

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

**AGENDA**

**Regular Meeting**

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

August 8, 2013

6:00 p.m.

**ROLL CALL, INVOCATION & PLEDGE**

**Board of Directors**

- |                     |       |                   |       |
|---------------------|-------|-------------------|-------|
| (1) Ransom Howard   | _____ | (6) Shad Wise     | _____ |
| (2) Aletha Kirkwood | _____ | (7) Pat Holmes    | _____ |
| (3) Roosevelt Petry | _____ | (8) Kaprina Frank | _____ |
| (4) Dwight Wagner   | _____ | (9) Eli Roberts   | _____ |
| (5) Richard Wycoff  | _____ |                   |       |

**I. MINUTES**

July 8, 2013

**II. PETITIONS & COMMUNICATIONS**

**1. Presentations**

A. Port Arthur Cowboys

**2. Communications**

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

**III. UNFINISHED BUSINESS**

1. To discuss for possible consideration acceptance of the guidelines for administering HB 1967, Pre-Employment Training for Port Arthur Residents.

**IV. CONSENT AGENDA ITEMS**

None

## V. NON – CONSENT AGENDA ITEMS

1. To discuss for possible consideration a Letter of Intent from BK PA, LTD.
2. To discuss for possible consideration a letter submitted by Attorney Guy Goodson regarding the Rotary Club Centennial Gala.
3. To discuss for possible consideration the modification of the Incentive Agreement with JZ Russell Industries to extending the contract date September 15, 2016 with the modified milestones presented.
4. To discuss for possible consideration entering into an Economic Incentive Agreement with ESP LLC with terms and conditions approved by the Attorney and Board of Directors
5. To discuss for possible consideration the termination of an Operation Downtown Agreement with Kilgore Construction.
6. To discuss for possible consideration approving payment for a Mold Remediation Protocol Agreement with Total Safety for 501 Procter Street in the amount of \$1,275.00.
7. To discuss for possible consideration approving payment for the additional monitoring for Asbestos/Lead/Mold Consulting Services with Total Safety for 501 Procter Street in the amount of \$13,900.00.
8. To discuss for possible consideration having an appraisal done on 4173 39<sup>th</sup> Street for possible sale of building.
9. To discuss for possible consideration entering into an agreement with a local realtor for the sale of 4173 39<sup>th</sup> Street.
10. To discuss for possible consideration per HB 1967 going out for a Request for Proposals to provide Life Skills Training & Basic Financial Planning for Port Arthur Residents.
11. To discuss for possible consideration entering into a Fund Loan Agreement between Chase NMTC PAEDC Investment Fund, LLC and the City of Port Arthur Section 4A Economic Development Corporation.
12. To discuss for possible consideration entering into a Pledge Agreement between Chase NMTC PAEDC Investment Fund, LLC and the City of Port Arthur Section 4A Economic Development Corporation.
13. To discuss for possible consideration entering into a Indemnification Agreement between 501 Procter Street, Inc., the City of Port Arthur Section 4A Economic Development Corporation, and JPMorgan Chase Bank, N.A.

14. To discuss for possible consideration entering into a Put/Call Option Agreement between Chase Community Equity, LLC., and the City of Port Arthur Section 4A Economic Development Corporation.
15. To discuss for possible consideration the signing of a Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion proposal.
16. To discuss for possible consideration a Payment and Completion Guaranty by the City of Port Arthur Section 4A Economic Development Corporation to and for the benefit of NDC New Markets Investment LXXX, LLC.
17. To discuss for possible consideration an Environmental Indemnity Agreement among 501 Procter Street, Inc., and the City of Port Arthur Section 4A Economic Development Corporation, in favor of NDC New Markets Investment LXXX, LLC.
18. To discuss for possible consideration a Master Lease Agreement to be entered into between the City of Port Arthur Section 4A Economic Development Corporation and 501 Procter Street, Inc for the building located at 501 Procter Street.
19. To discuss for possible consideration obtaining Commercial General Liability Insurance, Builder's Risk Insurance, and Windstorm Insurance for the building located at 501 Procter Street.
20. To discuss for possible consideration obtaining Title Insurance for the building located at 501 Procter Street.
21. To discuss for possible consideration the proposed transfer of the building located at 501 Procter Street to 501 Procter Street, Inc. to facilitate the New Market Tax Credit Financing.
22. To discuss for possible consideration to authorize the PAEDC President, Vice President, Secretary and/or Executive Director to execute and deliver such additional instruments, contracts, affidavits, certificates and documents as may be necessary to proceed with the redevelopment, improvement, sale/transfer, lease and financing of facilities and improvements at 501 Procter Street (the "Project") including but not limited to such additional instruments, contracts, affidavits, certificates and documents associated with the allocation and use of New Market Tax Credits for the Project.

## **VII. REPORTS**

1. Monthly Financial Update
2. Sub-Committee Reports – Pre-Employment
3. Lonestar Development Purchase Agreement Extension
4. Joint City Council/EDC Meeting
5. Houston Billboard

6. Business Meets Industry Day
7. 501 Procter Update
8. Verizon Laptop Aircards
9. Staff Training
  - a) Workforce Development
  - b) Basic Economic Development

**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,

2. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation and/ or legal advice.
3. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.
4. **Section 551.074 Government Code** – To discuss matters of Personnel.
  - a. CEO Evaluation
5. **Section 551.087 Government Code** – To discuss Incentives for Commercial and Industrial Business Prospects.

**\*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 August, 2013  
AT 5:00 p.m. O' CLOCK

Floyd Batiste  
Floyd Batiste, CEO