

**CITY OF FREEPORT  
ECONOMIC DEVELOPMENT CORPORATION**

430 North Brazosport, Freeport, TX  
Tuesday, June 13, 2023 at 6:00 p.m.

**REGULAR MEETING MINUTES**

**FEDC BOARD MEMBERS:** Quorum Present

Directors:

Mingo Marquez	President
Josh Mitchell	Vice-President
David McGinty	Secretary
Sandra Loeza	Treasurer
Shonda Marshall	
Ken Tyner	
George Matamoros	

Robert Johnson: Executive Director

Tim Kelty: City Manager

Chris Duncan: Attorney

Jerry Cain: Council Liaison

Kaytee Ellis: EDC Staff

**I. Call to Order**

Mingo Marquez called the meeting to order at 6:08 PM. A quorum was present.

**II. Invocation and Pledge**

Ken Tyner led the invocation and George Matamoros led the pledge.

**III. Citizens Comments**

Pam Dancy questioned the Parks Improvement Project. She asked why the City and Council are not the ones discussing these improvements and said there are a number of grants available at the federal level to help with these improvements. Pam Dancy said she heard board members would leave the board if the EDC were to leave city hall. She feels this is a threat and there should be consequences. Pam Dancy said ego and pride are dangerous and if board members cannot put these aside, there are others who can fill their seats. Pam Dancy said “principles over personalities” and “there are a lot of shameful political games being played.”

**IV. Consent Agenda**

- 1. Approve Meeting Minutes for May 10, 2023**
- 2. Approve Meeting Minutes for May 30, 2023**
- 3. Approve Financials**
- 4. Approve Invoices**

Sandra Loeza questioned the \$20,000 payment to MRG.

Cathy Ezell said this was the first payment to Taco Bell.

Ken Tyner made a motion to approve the consent agenda. Josh Mitchell seconded.  
**MOTION PASSED UNANIMOUSLY.**

## **V. Discussion & Action Items**

### **1. Discuss and take possible action EDC Officer Elections**

Josh Mitchell nominated Mingo Marquez for President. Shonda Marshall seconded. **MOTION PASSED UNANIMOUSLY.**

Mingo Marquez nominated Josh Mitchell for Vice President. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY.**

George Matamoros nominated David McGinty for Secretary. Josh Mitchell seconded. **MOTION PASSED UNANIMOUSLY.**

Mingo Marquez nominated Sandra Loeza for Treasurer. Josh Mitchell seconded. **MOTION PASSED UNANIMOUSLY.**

### **2. Discuss and take possible action EDC Purchasing Policy**

Cathy Ezell presented the purchasing policy and informed the board that this would give the director up to \$10,000 to spend without prior approval of the board. Cathy Ezell stated that the Finance Director, currently herself, ensures the policy is followed. Cathy Ezell said this is the same as the City's policy.

Mingo Marquez asked if this only pertains to budgeted items and questioned the iPads.

Cathy Ezell stated the expense has to be budgeted and have the funds available in that budget. Cathy Ezell said that while the policy does have a \$10,000 authority, this does not preclude Mr. Johnson from bringing an item to the board prior to purchasing.

Sandra Loeza said she likes how detailed the policy is.

Mingo Marquez asked Robert Johnson if he was okay with this policy.

Robert Johnson responded yes.

George Matamoros made a motion to approve the purchasing policy. Ken Tyner seconded.  
**MOTION PASSED UNANIMOUSLY.**

### **3. Discuss and take possible action EDC ACH Policy**

Cathy Ezell presented the ACH Policy to the board stating that the City has added ACH, or direct deposit, payments and she would like to extend this option to the EDC. Currently, the EDC has one vendor requesting ACH payments.

Sandra Loeza asked if there are any fees involved.

Cathy Ezell said yes, but they are a lot cheaper than stopping payments on a check and reissuing when they are lost in the mail.

David McGinty asked if this process is easier for the finance department and if it would cut back on the delay for payments.

Cathy Ezell responded yes; payments will be issued the next business day.

Josh Mitchell made a motion to approve the ACH Policy. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY.**

#### **4. Discuss and take possible action on Brazoria County Hispanic Chamber of Commerce's Business Expo**

Gina Aguirre-Adams presented the Business Expo to the board to be held September 26, 2023 at RiverPlace and requested a sponsorship for \$5,000.

George Matamoros asked what the booth for the City of Freeport was used for.

Gina Aguirre-Adams said it was as a thank you for allowing them to do the event.

George Matamoros asked if all sponsors were confirmed.

Gina Aguirre-Adams responded that the sponsors shown were from last year's event, but she is working on getting sponsors for this year as well.

Mingo Marquez asked how many booths will be available.

Gina Aguirre-Adams said there will be 48

Ken Tyner made a motion to approve the \$5,000 sponsorship to the Business Expo. Mingo Marquez seconded. **MOTION PASSED UNANIMOUSLY.**

#### **5. Discuss and take possible action on Overland Resolution**

Robert Johnson presented the suggested changes to the Overland Agreement; one of which would be stating that no metal would be used on the exterior of the building. Mr. Johnson stated these changes were recommended by City Council at the first reading of the resolution.

Mingo Marquez asked if Overland Group reviewed the changes.

Robert Johnson responded yes.

George Matamoros made a motion to approve the updated Overland Resolution. David McGinty seconded. **MOTION PASSED UNANIMOUSLY.**

#### **6. Discuss and take possible action La Caza Azul Grant #2**

Cassy Aquines with La Casa Azul informed the board that phase one of the project has been completed and she is asking for assistance with phase two in the form of another business improvement grant. These improvements would include making the building ADA compliant, a new roof, painting, landscaping, and exterior lighting.

David McGinty asked if this would max out their grant capacity for this year.

Kaytee Ellis responded no, the max per year is \$50,000 per business/address and approval of tonight's request would put their total at roughly \$28,000.

Josh Mitchell made a motion to approve the grant for La Caza Azul. David McGinty seconded.

George Matamoros asked if they would need an extension.

Robert Johnson recommended an additional three months.

Mingo Marquez called for a vote. **MOTION PASSED UNANIMOUSLY.**

#### **7. Discuss and take possible action on all open Business Improvement Grants**

Kaytee Ellis provided the board with a handout and read it to the public. Kaytee Ellis reviewed the status of each grant approved by the board for the current year and the previous year. Kaytee Ellis asked to move this item to executive session for additional updates.

Mingo Marquez said this item would be continued in executive session.

#### **8. Discuss and take possible action on Parks Improvement Project**

Karla Clark asked who would be funding the project and which parks would be included.

George Matamoros stated he is looking for public/private partnerships and this project is allowed by the EDC under a "quality of life" project. George Matamoros said this would be a one-time cost to the EDC and maintenance would be done by the City.

Tim Kelyt added that the scope of work and funding sources have not yet been defined.

#### **9. Discuss and take possible action on 318 W 2nd Street demolition**

Robert Johnson said an inspection has been done of the property and Code Enforcement has recommended demolition. Robert Johnson presented three quotes for demolition to the board.

Sandra Loeza made a motion to approve the quote from Shotwell. Josh Mitchell seconded.

George Matamoros asked who will handle the utility disconnects.

Mingo Marquez said Kaytee Ellis and Robert Johnson will handle these.

**MOTION PASSED UNANIMOUSLY.**

#### **10. Discuss and take possible action 208, 210, 212 W Park engineering and renovations**

Robert Johnson said that staff has had trouble getting bids on renovating the three EDC owned buildings downtown due to the lack of engineering.

Mingo Marquez asked if even the Lucy Goose building would need engineering.

Kaytee Ellis responded yes, any project over \$50,000 needs an engineer per the City code.

Mingo Marquez told Robert Johnson and Kaytee Ellis to continue getting quotes.

### **11. Discuss and take possible action on purchasing tablets for board members and employees**

Robert Johnson presented two tablet options to the board, an iPad Pro and a Fire Max tablet.

George Matamoros spoke on the advantages of the iPad over the Fire.

Sandra Loeza asked why the board is looking at these.

George Matamoros said he would like to move to digital agendas to be more environmentally friendly and eliminate work in the office. Last months meeting binders were over 200 pages each with a minimum of 7. George Matamoros said this would save on paper, ink, and time.

Mingo Marquez asked to get keyboard cases.

David McGinty said he likes the idea of digital agendas as long as he is still able to take notes.

George Matamoros made a motion to purchase 9 iPad Pros with apple care and cases with a maximum budget of \$9,000. David McGinty seconded. **MOTION PASSED UNANIMOUSLY**

### **12. Discuss and take possible action on Retail Strategies**

Robert Johnson said that while at ICSC, he spoke to Chris Bontrager with Retail Strategies who offered to come speak to the board about their services as well as forgive the \$18,000 debt with the EDC. Robert Johnson said the EDC has used this company before and would like to get their thoughts before proceeding.

Mingo Marquez said he would like to schedule a time for Retail Strategies to give a presentation to the board.

### **13. Discuss and take possible action on July 4th Business Networking Event**

Mingo Marquez reminded the board of the event last year that was held with the Brazoria County Hispanic Lions Club. Mingo Marquez said the marketing committee is suggesting keeping the event inhouse this year.

Kaytee Ellis informed the board that she met with the Freeport Lions Club prior to tonight's EDC meeting and they are on board with allowing the event as long as any alcohol is purchased through the Lions Club directly.

Sandra Loeza asked for a budget amount.

Kaytee Ellis stated \$3,500.

Robert Johnson said \$4,000-\$4,500.

David McGinty made a motion to approve a budget of \$4,000 for the 4<sup>th</sup> of July event. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY**

### **14. Discuss and take possible action on Responses to RFQ for Legal Services**

David McGinty said he feels this whole ordeal has been convoluted. David McGinty said he has searched the minutes and cannot find where the board approved the contract with Mr. Duncan which was signed by then EDC President, Jeff Pena in March of 2021.

Mingo Marquez said he remembers that there were issues with the audio then and he really does not think the board would have not approved this.

George Matamoros went over the letter provided by Duncan Law Firm.

David McGinty said it is the duty of the EDC to do the right thing here and that includes following their own policies.

Robert Johnson reviewed the pricing for the attorneys in the board binders.

Sandra Loeza asked how Jeff Moore would be in meetings.

Robert Johnson said the board could call him during the meetings or he can review items beforehand.

George Matamoros said that Jeff Moore is mentioned quite a bit through TML.

Mingo Marquez said he does not like the idea of not having an attorney local or nearby because the board does not always know what they are doing and they need guidance.

George Matamoros said quite a few EDC's do not have their attorney present, maybe 7 of 25 he researched.

Mingo Marquez asked Robert Johnson to facilitate contract parameters to present to the board.

George Matamoros said he would like to engage an attorney now.

Mingo Marquez said the current attorney has a contract signed by the president of the EDC at the time and questions how it cannot be a valid contract.

David McGinty said it was not approved by the board and therefore is not valid.

Mingo Marquez said he does not feel there are enough options presented and he would like to have them come speak to the board.

Sandra Loeza asked if Robert Johnson could schedule them to attend the next EDC meeting.

## **15. Update from ICSC**

George Matamoros said he wanted to address the speculation around those who attended ICSC in Las Vegas.

Robert Johnson said the attendees met with many developers and has an appointment with one to look at the 8.8 acre site in coming weeks.

David McGinty said what he feels is the most important thing he learned was the importance of distribution routes and how the EDC needs to place a focus on those to be more appealing to developers.

Ken Tyner said the size and time of the event were overwhelming but David Khan was helpful in navigating the event. Ken Tyner said he would like to attend the event in Dallas next year.

Tim Kelty said there were well over 1000 booths. The attendees split into two groups and spoke to about 30 vendors. Tim Kelty said there were maybe 200 that would have been more fruitful if they had outside assistance.

Mingo Marquez said compared to Dallas, the Las Vegas event was much more fruitful.

George Matamoros said he is glad everyone had a good experience and get to push Freeport. George Matamoros said at the last City Council Meeting, Jeff Pena stated that those who attended ICSC received gift from Dollar general and questioned their integrity.

Robert Johnson said this absolutely did not happen and they received nothing from any developer.

George Matamoros said he did not expect any less of a response.

## **VI. Subcommittee Updates**

## **VII. Board Member and Executive Director Comments**

## **VIII. Executive Session- Adjourn into Executive Session**

It is now 9:12 p.m. and I hereby recess the regular session of the Freeport Economic Development Corporation meeting and do hereby convene into executive session in compliance with Texas Government Code: Section 551.087 (Economic and Community Development Matters).

### 1. Gensler Plan

### **Reconvene into Open Session**

Board President's statement:

It is now 9:29 p.m. and I hereby close the executive session of the Freeport Economic Development Corporation and do hereby reconvene the regular open session and take possible action on items mentioned in executive session.

## **IX. Discussion and Possible Action**

### **1. Gensler Plan**

No Action

### **2. Business Improvement Grant Project**

David McGinty made a motion to issue a 6-month extension to Mist Lounge. Sandra Loeza seconded. **MOTION PASSED UNANIMOUSLY**

## **X. Adjourn**

Motion to adjourn the board meeting was made by George Matamoros and seconded by Josh Mitchell. **MOTION PASSED UNANIMOUSLY.**

Mingo Marquez adjourned the board meeting at 9:31