

City of Port Arthur
Section 4A Economic Development Corporation

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued March 16, 2020 The City of Port Arthur Section 4A Economic Development Corporation will conduct its Regular Meeting, scheduled for Monday October 5, 2020 at 6:00 p.m. located at 501 Procter Street Port Arthur, Texas 77640, by a telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be no public access to the location above.

The public dial-in-number to participate in the telephonic meeting is hosted through Conference Calling.

The Dial-In Number is: (346) 248-7799 and the Meeting ID is: 857 2535 1460

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act, upon written request.

City of Port Arthur
Section 4A Economic Development Corporation

AGENDA

Regular Board Meeting

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

Monday, October 5, 2020

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 Telephonic Meeting on Monday, October 5, 2020. The meeting was called to order at 6:02 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Darrell Anderson, John Chirafis, Christopher Smith, Jerry LaBove, Dallas Smith, Farhana Swati and Rhonda Conner.

The Invocation was given by Christopher Smith. Being this meeting was telephonic, the Pledge of Allegiance was omitted.

III. MINUTES

September 14, 2020 Special Meeting Minutes

A motion was made by Dallas Smith and seconded by Jerry LaBove to approve the September 14, 2020 Special Meeting Minutes. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

1. Presentations

None

2. Communications

None

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

None

V. REPORTS

1. Workforce Development Report
2. Programs Compliance Report
3. Financial Report
4. Community & Business Center Report
5. CEO's Report

VI. UNFINISHED BUSINESS

None

VII. CONSENT AGENDA ITEMS

None

VIII. NON-CONSENT AGENDA ITEMS

1. To discuss for possible consideration awarding and entering into a landscaping and maintenance agreement of the sprinkler system at the Jade Avenue Business Park to Frey's Landscape.

A motion was made by John Chirafis and seconded by Rhonda Conner to approve awarding and entering into a landscaping and maintenance agreement of the sprinkler system at the Jade Avenue Business Park to Frey's Landscape. The vote was unanimous. Motion carried.

2. To discuss for possible consideration entering into a Construction Agreement with SETEX for the complete build out of 549 4th Street.

This Item was moved to Executive Session.

Following Executive Session, a motion was made by Jerry LaBove and seconded by Dallas Smith to authorize entering into a Construction Agreement with SETEX for the complete build out of 549 4th Street, contingent on a 501 Procter Street, Inc. funding contribution. The vote was unanimous. Motion carried.

3. To discuss for possible consideration entering into an Architectural Agreement with Powers Brown Architecture with Alam Farias as principle for the complete architectural build out of 549 4th Street.

This item was taken to Executive Session.

Following Executive Session a motion was made by Dallas Smith and seconded by Jerry LaBove to authorize entering into an Architectural Agreement with Powers Brown Architecture with Alam Farias as principle for the complete architectural build out of 549 4th Street, contingent on Alam Farias (Architect on Record) providing documentation to support Architect's Studio assigning the original contract. The vote was unanimous. Motion carried.

4. To discuss for possible consideration awarding and entering into agreement with ISI Commercial Refrigeration LLC for the purchase of Kitchen equipment for 549 4th Street.

A motion was made by Jerry LaBove and seconded by Dallas Smith to approve awarding and entering into agreement with ISI Commercial Refrigeration LLC for the purchase of Kitchen equipment for 549 4th Street. The vote was unanimous. Motion carried.

5. To discuss start date of lease agreement with Port Arthur Greater Minority Chamber of Commerce.

A motion was made by Dallas Smith and seconded by Jerry LaBove to approve the start date of October 1, 2020 for the lease agreement with Port Arthur Greater Minority Chamber of Commerce. The vote was unanimous. Motion carried.

6. To discuss for possible consideration a Letter of Intent from Fittz & Shipman, Inc., lease space at 501 Procter Street.

A motion was made by Dallas Smith and seconded by John Chirafis to approve a Letter of Intent from Fittz & Shipman, Inc., lease space at 501 Procter Street. The vote was unanimous. Motion carried.

7. To discuss for possible consideration a Letter of Intent from Tony and Stephanie Nguyen for a possible Infrastructure Project.

A motion was made by John Chirafis and seconded by Jerry LaBove to approve a Letter of Intent from Tony and Stephanie Nguyen for a possible Infrastructure Project. The vote was unanimous. Motion carried.

8. To discuss for possible consideration a Letter of Intent from Figueroa's Welding Wear for Infrastructure Project.

A motion was made by John Chirafis and seconded by Rhonda Conner to approve a Letter of Intent from Figueroa's Welding Wear for Infrastructure Project. The vote was unanimous. Motion carried.

9. To discuss for possible consideration a Right of Entry request from U.S. Army Corps of Engineers.

A motion was made by Dallas Smith and seconded by John Chirafis to approve a Right of Entry request from U.S. Army Corps of Engineers. The vote was unanimous*. Motion carried.

***Note: in the Zoom Meeting Video rendering it sounds as though a Board Member opposed, however, the Board Member's response was delayed due to audio being muted. Confirmation was made with this Board Member, they did not oppose this item**

10. To discuss for possible action authorizing the CEO to sign documents related to the New Market Tax Credit Unwind.

A motion was made by Dallas Smith and seconded by Rhonda Conner to approve authorizing the CEO to sign documents related to the New Market Tax Credit Unwind. The vote was unanimous. Motion carried.

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"**

The Board exited the telephonic Zoom meeting to join the Executive Session via the telephonic WebEx meeting at 7:33 p.m.

The Board reconvened to the telephonic Zoom meeting @ 8:04 p.m.

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

2nd

DAY OF

November

, 2020.

Dallas Smith

SECRETARY OF THE BOARD