

**AGENDA  
CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION  
REGULAR MEETING**

*4173 39<sup>th</sup> Street, Port Arthur, Texas 77642*

*Date: September 10, 2008*

*Time: 6:00 p.m.*

**I. ROLL CALL, INVOCATION & PLEDGE**

**BOARD OF DIRECTORS**

- |                      |       |                  |       |
|----------------------|-------|------------------|-------|
| (1) Carolyn Guillory | _____ | (6) Kelly Shanks | _____ |
| (2) Doris Green      | _____ | (7) Kerry Thomas | _____ |
| (3) Roosevelt Petry  | _____ | (8) Keith Daws   | _____ |
| (4) Kaprina Frank    | _____ | (9) Eli Roberts  | _____ |
| (5) Richard Wycoff   | _____ |                  |       |

**II. MINUTES**

August 20, 2008

August 27, 2008

**III. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

None

**B. COMMUNICATIONS**

None

**C. PUBLIC COMMENT (limited 3 min. ea.)**

None.

**IV. UNFINISHED BUSINESS**

1. To discuss and consider making a contribution to the newly formed Regional Economic Development Initiative (REDI) for regional economic development efforts throughout Jefferson, Hardin and Orange Counties.

**V. CONSENT AGENDA ITEMS**

1. To discuss and consider the approval of an invoice in the amount of \$5,954.00 from Arceneaux & Gates Consulting Engineers, Inc for professional services regarding design and construction of JADE Avenue from Business Park to Hwy 365.
2. To discuss and consider the approval of an invoice in the amount of \$14,745.90 from Arceneaux & Gates Consulting Engineers, Inc for design and construction of New Roadways – Business Park, Phase II.
3. To discuss and consider the approval of an invoice in the amount of \$6,804.14 from Germer Gertz, L.L.P. for professional legal services rendered through 7/31/08.
4. To discuss and consider the approval of an invoice in the amount of \$6,000.00 from National Development Council for technical assistance rendered for the period of August 1-31, 2008.
5. To discuss and consider the approval of an invoice in the amount of \$4,550.00 from Trey's Tractor Service for Business Park grass cutting on August 11, 2008.
6. To discuss and consider the approval of an invoice in the amount of \$429,182.47 from Excavators & Constructors, Ltd. for the Monthly Estimate No. 3 of the construction of JADE Ave. Extension Phase II.

**VI. NON-CONSENT AGENDA ITEMS**

1. Consideration and possible action to approve a request for Extension of Time Due to Weather or Supplies by Excavators & Constructors, Ltd. for the construction of JADE Ave. Extension Phase II Project.
2. Consideration and possible action to request amended authorization for issuance of City of Port Arthur Section 4A Economic Development Corporation Sales Tax Revenue Bonds, Series 2008 not to exceed \$6,000,000
3. Consideration and possible action to amend the Financial Advisory Agreement with First Southwest Company and bond counsel engagement letter with Vinson & Elkins requesting issuance of City of Port Arthur Section 4A Economic Development Corporation Sales Tax Revenue Bonds, Series 2008 not to exceed \$6,000,000
4. Discuss and consider possible action to approve amendments to Economic Incentive Agreement between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Systems, Inc.

5. Discuss and consider possible action to amend Lease with Option to Purchase between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Corporation.
6. Discuss and consider possible action to approve Lease Guaranty between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Corporation.
7. Consideration and possible action to authorize officers of the Board of Directors of the Corporation and Executive Director to execute any and all documents necessary for the issuance and sale of the City of Port Arthur Section 4A Economic Development Corporation Sales Tax Revenue Bonds, Series 2008 and related documents as to the Economic Incentive Agreement with ENGlobal Systems, Inc.
8. Discuss and consider possible action to approve a 4.5% salary increase for EDC Staff to keep their salary structure in line with city employees.
9. Consideration and possible action to approve construction of road for the Embree/ RCS Rental Road Agreement.
10. To discuss and consider the value of the land in the Highway 73 Business Park.
11. To discuss and consider requirements, restrictions and expectations for the land in Highway 73 Business Park.
12. To discuss and consider the renewal of the contract with Germer Gertz, L.L.P. for legal services provided to the Port Arthur Section 4A Economic Development Corporation.

## **VII. REPORTS**

1. CEO's Report
  - a. Business Award Recommendations
  - b. Business Retention Survey
  - c. Monthly Radio Talk Show Participation
  - d. ED Week Update
2. Financial Report

**VIII. 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 551.087 Government Code** – To discuss Incentives for EDC Prospects.
  - 1) ENGlobal
2. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
3. **Section 551.072 Government Code** – To discuss the value of land at the City of Port Arthur Section 4A Economic Development Corporation Spur 93 Business Park.
4. **Section 551.072 Government Code** – To discuss the value of land on Hwy 73.
5. **Section 551.074 Government Code** – To discuss personnel matters of Port Arthur Section 4A Economic Development Corporation.
  - 1) CEO Evaluation

**\*The Items In Executive Session May Be Discussed And Acted On In Open Session.**

**IX. FUTURE AGENDA ITEMS OR REQUESTED REPORTS**

**ITEMS FOR FUTURE AGENDA CONSIDERATION OR REPORTS FROM STAFF MAY BE REQUESTED BUT NO DISCUSSION OF ANY ITEMS OR REQUESTS SHALL TAKE PLACE.**

**X. POSTING OF MEETING**

POSTED ON THE 5<sup>th</sup> DAY OF September, 2008.

AT 12:25 O' CLOCK, pm

Floyd Batiste

**Floyd Batiste  
CEO**