the FEDC is helping the Museum to help promote the city.

Shonda Marshall thanked the board in accepting her to the board and desires to work on projects to enhance the city. When she reviewed the previous minutes she noticed that many of the items were tabled and agrees that the board need to work together. She thanked the owners of Barcadia for their investment in the community.

Josh Mitchel thanked everyone be having him on the board. He is looking forward to all the work ahead.

IX. Executive Session – Adjourn into Executive Session

It is now 7:47 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation June 22, 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), 551.072 (Deliberations about Real Property), 551.071 (Consultation with Attorney), Section 551.074 (Personnel Matters)

In Accordance with the Texas Government Code:

Section 551.072 (Deliberations about Real Property)

1. Discussion and action to sell the 212, 210, and 208 buildings. (Courtland/David)
2. Discussion and action to sell 318 2nd Street (Courtland)

Section 551.087 (Economic and Community Development Matters)

1. Skymark 13 Acre Housing Development Proposal to Council (Jeff)

Section 551.071 (Consultation with Attorney)

1. Realty World Development

Section 551.074 (Personnel Matters)

1. Annual Review of Executive Director

Reconvene into Open Session

Board President's statement:

It is now 9:21 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 Possible Action

No Action

X. Director's Report

Read them.

XI. Adjourn

Motion to close board meeting made by Mingo Marquez and seconded by Ed Garcia. Motion **Passed Unanimously**.

It is now 9:22 p.m. and I hereby close the board meeting.