

City of Port Arthur
Section 4A Economic Development Corporation

MINUTES

Regular Board Meeting

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

Monday, August 2, 2021

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, August 2, 2021. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Darrell Anderson, Christopher Smith, Rashad Harris, Dallas Smith, Roosevelt Petry and Rhonda Conner.

The Invocation was given by Darrell Anderson, followed by the Pledge of Allegiance.

III. MINUTES

July 12, 2021 Special Meeting Minutes

July 20, 2021 Special Meeting Minutes

July 22, 2021 Special Meeting Minutes

A motion was made by Christopher Smith and seconded by Rhonda Conner to approve the July 12, 2021 Special Meeting Minutes, July 20, 2021 Special Meeting Minutes, and July 22, 2021 Special Meeting Minutes. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

1. Presentations

A. Jermey Houston, Deputy Chief/Emergency Management Coordinator

2. Communications

A. Letter of Resignation – Commissioner John Chirafis

B. Greater Port Arthur Chamber of Commerce Membership Luncheon, South County Legislative Update, Wednesday, August 25, 2021

Individual tickets will be purchased for those wishing to attend.

Christian Faith Women of Virtue, Inc., Diamond Conference Luncheon,
August 6, 2021.

A motion was made by Dallas Smith and seconded by Roosevelt Petry to purchase a table of 8 at \$400 for those wishing to attend the conference.

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

1. To discuss for possible consideration utilizing "naming rights" for buildings owned by the PAEDC (request of Board Member Roosevelt Petry).

A motion was made by Christopher Smith and seconded by Roosevelt Petry to approve utilizing "naming rights" for buildings owned by the PAEDC, contingent on the CEO reporting back the feasibility regarding the Economic Development Administration (EDA) for The Press Building and the Texas Historical Commission (THC) for 501 Procter Street. The vote was unanimous. Motion carried.

2. To discuss for possible consideration seeking Requests For Qualifications for Legal Counsel and hiring an Interim Legal Counsel for the Port Arthur EDC.

A motion was made by Christopher Smith and seconded by Roosevelt Petry to table seeking Requests For Qualifications for Legal Counsel. The vote was unanimous. Motion carried.

A motion was made by Roosevelt Petry and seconded by Dallas Smith to hire an Interim Legal Counsel, accepting the proposal submitted by Frank Garza of Davidson, Troilo, Ream and Garza PC Attorneys at Law for the Port Arthur EDC. The vote was not unanimous.

Ayes

**Darrell Anderson
Christopher Smith
Dallas Smith
Roosevelt Petry**

Noes

Rashad Harris

Rhonda Conner

Motion carried.

VII. CONSENT AGENDA ITEMS

A motion was made by Roosevelt Petry and seconded by Dallas Smith to approve the Consent Agenda Items. The vote was unanimous. Motion carried.

1. To discuss for possible consideration a Letter of Intent for a Medical Facility Infrastructure.
2. To discuss for possible consideration a Letter of Intent for Gulfway Shopping Center Infrastructure.
3. To discuss for possible consideration the Closing of the Contract with AWC, Inc.
4. To discuss for possible consideration the Closing of the Contract with PARC Enterprises, Inc.
5. To discuss for possible consideration the Closing of the Contract with MP1 Construction, LLC.
6. To discuss for possible consideration the Closing of the Contract with Max Holdings, LLC.

VIII. NON-CONSENT AGENDA ITEMS

President Darrell Anderson moved to have Non-Consent Item #5 moved to #1, a motion was made by Christopher Smith and seconded by Roosevelt Petry to table this item until the Annual Meeting to be held January, 2022. The vote as unanimous. Motion carried.

1. To discuss for possible consideration approving furniture purchase for The Press Building in the amount of \$230,467.75 from Hernandez Office.

A motion was made by Roosevelt Petry and seconded by Dallas Smith to table and seek three (3) bids for this item. The vote was split:

Ayes

**Roosevelt Petry
Dallas Smith
Christopher Smith**

Noes

**Darrell Anderson
Rashad Harris
Rhonda Conner**

Motion did not carry.

Following Board Member discussion:

A motion was made by Rashad Harris and seconded by Rhonda Conner to approve the furniture purchase for The Press Building in the amount of \$230,467.75 from Hernandez Office. A roll call vote was taken:

Ayes

**Darrell Anderson
Christopher Smith
Rashad Harris
Dallas Smith
Rhonda Conner
Roosevelt Petry**

The vote was unanimous. Motion carried.

2. To discuss for possible consideration approving a Lease Agreement with Lamar State College Port Arthur for the Culinary Arts/Hospitality Program at 549 4th Street.

A motion was made by Roosevelt Petry and seconded by Christopher Smith to approve a Lease Agreement with Lamar State College Port Arthur for the Culinary Arts/Hospitality Program at 549 4th Street. The vote was unanimous. Motion carried.

3. To discuss for possible consideration approving the definition of the term "enrollment" within the Digital Workforce Training Agreement.

A motion was made by Roosevelt Petry and seconded by Christopher Smith to approve the definition of the term "enrollment" within the Digital Workforce Training Agreement. The vote was unanimous. Motion carried.

4. To discuss setting a timeline chart for all pending Agenda Items within the next 60 days (request of Board Member Christopher Smith).

This item was for discussion only.

5. To discuss for possible consideration the selection of the Vice President of the Board of Directors of the Corporation.

This Item as moved to Non-Consent #1 and tabled.

6. To discuss for possible consideration naming a Committee to review the job description for the positions of Chief Executive Officer and Deputy Director for the Port Arthur EDC.

Board President Darrell Anderson appointed the following to a Committee to review the job description for the positions of Chief Executive Officer and Deputy Director for the Port Arthur EDC.

Rashad Harris, Christopher Smith and Roosevelt Petry.

President Darrell Anderson announced that he must depart the meeting and asked Board Members to select a Chair to oversee the remainder of the meeting. A motion was made by Roosevelt Petry and seconded by Christopher Smith for Secretary Dallas Smith to Chair the remainder of the meeting.

7. To discuss for possible consideration rescheduling the September 6, 2021 Regular Board Meeting to Monday, September 13, 2021 due to the Labor Day Holiday.

A motion was made by Christopher Smith and seconded by Rashad Harris to reschedule the September 6, 2021 Regular Board Meeting to Monday, September 13, 2021 due to the Labor Day Holiday. The vote was unanimous. Motion carried.

8. To discuss for possible consideration appointing a RFP Review Committee for the leased kitchen space at 549 4th Street.

A motion was made by Roosevelt Petry and seconded by Christopher Smith to have the previously named Building Committee; Darrell Anderson, Rashad Harris and Christopher Smith review the RFP for the leased kitchen space at 549 4th Street and make a recommendation to the Board. The vote was unanimous. Motion carried.

9. To discuss for possible consideration approving a Landlord's Waiver and Consent from ParFab.

A motion was made by Roosevelt Petry and seconded by Rashad Harris to approve a Landlord's Waiver and Consent from ParFab. The vote was unanimous. Motion carried.

10. To discuss for possible consideration Board Member travel.

A motion was made by Rhonda Conner and seconded by Christopher Smith to approve Board Member travel. The vote was unanimous. Motion carried.

11. To discuss for possible consideration the approval of a Proposal from Nance Commercial & Industrial HVAC&R Services for the installation of a Compressor Sled at 501 Procter Street.

A motion was made by Roosevelt Petry and seconded by Christopher Smith to approve a Proposal from Nance Commercial & Industrial HVAC&R Services for

the installation of a Compressor Sled at 501 Procter Street. The vote was unanimous. Motion carried.

12. To discuss for possible consideration a forensic audit (request of Board Member Roosevelt Petry).

A motion was made by Roosevelt Petry and seconded by Christopher Smith to table this item. The vote was unanimous. Motion carried.

VII. 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.
 - A. Chief Executive Officer
4. **Section 551.087 Government Code** – To discuss Incentives for Commercial and Industrial Business Prospects.

It was noted there is no legal counsel present to convene to Executive Session.

A motion was made by Dallas Smith and seconded by Rhonda Conner to adjourn the meeting at 8:26 p.m.

Board discussion continued, the Board elected to continue and convene to Executive Session.

The Board reconvened to the Regular Meeting at 9:09 p.m.

A roll call was taken, present were Christopher Smith, Rashad Harris, Dallas Smith, Roosevelt Petry and Rhonda Conner.

Secretary Dallas Smith called on Christopher Smith to recite the recommendation that transpired in Executive Session.

Christopher Smith stated:

In regards to Section 551.074 the Government Code – To discuss matters of Personnel for the Chief Executive Officer the recommendation has been that we identify an Interim CEO ASAP and the recommendation from a name perspective was Ike Mills.

Secretary Dallas Smith called for a motion. Christopher Smith made the motion that we move forward with the Interim recommendation for identifying an Interim CEO that can work well with Mr. Batiste for the transition and we move forward with a name that has been proposed. Roosevelt Petry seconded the motion. Secretary Dallas Smith stated it's been moved and second that Ike Mills as Interim Executive Officer, all in favor. All Board Member voted, Secretary Dallas Smith stated the Ayes have it. The vote was unanimous. Motion carried.

A motion was made by Secretary Dallas Smith and seconded by Rhonda Conner to adjourn the meeting at 9:13 p.m.

IX. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

X. ADJOURNMENT OF MEETING

Meeting was adjourned at 9:13 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE

30th

DAY OF

August

, 2021.

Jerry Labare
SECRETARY OF THE BOARD