

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

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

*Date: October 22, 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**  
September 10, 2008

**III. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

1. Arceneaux & Gates – Hwy 73 Business Park  
Arceneaux & Gates – Phase II Construction PA Business Park  
Arceneaux & Gates – Phase II Construction Jade Avenue
2. Environmental Protection Agency – Eric Delgado
3. ENGlobal – Shelly Leedy, Lon Hubbard, Ron Bush

**B. COMMUNICATIONS**

None

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

None.

**IV. UNFINISHED BUSINESS**

1. 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.

2. 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.
3. Discuss and consider possible action to approve Lease Guaranty between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Corporation.
4. 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.
5. To discuss and consider the value of the land in the Highway 73 Business Park.
6. To discuss and consider requirements, restrictions and expectations for the land in Highway 73 Business Park.

**V. CONSENT AGENDA ITEMS**

1. To discuss and consider the approval of two separate invoices from Team Industries; payment is not to exceed Team Industries' remaining balance of \$546,330.00

The first invoice in the amount of \$291,510.00 for the purchase of the following:

- V3391 - 40 ft Entrance Conveyor
- V32265 - Discharge Conveyor
- V5991 - Plasma System 50 ft Hyperthermia

The second invoice in the amount of \$262,282.00 for the purchase of the following:

- (1) - Gen IV Positioner \$ 24,315.00
- (11)- Gen III Positioners 164,956.00
- (15)- Model 45 Grippers 60,675.00
- (8) - 3:1 Gear Reducers 2,936.00
- (7) - Thru Hole Purge Systems 4,060.00
- (12)- 110V 26" Circular Fan 4,340.00

2. To discuss and consider the approval of an invoice in the amount of \$288,308.50 from Excavators & Constructors, Ltd. for the Monthly Estimate No. 4 of the construction of JADE Ave. Extension Phase II.

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

1. To Discuss and consider 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. To Discuss and Consider amending Triangle Waste Properties, LC Economic Incentive Agreement milestones and requesting the City Council to grant a waiver to the Port Arthur Business Park Covenants and Restrictions.
3. To Discuss and Consider possible action approving the sale of three (3) acres of land in the Business Park to Clay Development for the construction of a 20,000 sq ft building for Tyco Flow Control.
4. To Discuss and Consider possible action to rescinding the Economic Incentive Agreement between the Port Arthur 4A Economic Development Corporation and Orbital Insulation.
5. To Discuss and Consider possible action to waiver the monthly payments of Abraham Manufacturing due to damages caused by Hurricane Ike.
6. To Discuss and Consider taking legal action against Southeast Texas Clearwater for non payment of monthly notes due to Port Arthur 4A Economic Development Corporation.
7. To Discuss and Consider taking legal action against DonShe Pottery for non-performance and non-payment due to Port Arthur 4A Economic Development Corporation.
8. To Discuss and Consider the renewal of the CEO contract.

## **VII. REPORTS**

1. Policies and Procedures and Bylaws Sub-Committee – Keith Daws
2. Goals and Objectives for Fiscal Year 2008-2009 – Keith Daws
3. CEO's Report
  - a. Business Spotlights Monthly Newspaper Article
  - b. Status of Purchase from Salvation Army

**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 551.087 Government Code – To discuss Incentives for EDC Prospects.**
- 3. Section 551.071 Government Code – To discuss with Attorney Guy Goodson pending and potential litigation.**
- 4. 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.**
- 5. Section 551.072 Government Code – To discuss the value of land on Hwy 73.**
- 6. 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 17<sup>th</sup> DAY OF October, 2008.

AT 3:39 O'CLOCK, p.m.

Floyd Batiste  
Floyd Batiste  
CEO