

**City of Port Arthur**  
**Section 4A Economic Development Corporation**

**MINUTES**  
**Special Board Meeting**  
*501 Procter Street, Ste. 100, Port Arthur, TX 77640*  
**Monday, August 30, 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 Special Meeting on Monday, August 30, 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, Kaprina Frank, Jerry LaBove and Rhonda Conner.**

**The Invocation was given by Christopher Smith, followed by the Pledge of Allegiance.**

**III. MINUTES**

August 2, 2021 Regular Board Meeting Minutes

**A motion was made by Rhonda Conner and seconded by Kaprina Frank to approve the August 2, 2021 Regular Board Meeting Minutes. The vote was unanimous. Motion carried.**

**IV. PETITIONS & COMMUNICATIONS**

**1. Presentations**

Introduction of new Board Members:

- Beverly Raymond
- Kaprina Frank
- Jerry LaBove

**CEO Floyd Batiste introduced new Board Members as well as Interim Attorney Frank Garza.**

## **2. Communications**

- A. Letter of Resignation – Commissioner Dallas Smith
- B. Letter - PAEDC CEO Floyd Batiste

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

None

## **V. REPORTS**

- 1. Workforce Development Report
- 2. Programs Compliance Report

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***6:25 p.m. - at this time the Board convened to Executive Session to participate in a Special Webex presentation to commence at 6:30 p.m.***

***The Board reconvened to the Special Meeting at 7:11 p.m.***

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- 3. Financial Report
- 4. Community & Business Center Report
- 5. CEO's Report

## **VI. UNFINISHED BUSINESS**

- 1. To discuss for possible consideration seeking Requests For Qualifications for Legal Counsel.

**A motion was made by Christopher Smith and seconded by Rhonda Conner to approve the Request for Qualifications for Legal Counsel format as written and begin the process of seeking Legal Counsel for PAEDC. The vote was unanimous. Motion carried.**

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

**A motion was made by Kaprina Frank and seconded by Jerry LaBove to remove this item from the Agenda. The vote was unanimous. Motion carried.**

## **VII. CONSENT AGENDA ITEMS**

**A motion was made by Kaprina Frank and seconded by Christopher Smith to approve the Consent Agenda Items. The vote was unanimous. Motion carried.**

1. To discuss for possible consideration going out for bids for the Security Guard Services to serve the Spur 93 Business Park. (current contract with S&S Investigations & Security expires October 15, 2021)
2. To discuss for possible consideration the First Renewal of the Agreement with Frey Landscaping for the landscaping and maintenance of the sprinkler system at the Jade Avenue Business Park. (expires November 2, 2021)
3. To discuss for possible consideration a Letter of Intent from Haulin' Gas, LLC.

#### **VIII. NON-CONSENT AGENDA ITEMS**

1. To discuss for possible consideration the election of the Vice President of the Board of Directors of the Corporation.

**A motion was made by Kaprina Frank and seconded by Darrell Anderson to elect Christopher Smith as the Vice President of the Board of Directors of the Corporation.**

**Jerry LaBove made a motion to elect Mr. Rashad Harris as Vice President of the Board of Directors of the Corporation, there was no second.**

**There was a motion and a second on the floor to elect Mr. Christopher Smith as the Vice President of the Board of Directors of the Corporation. The vote was unanimous. Motion carried.**

2. To discuss for possible consideration the election of the Secretary of the Board of Directors of the Corporation.

**A motion was made by Rhonda Conner and seconded by Kaprina Frank to elect Rashad Harris as the Secretary of the Board of Directors of the Corporation. Mr. Harris declined the nomination.**

**A motion was made by Rashad Harris and seconded by Darrell Anderson to elect Jerry LaBove as the Secretary of the Board of Directors of the Corporation. The vote was unanimous. Motion carried.**

3. To discuss for possible consideration entering into a contract for Administrative Purposes with the City of Port Arthur.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to approve entering into a contract for Administrative Purposes with the City of Port Arthur in substantial final form and authorize Legal Counsel and the Chair to finalize the document with the City. The vote was unanimous. Motion carried.**

4. To discuss for possible consideration approving the City of Port Arthur Economic Development Corporation (PAEDC) Employee Manual.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to table this item. The vote was unanimous. Motion carried.**

5. To discuss for possible consideration the recommendation of the Committee reviewing the PAEDC Bylaws.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to table this item. The vote was unanimous. Motion carried.**

**Board President Darrell Anderson asked that Board Members review and return with recommendations.**

6. To discuss for possible consideration the recommendations of the Committee reviewing the job descriptions of the Chief Executive Officer and Deputy Director.

**A motion was made by Kaprina Frank and seconded by Rashad Harris to table this item. The vote was unanimous. Motion carried.**

7. To discuss for possible consideration the Request for Qualifications and the selection process for the hiring of the PAEDC CEO Effective October 1, 2021.

**A motion was made by Christopher Smith and seconded by Rhonda Conner to approve seeking bids from four (4) recruiters for the search of PAEDC CEO. The Board would like to review the four quotes and make a recommendation. The CEO Floyd Batiste stated he will seek out quotes from four (4) recruiters for the Board's review. The vote was unanimous. Motion carried.**

8. To discuss for possible consideration appointing an Interim PAEDC Chief Executive Officer.

**A motion was made by Christopher Smith and seconded by Kaprina Frank to have current CEO Floyd Batiste submit a proposal for him to act as Consultant during the Board Members search for the CEO replacement. Mr. Batiste advised he will allot 15 hours per week to act in the capacity of consultant only, he will not provide oversight to the daily office operations. The Board will assign a current Staff member to act as the PAEDC liaison to oversee the daily office operations. Any Staff member that has an interest in this role should contact Board President Darrell Anderson prior to the next Special Meeting scheduled for Monday, September 13, 2021. The vote was unanimous. Motion carried.**

9. To discuss for possible consideration the Terms & Conditions of an Economic Incentive for Infrastructure for a Medical Facility.

**A motion was made by Kaprina Frank and seconded by Rhonda Conner to table this item. The vote was unanimous. Motion carried.**

10. To discuss for possible consideration an Economic Incentive for Clifford Distillery.

**A motion was made by Kaprina Frank and seconded by Rhonda Conner to approve an Economic Incentive in the amount of \$162,500 for Clifford Distilling LLC. The vote was unanimous. Motion carried.**

11. To discuss for possible consideration amending the Economic Development Conditional Grant Agreement with I & C Entertainment II, LLC to extend the contract by one year.

**A motion was made by Rashad Harris and seconded by Kaprina Frank to approve an amendment to the Economic Development Conditional Grant Agreement with I & C Entertainment II, LLC to extend the contract by one year. The vote was unanimous. Motion carried.**

12. To discuss for possible consideration payment of invoice to Joey's Tractor Service in the amount of \$5,005.00 for grass cut at Jade Ave. Business Park.

**A motion was made by Christopher Smith and seconded by Rhonda Conner to approve the payment of invoice to Joey's Tractor Service in the amount of \$5,005.00 for grass cut at Jade Ave. Business Park. The vote was unanimous. Motion carried.**

13. To discuss for possible consideration going out for bids for the mowing of the Jade Avenue Business Park.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to approve going out for bids for the mowing of the Jade Avenue Business Park. The vote was unanimous. Motion carried.**

14. To discuss for possible consideration approving the Terms & Conditions and a Lease Agreement with the City of City Port Arthur for the Emergency Operation Center (EOC) located at 549 4<sup>th</sup> Street.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to approve the Lease Agreement in substantial final form and authorize Legal Counsel and the Chair to finalize terms as to the lease rate with the City Port Arthur for the Emergency Operation Center (EOC) located at 549 4<sup>th</sup> Street. The vote was unanimous. Motion carried.**

15. To discuss for possible consideration ratifying the approval of DataVox Quote DVXQ200909 in the amount of \$9,759.94 for 549 4<sup>th</sup> Street.

**A motion was made by Christopher Smith and seconded by Rashad Harris to ratify the approval of DataVox Quote DVXQ200909 in the amount of \$9,759.94 for 549 4<sup>th</sup> Street. The vote was unanimous. Motion carried.**

16. To discuss for possible consideration ratifying an amendment to the Lease Agreement with Lamar State College Port Arthur at 549 4<sup>th</sup> Street.

**A motion was made by Kaprina Frank and seconded by Jerry LaBove to approve ratifying an amendment to the Lease Agreement with Lamar State College Port Arthur at 549 4<sup>th</sup> Street. The vote was unanimous. Motion carried.**

17. To discuss for possible consideration approving an Agreement with the City of Port Arthur for the use of the Jade Ave. Business Park for Hurricane Recovery.

**A motion was made by Christopher Smith and seconded by Rashad Harris to approve an Agreement with the City of Port Arthur for the use of the Jade Ave. Business Park for Hurricane Recovery. The vote was unanimous. Motion carried.**

18. To discuss for possible consideration making application for an Economic Development Administrative Grant from EDA.

**A motion was made by Kaprina Frank and seconded by Christopher Smith to approve making application for an Economic Development Administrative Grant from EDA. The vote was unanimous. Motion carried.**

19. To discuss for possible consideration cancelling the Special Board Meeting scheduled for Monday, September 13, 2021.

**This item was removed from the Agenda.**

#### **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 Interim Attorney pending and potential litigation and/or legal advice.**

Employee Law Claim

2. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.

EOC Agreement

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 PAEDC Board reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda as authorized by the TEXAS GOVERNMENT CODE §551.071, (Consultation with Attorney), §551.072, (Deliberations about Real Property), §551.074, (Personnel Matters), §551.087 (Economic Development) or any other exception authorized by Chapter 551 of the Texas Government Code

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

XII. ADJOURNMENT OF MEETING

Meeting was adjourned at 8:52 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 13<sup>th</sup> DAY OF September, 2021.

  
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SECRETARY OF THE BOARD