

City of Port Arthur
Section 4A Economic Development Corporation

MINUTES

Regular Board Meeting

501 Procter Street, Ste. 100, Port Arthur, TX 77640

Monday, April 1, 2019

6:00 p.m.

I. CALL TO ORDER

The Board of Directors of the City of Port Arthur Section 4A Economic Development Corporation met in a Regular Meeting on Monday, April 1, 2019. The meeting was called to order at 6:04 p.m., slightly delayed start due to traffic conditions.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

John Chirafis, Kenneth Marks, Dallas Smith, and Ingrid West Holmes.

The invocation was given by Dallas Smith.

III. MINUTES

Special Meeting February 18, 2019

Special Joint Meeting March 19, 2019

A motion was made by John Chirafis and seconded by Kenneth Marks to approve the minutes of the Special Meeting February 18, 2019 and the Special Joint Meeting March 19, 2019. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

1. Presentations

2. Communications

- a. Port Arthur Chamber of Commerce Membership Luncheon, Tuesday, April 23, 2019.

Individual tickets will be purchased for those wishing to attend.

3. Speakers (limited to 3 min. ea.)

V. UNFINISHED BUSINESS

VI. CONSENT AGENDA ITEMS

VII. NON-CONSENT AGENDA ITEMS

1. To discuss for possible consideration Terms and Conditions for an Infrastructure Economic Incentive with MP1 Construction.

A motion was made by Dallas Smith and seconded by Kenneth Marks to approve the Terms and Conditions for an Infrastructure Economic Incentive with MP1 Construction in the amount of \$166,680.00. The vote was unanimous. Motion carried.

2. To discuss for possible consideration Terms and Conditions for an Infrastructure Economic Incentive with Max Holding LLC.

A motion was made by Dallas Smith and seconded by John Chirafis to approve the Terms and Conditions for an Infrastructure Economic Incentive with Max Holding LLC in the amount of \$118,800.00. The vote was unanimous. Motion carried.

3. To discuss for possible consideration Terms and Conditions for an Economic Incentive with Rai's Bakery.

A motion was made by John Chirafis and seconded by Kenneth Marks to approve the Terms and Conditions for an Economic Incentive with Rai's Bakery in the amount of \$59,277.00. The vote was unanimous. Motion carried.

4. To discuss for possible consideration entering into an Economic Incentive and Loan Agreement with Thermal Industrial Services LLC.

This item was deleted from the Agenda. Thermal Industrial Services LLC has made the decision to locate in Orange, TX.

5. To discuss for possible consideration approving an agreement for the purchase of 6 acres of land in the Spur 93 Business Park by Thermal Industrial Services LLC.

This item was deleted from the Agenda. Thermal Industrial Services LLC has made the decision to locate in Orange, TX.

6. To discuss for possible consideration approving a purchase agreement with KLV Ventures LLC to purchase 3 acres of land in the Spur 93 Business Park.

A motion was made by John Chirafis and seconded by Dallas Smith to approve a purchase agreement with KLV Ventures LLC to purchase 3 acres of land in the Spur 93 Business Park. The vote was unanimous. Motion carried.

7. To discuss for possible consideration a Letter of Intent to Purchase Land in the Spur 93 Business Park by Mid-County Plaza, LLC.

The item was moved to Executive Session.

Following Executive Session a motion was made by Kenneth Marks and seconded by John Chirafis to approve a Letter of Intent to Purchase Land in the Spur 93 Business Park by Mid-County Plaza, LLC. The vote was unanimous. Motion carried.

8. To discuss for possible consideration a Letter of Intent for Decision Technologies Incorporated.

A motion was made by Dallas Smith and seconded John Chirafis to approve the consideration a Letter of Intent for Decision Technologies Incorporated. The vote was unanimous. Motion carried.

9. To discuss for possible consideration approving a Right of Entry Agreement with Doyle Land Services for Chevron Phillips Chemical Company LP.

A motion was made by John Chirafis and seconded by Dallas Smith to approve a Right of Entry Agreement with Doyle Land Services for Chevron Phillips Chemical Company LP. The vote was unanimous. Motion carried.

10. To discuss for possible consideration requesting the Port Arthur City Council to approve a three (3) year extension to a proposition for the use of the Type A Sales tax for a project related to Affordable Housing which is a 4B project, in an amount not to exceed \$300,000.00 per year. The proposition was approved by voters via a Special Election on May 7, 2016 and expires September 30, 2019.

A motion was made by Kenneth Marks and seconded by John Chirafis to approve requesting the Port Arthur City Council to approve a three (3) year extension to a proposition for the use of the Type A Sales tax for a project related to Affordable Housing which is a 4B project, in an amount not to exceed \$300,000.00 per year. The proposition was approved by voters via a Special Election on May 7, 2016 and expires September 30, 2019. The vote was unanimous. Motion carried.

11. To discuss for possible consideration retaining and engaging Tender Loving Care Center for Children d/b/a Legacy Community Development Corporation (Legacy CDC) to manage the Affordable Housing, at a cost not to exceed \$35,000 per year. Current agreement expires August 23, 2019.

A motion was made by Kenneth Marks and seconded by John Chirafis to approve retaining and engaging Tender Loving Care Center for Children d/b/a Legacy Community Development Corporation (Legacy CDC) to manage the Affordable Housing, at a cost not to exceed \$35,000 for a year. Current agreement expires August 23, 2019. The vote was unanimous. Motion carried.

12. To discuss for possible consideration an amendment to Resolution No. 19-037, Baer Engineering and Environmental Consultant, Inc., for the removal and

disposal of two aboveground storage tanks and eleven drums from the former Port Arthur News Building/549 4th Street.

A motion was made by John Chirafis and seconded by Dallas Smith to approve an amendment to Resolution No. 19-037, Baer Engineering and Environmental Consultant, Inc., for the removal and disposal of two aboveground storage tanks and eleven drums from the former Port Arthur News Building/549 4th Street. The vote was unanimous. Motion carried.

13. To discuss for possible consideration going out for bid for asbestos/mold/lead remediation for the former Port Arthur News Building/549 4th Street.

A motion was made by Kenneth Marks and seconded by Dallas Smith to approve going out for bid for asbestos/mold/lead remediation for the former Port Arthur News Building/549 4th Street. The vote was unanimous. Motion carried.

14. To discuss for possible consideration entering into a Janitorial Contract for 501 Procter Street.

A motion was made by Kenneth Marks and seconded by John Chirafis to approve entering into a Janitorial Contract for 501 Procter Street. The vote was unanimous. Motion carried.

15. To discuss for possible consideration the lease of office space at 501 Procter Street by Nathan Rivers.

This item was moved to Executive Session.

Following Executive Session a motion was made by John Chirafis and seconded by Kenneth Marks to approve the lease of office space at 501 Procter Street by Nathan Rivers. The vote was unanimous. Motion carried.

16. To discuss for possible consideration setting a date for the PAEDC Budget Workshop.

It is the desire of the Board to conduct this workshop prior to the May 6, 2019 regularly scheduled Board Meeting to begin at 5:30 p.m.

VIII. REPORTS

1. Marketing & Business Recruitment Report
2. Operational Report
3. Financial Report
4. CEO's Report

The Board retired to Executive Session at 7:27 p.m.

The Board reconvened to the Regular Board Meeting at 8:06 p.m.

IX. CLOSED SESSION (EXECUTIVE SESSION)

In Order To Comply With The Requirements Of Chapter 551 (Open Meetings Law) Of The Texas Government Code, Prior To Going Into Closed Meeting The Presiding Officer To The City Of Port Arthur Section 4A Economic Development Corporation Board of Directors Should Make The Following Public Announcement:

"A Closed Meeting or Executive Session Will Be Held Pursuant To The Following Sections of Chapter 551, Texas Government Code,

- 1. Section 551.071 Government Code – To discuss with Attorney Guy Goodson pending and potential litigation and/or legal advice.**
- 2. Section 551.072 Government Code – To deliberate the purchase, exchange, lease, or value of real property.**
- 3. Section 551.074 Government Code – To discuss matters of Personnel.**
- 4. Section 551.087 Government Code – To discuss Incentives for Commercial and Industrial Business Prospects.**

***The Items in Executive Session May Be Discussed and Acted On In Open Session"**

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

XI. ADJOURNMENT OF MEETING

Meeting was adjourned at 8:09 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 6th **DAY OF**

 May **, 2019.**

 Dale Smith
SECRETARY OF THE BOARD