

NOTICE OF PUBLIC MEETING



JANUARY 26, 2021 AT 12:00 P.M.

**11 CHAPEL LANE, SUITE B
NEW BOSTON, TX 75570**

Persons wishing to attend the TexAmericas Center Board of Directors Meeting by telephone can call 1-866-778-5424 and enter the Participant Code of 5090805. Board meeting agenda and materials can be found at the www.texamericascenter.com website.

The Board of Directors of TexAmericas Center will meet to conduct business at the above time and location via conference call.

AGENDA

1. Reflection.
2. Call to Order.
3. Roll Call of Directors.
4. Public Comment Period for Non-Agenda Items. Comments are limited to five minutes.
5. Public Comment Period for Agenda Items. Comments are limited to five minutes.
6. Hear and discuss reports from the standing Committees of TexAmericas Center. Committees that met since the last board meeting are: NONE
7. Consent Agenda:
 - a. Approve Minutes of Board Meeting from December 8, 2020
 - b. Approve Check Book Register and Deposit Summary from November 19, 2020 – January 20, 2021.
8. Report regarding regional water.
9. Consider and take action upon **Resolution #20210126 –01** authorizing the Executive Director/CEO **to execute a resolution for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.**

10. Consider and take action upon **Resolution #20210126-02 approving addendum Number Six to Lease Agreement by and between TexAmericas Center and Texarkana College.**
11. Consider and take action upon **Resolution #20210126-03** authorizing the Executive Director/CEO **to execute a lease for the Parking Lot at 203 Bowie Parkway on TexAmericas Center-East to Texarkana College.**
12. Consider and take action upon **Resolution #20210126-04 ratifying the execution of a Standstill Agreement with the United States of America at 333 Panther Creek Drive, New Boston, TX 75570.**
13. Consider and take action upon **Resolution #20210126-05** authorizing the Executive Director/CEO **to execute a lease with First Street Contractors for trailer lot space at 180 Arkansas Avenue, Lots A & B, New Boston, TX 75570 upon TexAmericas Center-Central Campus.**
14. Staff Reports:
 - a. Executive Director/CEO Report
 - b. Executive Vice President/CEDO Report
 - c. Executive Vice President/COO Report
 - d. Vice President of Logistics Report
 - e. Vice President of Finance Report
15. Adjourn to Executive Session pursuant to the following Sections:
 - a. Section 551.071 of the Texas Government Code; Consultation with attorney regarding legal issues relating to pending or contemplated litigation.
 - b. Section 551.072 of the Texas Government Code; Deliberation of the purchase, exchange, lease, or value of real property.
 - c. Section 551.074 of the Texas Government Code; Personnel Matters.
 - d. Section 551.087 of the Texas Government Code; Deliberation regarding Economic Development Negotiations.
16. Reconvene in Open Session.
17. Adjournment.



MINUTES

The Board of Directors of TexAmericas Center met to conduct business at 11 Chapel Lane, Suite B, New Boston, TX 75570 via conference call on December 8, 2020.

1. Jim Roberts, Chairman of the Board, called for a roll call of Directors to ensure a quorum before calling the meeting to order. A quorum was present by roll call.
2. The Reflection was led by Scott Norton.
3. Jim Roberts, Chairman of the Board, called the meeting to order at 12:05 p.m. certifying that the meeting was properly posted, being held in accordance with the Texas Open Meetings Act and that a quorum was present as previously confirmed.

4. Directors in Attendance by roll call were:

Jim Roberts	Craig McDuffie	Ron Collins	Marc Reiter
Steve Mayo	Tim Ketchum	Gabe Tarr	Denis Washington
Kevin Avery	Ben King	Justin Powell	Fred Norton
Fred Meisenheimer			

Directors Absent by roll call were:

Jimmy Howell	Steven Seals
--------------	--------------

Staff and Others in Attendance by roll call were:

Scott Norton	Marla Byrd	Jeff Whitten	John Sesler
Wes Jordan			
<small>Jordan Law Firm</small>			

5. Jim Roberts called for Public Comments for Non-Agenda Items. Comments are limited to five minutes. None noted.
6. Jim Roberts called for Public Comments for Agenda Items. Comments are limited to five minutes. None noted.
7. Jim Roberts called reports from the standing Committees of TexAmericas Center. No Committees had met since the last board meeting. No reports.
8. A motion was made by Gabe Tarr and seconded by Fred Meisenheimer to approve the item listed under the Consent Agenda. Jim Roberts called for votes by roll call by the directors in attendance. Each director voted. Yes. The motion carried unanimously by voice vote.
 - a. Approved Minutes of Board Meeting from November 24, 2020

9. Considered and took action upon **Resolution #20201208-01 to approve entering into a loan agreement with Guaranty Bank & Trust in an amount of approximately \$9,000,000 secured by a lien on the warehouse building under construction by MW Builders and authorizing the Executive Director/CEO to execute any and all documents necessary to close on the loan transaction.** A motion was made by Justin Powell and seconded by Marc Reiter. Jim Roberts called for votes by roll call by the directors in attendance. Each director voted yes. The motion carried unanimously by voice vote.
10. Considered and took action upon **Resolution #20201208-02 authorizing the Executive Director/CEO to execute an Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners.** A motion was made by Gabe Tarr and seconded by Justin Powell. Jim Roberts called for votes by roll call by the directors in attendance. Each director voted yes. The motion carried unanimously by voice vote.
11. Considered and took action upon **Resolution #20201208-03** authorizing the Executive Director/CEO **to execute a lease agreement for trailer space at 180 Arkansas Avenue, Lots E & F, New Boston, TX 75570 with Harrison, Walker & Harper, LLC.** A motion was made by Gabe Tarr and seconded by Justin Powell. Jim Roberts called for votes by roll call by each director in attendance. Each director voted yes. The motion carried unanimously by voice vote.
12. There was no Executive Session; therefore, the meeting remained in Open Session.

With no other business to discuss, a motion was made by Justin Powell and seconded by Gabe Tarr to adjourn the meeting at 12:19 p.m. Jim Roberts called for votes by roll call by each director in attendance. Each director voted yes. The motion carried unanimously by voice vote.

The above and foregoing minutes of the TexAmericas Center Board of Directors meeting, December 8, 2020 were read and approved on January 26, 2021.

Denis Washington, Secretary

TexAmericas Center
Check Register
November 19, 2020 - January 20, 2021

Type	Date	Num	Name	Memo	Deposits	Payments
Liability Check	11/19/2020		QuickBooks Payroll Service	Payroll		27,567.77
Liability Check	11/23/2020	E-pay	United States Treasury	Payroll Liability		1,435.12
Check	11/23/2020	EFT	Regions	Credit Card		1,927.15
Check	11/23/2020	EFT	Regions	Credit Card		2,825.00
Paycheck	11/24/2020	18299	Byrd, Marla G	Payroll		559.81
Paycheck	11/24/2020	18300	Jackson, Ruth E	Payroll		173.59
Paycheck	11/24/2020	18301	Jimenez, Alberto	Payroll		552.95
Paycheck	11/24/2020	18302	Kaltenhauser, Charles J	Payroll		359.30
Paycheck	11/24/2020	18303	Kemp, Teresa D	Payroll		358.13
Paycheck	11/24/2020	18304	McCloskey, Devon D	Payroll		363.08
Paycheck	11/24/2020	18305	Norton, William S.	Payroll		1,546.52
Paycheck	11/24/2020	18306	Poe, Tyler T	Payroll		268.92
Paycheck	11/24/2020	18307	Sesler, John T	Payroll		9.49
Paycheck	11/24/2020	18308	Sleek, Holly R	Payroll		708.80
Paycheck	11/24/2020	18309	Voyles, Eric D	Payroll		1,232.40
Paycheck	11/24/2020	18310	Whitten, Jeffery D	Payroll		1,238.86
Deposit	11/24/2020			Deposit	3,646.55	
Deposit	11/24/2020			Deposit	3,760.56	
Check	11/30/2020	EFT	Wright Express	Fuel		352.11
Check	12/02/2020	EFT	Regions	Credit Card		664.23
Check	12/02/2020	18339	THTS Inc., dba McLarty Ford	Security & Property Tax Deposit Refund		6,250.00
Liability Check	12/03/2020		QuickBooks Payroll Service	Payroll		27,562.51
Bill Pmt -Check	12/03/2020	18311	American United Life Insurance Company	Insurance		906.66
Bill Pmt -Check	12/03/2020	18312	Bumper to Bumper	Equipment Maintenance		239.85
Bill Pmt -Check	12/03/2020	18313	Chartwell Agency	Advertising		4,000.00
Bill Pmt -Check	12/03/2020	18314	Cintas Corp #197	Uniforms		70.00
Bill Pmt -Check	12/03/2020	18315	Colonial Life	Insurance		260.72
Bill Pmt -Check	12/03/2020	18316	Conner & Duffer Insurance Agency	Insurance		76,656.00
Bill Pmt -Check	12/03/2020	18317	Cooper Cleaning Service, LLC	Janitorial		1,200.00
Bill Pmt -Check	12/03/2020	18318	Federal Express	Shipping		42.15
Bill Pmt -Check	12/03/2020	18319	France Publications, Inc.	Advertising		150.00
Bill Pmt -Check	12/03/2020	18320	Holliday, Lemons & Cox, P.C.	Accounting		787.50
Bill Pmt -Check	12/03/2020	18321	Hooks Tire Service	Vehicle Repair & Maintenance		15.00
Bill Pmt -Check	12/03/2020	18322	Jordan Law Firm, L.L.P.	Legal Services		14,184.75
Bill Pmt -Check	12/03/2020	18323	Kingwood Forestry Services, Inc.	Reforestation		23,085.00
Bill Pmt -Check	12/03/2020	18324	McWilliams & Associates	Consulting		3,333.33
Bill Pmt -Check	12/03/2020	18325	Nash Electric Company	Camera Pole Installation		2,695.00
Bill Pmt -Check	12/03/2020	18326	Neon Cloud Productions LLC	Advertising		322.29
Bill Pmt -Check	12/03/2020	18327	OilCo Distributing LLC	Fuel		187.90
Bill Pmt -Check	12/03/2020	18328	Pritchett Forestry Services, Inc.	Reforestation		18,247.50
Bill Pmt -Check	12/03/2020	18329	REC-TXK, LLC	Area D Warehouse 554 Elm		1,386.00
Bill Pmt -Check	12/03/2020	18330	Sports Magic	Uniforms		1,381.00
Bill Pmt -Check	12/03/2020	18331	Superior Vision of Texas	Insurance		106.25
Bill Pmt -Check	12/03/2020	18332	TAMU-T Alumni Association	Eagle Roundup Sponsorship		500.00
Bill Pmt -Check	12/03/2020	18333	Transamerica Employee Benefits	Insurance		312.56
Bill Pmt -Check	12/03/2020	18334	Vinson & Elkins, LLP	Legal Services		19,810.00
Bill Pmt -Check	12/03/2020	18335	Waste Management	Waste Management		737.63
Bill Pmt -Check	12/03/2020	18336	West St Home & Auto	Repair Water Heater 20 Cir Dr		9.29
Bill Pmt -Check	12/03/2020	18337	AEP SWEPCO	Utilities		1,267.97
Bill Pmt -Check	12/03/2020	18338	Cornett Publishing Co, Inc.	Marketing		550.00
Liability Check	12/07/2020	E-pay	United States Treasury	Payroll Liability		8,272.26
Deposit	12/07/2020			Deposit	7,754.80	
Transfer	12/07/2020			INSURANCE/AP/PAYROLL	200,000.00	
Liability Check	12/07/2020	EFT	InWest Retirement Solutions	Retirement		4,796.22
Bill Pmt -Check	12/11/2020	18340	AEP SWEPCO	Utilities		445.31
Bill Pmt -Check	12/11/2020	18341	Airgas USA, LLC	Supplies		115.20

TexAmericas Center
Check Register
November 19, 2020 - January 20, 2021

Bill Pmt -Check	12/11/2020	18342	Ameritas	Insurance	641.28
Bill Pmt -Check	12/11/2020	18343	Bumper to Bumper	Equipment Maintenance	229.05
Bill Pmt -Check	12/11/2020	18344	Commercial Lighting Company	Supplies	923.07
Bill Pmt -Check	12/11/2020	18345	Conterra Networks	Telephone & Internet	1,508.84
Bill Pmt -Check	12/11/2020	18346	Datacast, Inc.	Computer	2,242.34
Bill Pmt -Check	12/11/2020	18347	Holliday, Lemons & Cox, P.C.	Accounting	5,885.00
Bill Pmt -Check	12/11/2020	18348	MW Builders	Duke West I Spec Building	494,545.00
Bill Pmt -Check	12/11/2020	18349	Riverbend Water Resources District	Utilities	120.00
Bill Pmt -Check	12/11/2020	18350	Texarkana Gazette	Advertising	738.70
Bill Pmt -Check	12/11/2020	18351	Verizon	Telephone	479.04
Bill Pmt -Check	12/11/2020	18352	Vinson & Elkins, LLP	Legal Services	8,957.50
Bill Pmt -Check	12/11/2020	18353	West St Home & Auto	Small Tools & Equipment	199.99
Bill Pmt -Check	12/11/2020	18354	Xerox Corp	Copier	508.49
Transfer	12/14/2020			AP/Spec Bldg Project	500,000.00
Deposit	12/15/2020			Deposit	14,274.46
Deposit	12/15/2020			Deposit	3,195.89
Liability Check	12/16/2020	E-pay	United States Treasury	Payroll Liability	8,403.65
Liability Check	12/17/2020		QuickBooks Payroll Service	Payroll	28,107.36
Liability Check	12/17/2020	eft	InWest Retirement Solutions	Retirement	4,796.22
Bill Pmt -Check	12/17/2020	18355	CBRE	NAS Site Evaluation Proposal	7,780.00
Bill Pmt -Check	12/17/2020	18356	Chartwell Agency	Marketing	9,750.00
Bill Pmt -Check	12/17/2020	18357	Cintas Corp #197	Uniforms	130.07
Bill Pmt -Check	12/17/2020	18358	CoStar Realty Information, Inc.	Marketing	502.20
Bill Pmt -Check	12/17/2020	18359	Dodson Overhead Door and Gate, LLC	Repair Shop Door at 253 Oak St	1,250.00
Bill Pmt -Check	12/17/2020	18360	Federal Express	Shipping	73.55
Bill Pmt -Check	12/17/2020	18361	Global Site Location Industries	Marketing	7,650.00
Bill Pmt -Check	12/17/2020	18362	Julie's Deli	December Board Meeting	185.50
Bill Pmt -Check	12/17/2020	18363	Madison Services, Inc.	Mowing	4,361.70
Bill Pmt -Check	12/17/2020	18364	OilCo Distributing LLC	Fuel	174.50
Bill Pmt -Check	12/17/2020	18365	Real Estate Publishing Corporation	Marketing	2,500.00
Bill Pmt -Check	12/17/2020	18366	Sew Fancy	TAC Star Vinyl Stickers	100.00
Bill Pmt -Check	12/17/2020	18367	Texarkana Chamber of Commerce	Sponsorships	1,750.00
Bill Pmt -Check	12/17/2020	18368	West St Home & Auto	Equipment Maintenance	584.84
Deposit	12/17/2020			Deposit	68,046.84
Check	12/18/2020	EFT	Regions	Credit Card	1,410.87
Check	12/18/2020	EFT	Regions	Credit Card	258.97
Check	12/18/2020	EFT	Regions	Credit Card	926.62
Check	12/18/2020	EFT	Regions	Credit Card	385.35
Check	12/18/2020	EFT	Regions	Credit Card	47.62
Check	12/18/2020	EFT	Regions	Credit Card	258.97
Check	12/21/2020	EFT	Regions	Credit Card	74.04
Liability Check	12/23/2020	E-pay	United States Treasury	Payroll Liability	9,224.38
Liability Check	12/30/2020		QuickBooks Payroll Service	Payroll	31,289.17
Liability Check	12/30/2020	eft	InWest Retirement Solutions	Retirement	4,796.22
Transfer	01/04/2021			AP/Payroll	200,000.00
Deposit	01/05/2021			Deposit	15,058.18
Liability Check	01/05/2021	EFT	Texas Workforce Commission	Payroll Liability	169.92
Deposit	01/05/2021			Deposit	74.26
Bill Pmt -Check	01/06/2021	18369	AEP SWEPCO	Utilities	1,900.97
Bill Pmt -Check	01/06/2021	18370	American United Life Insurance Company	Insurance	954.88
Bill Pmt -Check	01/06/2021	18371	Bumper to Bumper	Equipment Maintenance	169.06
Bill Pmt -Check	01/06/2021	18372	Business Communications Systems, Inc.	Telephone	79.00
Bill Pmt -Check	01/06/2021	18373	Colonial Life	Insurance	260.72
Bill Pmt -Check	01/06/2021	18374	Cooper Cleaning Service, LLC	Janitorial	1,200.00
Bill Pmt -Check	01/06/2021	18375	Defense Finance and Accounting Services	Utilities	2.73
Bill Pmt -Check	01/06/2021	18376	France Publications, Inc.	Advertising	150.00
Bill Pmt -Check	01/06/2021	18377	Group C Media, Inc.	Marketing	995.00
Bill Pmt -Check	01/06/2021	18378	Hooks Tire Service	Vehicle Repair & Maintenance	165.00

**TexAmericas Center
Check Register
November 19, 2020 - January 20, 2021**

Bill Pmt -Check	01/06/2021	18379	Jordan Law Firm, L.L.P.	Legal Services	8,382.00
Bill Pmt -Check	01/06/2021	18380	OilCo Distributing LLC	Fuel	172.81
Bill Pmt -Check	01/06/2021	18381	Superior Vision of Texas	Insurance	111.45
Bill Pmt -Check	01/06/2021	18382	Texarkana Regional Airport	Advertising	2,835.00
Bill Pmt -Check	01/06/2021	18383	Texas Mutual Insurance Company	1/26/21 - 1/25/22 WORKERS COMP	7,097.00
Bill Pmt -Check	01/06/2021	18384	Transamerica Employee Benefits	Insurance	312.56
Bill Pmt -Check	01/06/2021	18385	Waste Management	Waste Management	820.14
Bill Pmt -Check	01/06/2021	18386	Xerox Corp	Copier	525.66
Check	01/08/2021	EFT	Wright Express	Fuel	340.10
Check	01/12/2021	EFT	Regions	Credit Card	283.06
Check	01/12/2021	EFT	Regions	Credit Card	2,362.95
Deposit	01/13/2021			Deposit	8,641.95
Liability Check	01/14/2021		QuickBooks Payroll Service	Payroll	26,492.96
Bill Pmt -Check	01/14/2021	18387	Airgas USA, LLC	Utilities	41.62
Bill Pmt -Check	01/14/2021	18388	Boston Hardware & Lumber	Materials & supplies	88.41
Bill Pmt -Check	01/14/2021	18389	Bowie County Citizens Tribune	Advertising	66.90
Bill Pmt -Check	01/14/2021	18390	Bumper to Bumper	Equipment Maintenance	276.92
Bill Pmt -Check	01/14/2021	18391	Chartwell Agency	Advertising	4,000.00
Bill Pmt -Check	01/14/2021	18392	Cintas Corp #197	Uniforms	35.00
Bill Pmt -Check	01/14/2021	18393	Conterra Networks	Telephone & Internet	1,511.08
Bill Pmt -Check	01/14/2021	18394	Datacast, Inc.	Computer	770.00
Bill Pmt -Check	01/14/2021	18395	France Publications, Inc.	Advertising	1,675.00
Bill Pmt -Check	01/14/2021	18396	Hooks Tire Service	Vehicle Repair & Maintenance	15.00
Bill Pmt -Check	01/14/2021	18397	Madison Services, Inc.	Mowing	450.00
Bill Pmt -Check	01/14/2021	18398	McWilliams & Associates	Consulting	3,333.33
Bill Pmt -Check	01/14/2021	18399	Mountain Valley of Texarkana, Inc.	Supplies	122.50
Bill Pmt -Check	01/14/2021	18400	MW Builders	Duke West I Spec Building	436,696.00
Bill Pmt -Check	01/14/2021	18401	Riverbend Water Resources District	Utilities	120.00
Bill Pmt -Check	01/14/2021	18402	ROI Research On Investment	Marketing	15,000.00
Bill Pmt -Check	01/14/2021	18403	Texarkana Gazette	Advertising	34.80
Bill Pmt -Check	01/14/2021	18404	Verizon	Telephone	341.44
Transfer	01/14/2021			AP/Payroll/Project	400,000.00
Liability Check	01/15/2021	E-pay	United States Treasury	Payroll Liability	10,585.68
Liability Check	01/15/2021	eft	InWest Retirement Solutions	Retirement	6,412.18
Check	01/20/2021	EFT	Regions	Credit Card	850.07
Check	01/20/2021	EFT	Regions	Credit Card	47.62
Bill Pmt -Check	01/20/2021	18405	Ameritas	Insurance	677.36
Bill Pmt -Check	01/20/2021	18406	Bumper to Bumper	Equipment Maintenance	185.01
Bill Pmt -Check	01/20/2021	18407	Business Communications Systems, Inc.	Telephone	79.00
Bill Pmt -Check	01/20/2021	18408	Cardno, Inc.	Wetland Study	4,243.50
Bill Pmt -Check	01/20/2021	18409	Julie's Deli	Employee Luncheon & January Board Meeting	814.99
Bill Pmt -Check	01/20/2021	18410	Kingwood Forestry Services, Inc.	Forest Management Fees	5,156.17
Bill Pmt -Check	01/20/2021	18411	Moran, John	Moving Expenses	1,276.28
Bill Pmt -Check	01/20/2021	18412	MTG Engineers & Surveyors	Consulting	9,361.95
Bill Pmt -Check	01/20/2021	18413	Xerox Corp	Copier	450.23
Bill Pmt -Check	01/20/2021	18414	CoStar Realty Information, Inc.	Marketing	502.20



RESOLUTION NO. 20210126 -01

A RESOLUTION AUTHORIZING THE EXECUTION OF A RESOLUTION WITH THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS (TEXAS SMART BUY MEMBERSHIP PROGRAM)

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, TexAmericas Center desires to participate in the Texas Comptroller of Public Accounts Texas Smart Buy Cooperative Purchasing Program, which it is authorized to provide pursuant to §§ 272.082 and 271.083 of the Local Government Code; and

WHEREAS, TexAmericas Center has elected to be a Cooperative Member in the Purchasing Cooperative program of the Texas Smart Buy Membership Program of the Texas Comptroller of Public Accounts in accordance with and pursuant to the Act and Section 271.081 of the Local Government Code; and

WHEREAS, the purpose of the Agreement is to facilitate the compliance with relevant federal, state and local procurement requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings for Cooperative Members; and

WHEREAS, TexAmericas Center is of the opinion that participation in the Cooperative's purchasing program will be highly beneficial through the efficiencies and potential savings to be realized for the purpose of fulfilling specific governmental purposes, needs, programs, functions and services; and

NOW, THEREFORE, BE IT RESOLVED, that Scott Norton, Executive Director/CEO of TexAmericas Center, shall be and he is hereby authorized to execute the attached Resolution with the Texas Comptroller of Public Accounts Cooperative Purchasing Program in substantially the same form attached hereto and to complete any additional relevant documents.

PASSED and APPROVED this 26th day of January, 2021.

Jim Roberts, Chairman of the Board

ATTEST:

Denis Washington, Secretary

ATTACHMENT: Resolution



Texas SmartBuy Membership Program

Documents required for proof of eligibility

Submit all documentation required as proof of eligibility at the time you apply for membership in the program. All documentation must be on file with the Texas SmartBuy Membership Program BEFORE a determination of eligibility can be made.

Local Governments

County, Independent School District, Municipality, Jr. College District, Volunteer Fire Department

Documents required:

- ✓ Board approved resolution

MHMR Community Centers

Documents required:

- ✓ Board approved resolution

Special Districts or Other Legally Constituted Political Subdivisions of the State

Documents required:

- ✓ Board approved resolution
- ✓ Documentation evidencing creation of entity including statutory citation.
This can be in the form of:
 - a. Legislation in which the entity was created by name
 - b. A resolution passed by a city or a county stating that there is a need for the entity to exist and actually creating the entity

Assistance Organizations

Non-profit organizations that receive state funds and provide educational, health, or human services or provide assistance to homeless individuals

Documents required:

- ✓ Board approved resolution
- ✓ Articles of Incorporation and Certificate of Incorporation. A letter from the Secretary of State with the entity's charter number evidencing that the entity filed for incorporation will be accepted in lieu of a Certificate of Incorporation. **The State of Texas CO-OP cannot accept by-laws in lieu of Articles of Incorporation**
- ✓ Current contract or grant from a State agency to prove State funding. This document must show beginning and end dates for the current State of Texas Fiscal Year, and these dates must be valid at the time the application is reviewed.

Texas Rising Star Providers

Childcare providers certified as Texas Rising Star Providers by Texas Workforce Commission

Documents required:

- ✓ Board Approved Resolution



Texas SmartBuy Membership Program

Texas SmartBuy Membership Application

Scott Norton

Name of Authorized Individual

(NOTE: Please list 2 people who are authorized to sign for purchases and will receive all correspondence from CPA. Additional authorized signers or Agents of Record may be listed on the resolution with the signatures documented at the bottom of the resolution.)

John Moran

Name of Authorized Individual (secondary contact)

TexAmericas Center

Organization/Qualified Entity Name

107 Chapel Lane

Address

New Boston, TX 75570

City, State, Zip Code

scott.norton@texamericascenter.com

Primary Email Address

903-223-9841

Phone Numbers

john.moran@texamericascenter.com

Secondary Email Address

903-223-8742

Fax Number

The annual membership fee for participation in the Texas SmartBuy Membership Program is:

\$100.00 – FEE IS NON-REFUNDABLE

Please make checks payable to:

Texas Comptroller of Public Accounts

Please mail to:

Texas Comptroller of Public Accounts

P.O. Box 13186

Austin, TX 78711

**PLEASE RETURN THIS FORM WITH PAYMENT
AND ALL REQUIRED DOCUMENTS AND SIGNATURES**

Questions? Contact the Texas SmartBuy Membership Program at 512-463-3368 or at members@cpa.texas.gov.



RESOLUTION

State of Texas

County of Bowie

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments pursuant to §§ 271.082 and 271.083 of the Local Government Code;

and WHEREAS, the Board of Directors
(e.g., Commissioner's Court, City Council, School Board, Board of Directors)

of TexAmericas Center, is a: (Check one of the following.)
(Name of Qualified Entity)

- | | |
|---|--|
| <input type="radio"/> County | <input type="radio"/> Independent School District |
| <input type="radio"/> Municipality | <input type="radio"/> Junior College District |
| <input checked="" type="radio"/> Political Subdivision (Utility, Appraisal Districts) | <input type="radio"/> Mental Health and Mental Disability Community Center |
| <input type="radio"/> State-funded Assistance Organization | <input type="radio"/> Housing and Transportation Authority |

defined as an entity qualified to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts pursuant to § 271.081 of the Local Government Code; and

WHEREAS, in accordance with the requirements of 34 TAC §20.85 administrative rules, the Agent(s) of Record,
Scott Norton, Executive Director/CEO
(Name of Person, primary contact) (Title)

(and N/A, N/A) is/are authorized to execute
(Name of Person, secondary contact) (Title)

any and all documentation for TexAmericas Center pertaining to its participation in the Texas
(Entity Name)

Comptroller of Public Accounts Cooperative Purchasing Program; and

WHEREAS, TexAmericas Center acknowledges its obligation to pay annual participation fees
(Entity Name)

established by the Texas Comptroller of Public Accounts.

NOW, THEREFORE BE IT RESOLVED, that request be made to the Texas Comptroller of Public Accounts to approve
TexAmericas Center for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.
(Entity Name)

Adopted this 26th day of January, 2021 by TexAmericas Center
(Entity Name)

By: _____
(Signature of Chair)
Jim Roberts
(Printed Name)
Chairman of the Board
(Title of Chair)

(Signature of primary Agent of Record)
Scott Norton/Executive Director/CEO
(Name/Title of primary Agent of Record)

(Signature of secondary Agent of Record)
N/A
(Name/Title of secondary Agent of Record)



RESOLUTION NO. 20211026-02

**A RESOLUTION APPROVING ADDENDUM NUMBER SIX TO LEASE AGREEMENT BY
AND BETWEEN TEXAMERICAS CENTER AND TEXARKANA COLLEGE**

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, TexAmericas Center and Texarkana College entered into a Lease Agreement dated January 25, 2011, which has been amended by Addendum Number One dated April 5, 2012, Addendum Number Two dated June 25, 2013, Addendum Number Three dated January 30, 2014, Addendum Number Four dated January 27, 2015 and Addendum Number Five dated January 26, 2016; and

WHEREAS, Texarkana College and TexAmericas Center desire to extend the term of the Lease for an additional two years with three (3) one (1) year option periods.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of TexAmericas Center, that TexAmericas Center enter into Addendum Number Six to the Lease Agreement by and between TexAmericas Center and Texarkana College in the form and upon the terms set forth in Addendum Number Six attached hereto; and

BE IT FURTHER RESOLVED that Scott Norton, Executive Director/CEO of TexAmericas Center shall be and he is hereby authorized to execute Addendum Number Six to the Lease Agreement by and between TexAmericas Center and Texarkana College.

PASSED and APPROVED this 26th day of January, 2021.

Jim Roberts, Chairman of the Board

ATTEST:

Denis Washington, Secretary

Attached: Addendum Number Six



RESOLUTION NO. 20210126-03

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE ADDENDUM NO. 1 TO A LEASE FOR THE PARKING LOT AT 203 BOWIE PARKWAY ON TEXAMERICAS CENTER-EAST TO TEXARKANA COLLEGE

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, Texarkana College desires to initiate a truck driving school within its district boundaries; and

WHEREAS, TexAmericas Center has entered into an inter local agreement with Texarkana College to promote workforce development and initiatives within the region (Resolution #20140128-07); and

WHEREAS, the parties have come to the attached terms of agreement for said lease.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of TexAmericas Center that the Executive Director/CEO shall be and he is hereby authorized to execute Addendum No. 1 to the attached lease or a lease on substantially the same terms as attached hereto; and

BE IT FURTHER RESOLVED, by the Board of Directors of TexAmericas Center that the Center appreciates the collaborative effort of Texarkana College to negotiate this lease as well as to continue its mission in Bowie County, Texas.

PASSED AND APPROVED THIS 26th day of January, 2021.

Jim Roberts, Chairman of the Board

ATTEST:

Denis Washington, Secretary

Attached: Addendum No. 1 to Lease Agreement



RESOLUTION NO. 20210126-04

RESOLUTION RATIFYING THE EXECUTION OF A STANDSTILL AGREEMENT TO LEASE NO. DACA63-5-10-0166 WITH THE UNITED STATES OF AMERICA AT 333 PANTHER CREEK DRIVE, NEW BOSTON, TX 75570

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, on October 27, 2020, Lease No. DACA63-5-10-1066 was entered into by and between the Government and TexAmericas Center for a three (3) month term beginning October 1, 2020 and ending January 1, 2021; and

WHEREAS, the Lessor and the Government agree that neither a new lease agreement for all or most the Premises have been completed and do not want an unnecessary condemnation lawsuit and the Government does not want its operations, services, or tenancy interrupted or disturbed. Neither Party wants a lease holdover and the Parties have agreed to a nine-month agreement at the rate of \$529,493.48 annually commencing on January 2, 2021; and

WHEREAS, on December 17, 2020 the parties came to the attached terms of a Standstill Agreement for said lease above beginning January 2, 2021 for nine months to end September 30, 2021 or on the effective date of a new lease or lease extension;

NOW, THEREFORE, BE IT RESOLVED, that the Standstill Agreement is hereby approved and the execution thereof is hereby ratified.

BE IT FURTHER RESOLVED, by the Board of Directors of TexAmericas Center that the Center appreciates the collaborative effort of United States of America to negotiate this lease.

PASSED and APPROVED this 26th day of January, 2021.

Jim Roberts, Chairman of the Board

ATTEST:

Denis Washington, Secretary

Attachment: Standstill Agreement

**STANDSTILL AGREEMENT
DACA63-5-10-0166**

THIS STANDSTILL AGREEMENT (hereinafter "Agreement") is made by and between TexAmericas Center, (hereinafter "Lessor"), whose address is 107 Chapel Lane, New Boston, Texas 75570 and the United States of America (hereinafter "Government"), acting by and through the Army Corps of Engineers, whose address is 819 Taylor Street, Fort Worth, Texas.

RECITALS

1. The Lessor owns certain improved real property at 333 Panther Creek Dr., New Boston, TX, 75570 (hereinafter "Premises"). The Government currently leases a parcel of land of approximately 13.5 acres, encompassed by the fence surrounding Bldgs 333, 333A, and 334A, along with said Bldgs [Bldg 333 consisting of 218,857 SF, more or less, of Shop/Maintenance space]) of the Premises pursuant to Lease No. DACA63-5-10-0166 (hereinafter "Lease"), as amended. The lease expires on January 1, 2021. Lessor and the Government (hereinafter "the Parties") agree that neither a new lease agreement for all or most of the Premises have been completed.
2. The Parties do not want an unnecessary condemnation lawsuit and the Government does not want its operations, services, or tenancy interrupted or disturbed. Neither Party wants a lease holdover and the Parties have agreed to a nine-month agreement at the rate of \$529,493.48 annually commencing on January 2, 2021.
3. By this Agreement the Parties seek to preserve the status quo pending the completion of a leasehold acquisition procedure that could result in a mutually acceptable lease extension, and by the terms of which the Government could continue to lease the Premises from the Lessor.
4. The Parties believe this Agreement will facilitate settlement negotiations. As evidenced by their signatures to this Agreement, the Parties agree that no right, action, or claim either Party may otherwise have against the other Party will be prejudiced or waived by this Agreement.
5. As evidenced by their signatures to this Agreement, the Parties agree that no right, action, or claim either Party may otherwise have against the other Party will be prejudiced or waived by the Agreement.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants set forth herein, the adequacy of which is hereby acknowledged by the undersigned, the Parties agree as follows:

During the term of this Agreement:

1. The Parties agree to negotiate, actively and in good faith, either a new lease or a lease extension for the Premises.

2. The Government will not condemn the Premises by the power of eminent domain, and will not file a Declaration of Taking with respect to the Premises.

3. The Lessor will not initiate an "inverse condemnation" or breach of lease actions in any United States Court or tribunal with respect to the Premises.

4. The Lessor will not:

A. Undertake to evict the Government from the Premises;

B. Interfere with the use or occupancy of the Premises by the Government;

C. Interrupt the operations, building services, or utilities of the Government from what they were while the lease was in effect;

D. Market the space to potential tenants if the Government is planning to remain in the premises; or

E. Give notice to the Government of its intent to do any of the acts referenced in A, B, C, or D above.

5. Each Party agrees not to take any action to alter its position to the detriment of the other Party in any condemnation type action arising out of these facts.

At all times after this Agreement becomes effective:

6. The Government shall pay the lessor and will receive full credit for money paid to the Lessor during the term of this agreement at the rate of \$529,493.48 annually at the rental rate of \$44,124.46 per calendar month in arrears, from January 2, 2021, until the expiration where there is a lease extension, other legal action, or settlement. All payments by the Government under the terms of this Agreement shall be made payable to TexAmericas Center 107 Chapel Lane, New Boston, Texas 75570 via Electronic Funds Transfer by the USACE Finance Center, 5722 Integrity Drive, Millington, Tennessee 38054-5005.

7. Neither Party will seek or accept severance damages or attorney's fees from the other Party for the period this Agreement is in effect.

8. In the event that a lease extension, with respect to the Premises, is not executed by the Parties during the course of this Agreement, or that this Agreement is otherwise terminated, then any legal proceeding arising therefrom is stipulated by the Parties to be deemed to have commenced on January 2, 2021.
9. Termination of Agreement: The Parties agree that all terms and conditions of the Lease will remain in full force and effect during the term of this Agreement. This Agreement will terminate on the earlier of September 30, 2021 or on the effective date of a new lease or lease extension. This termination provision may be amended to extend the termination date of this Agreement by the mutual written consent of the Parties.
10. Successors in interest: All of the terms, covenants, and provisions herein contained will bind and inure to the benefit of the parties their heirs, executors, administrators, personal representatives, successors, trustees, assigns, and assigns as applicable, except as otherwise provided herein.
11. Merger Clause: All prior understanding and agreements with respect to the subject matter of this Agreement, written or oral are merged into this Agreement. This Agreement represents the final agreement between the Parties with respect to such subject matter, and may not be superseded, except by a separate written agreement signed and agreed to by the Parties.
12. Amendments: Neither this Agreement, nor any terms hereof, may be changed, waived, discharged or terminated orally, but only by an instrument in writing signed by the Party against whom the enforcement of a change, waive, discharge, or termination is sought.
13. Construction: Any provision contained in the Agreement that is prohibited or unenforceable will be ineffective to the extent of such prohibition of enforceability without invalidating the remaining provision hereof. A waiver by a Party of any right, covenant, condition, or remedy in any instance hereunder will not operate as a waiver of such right, covenant, condition, or remedy in any other instance, and waiver by a Party of any breach of the terms hereof will not be a waiver of any additional or subsequent breach. This Agreement will be governed by, and construed in accordance with the laws of the United States of America.
14. Construction: Any provision contained in this Agreement that is prohibited or unenforceable will be ineffective to the extent of such prohibition or enforceability without invalidating the remaining provisions hereof. A waiver by a Party of any right, covenant, condition, or remedy in any instance hereunder will not operate as a waiver of such right, covenant, condition, or remedy in any other instance, and waiver by a Party of any breach of the terms hereof will not be a waiver of any additional or subsequent breach. This

Agreement will be governed by, and construed in accordance with, the laws of the United States of America.

15. Counterparts: The Agreement may be executed in photocopied counterparts that when taken together will constitute a single agreement.

16. Effective Date: This Agreement is effective and enforceable only after having been first signed by the Lessor, and second, accepted and signed by the Government.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of

_____.

LESSOR: TexAmericas Center f/k/a/ RED RIVER REDEVELOPMENT AUTHORITY



Scott Norton
Executive Director/CEO

12/17/20
DATE

UNITED STATES OF AMERICA:

Rocky D. Lee
Chief, Real Estate Division
Real Estate Contracting Officer

DATE



RESOLUTION NO. 20210126-05

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE A NEW LEASE AGREEMENT AT THE CONSTRUCTION TRAILER PARK AT 180 ARKANSAS AVENUE, LOTS A & B NEW BOSTON, TX 75570 TO FIRST STREET CONTRACTORS

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, First Street Contractors contacted TexAmericas Center to seek a lease arrangement for trailer lot space at the Construction Trailer Park located at 180 Arkansas Avenue, Lots A & B, New Boston, TX 75570 ; and

WHEREAS, the parties have come to the attached terms of agreement for said lease.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of TexAmericas Center that the Executive Director/CEO shall be and he is hereby authorized to execute the attached lease; and

BE IT FURTHER RESOLVED, by the Board of Directors of TexAmericas Center that the Center appreciates the collaborative effort of First Street Contractors to negotiate this lease as well as to locate its business operations, create jobs and contribute to the tax base in Bowie County, Texas.

PASSED AND APPROVED THIS 26th day of January 2021.

Jim Roberts, Chairman of the Board

ATTEST:

Denis Washington, Secretary

Attached: First Street Contractors Lease Agreement