

MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
4173 39th Street, Port Arthur, Texas
November 29, 2006

I. CALL TO ORDER

The Board of Directors of the City of Port Arthur Section 4A Economic Development Corporation met in a Regular Meeting on Wednesday, November 29, 2006. The meeting was called to order at 5:39 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present: Richard Wycoff, Barbara Mulroy, Keith Daws, Eli Roberts, and Richard White.

Board Member Lloyd Christian arrived late at 5:43 and Kerry Thomas at 6:38.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

III. MINUTES

1. June 14, 2006
2. October 4, 2006

A motion was made by Richard White and seconded by Richard Wycoff to approve the June 14, 2006 and October 4, 2006 minutes. The vote was unanimous.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. Parks & Recreation – Albert Thigpen

Presentation was made by Albert Thigpen. He gave the following update: the placements of new scoreboards are done; Completed lighting at Barbara Jacket Park; At the moment they are negotiating the best price for other Barbara Jacket Park project;. Bid is \$52,000 for small softball Little League Field; Holding off on landscaping aspects, and \$33,562.69 of \$250,000.00 of the allocated has been spent.

2. Port Arthur Holdings III – Craig Carney

Presentation was made by Craig Carney. He currently has a notable project located on highway 69; Super Wal-Mart, Lowe's. He is

interested in the property located on 365 and highway 69 for more development. The cost will be \$22 million in construction, and \$38 million annual sales; discussed public improvements. 197 employees will be working.

3. World Economic Development Alliance – Justin Thompson

Presentation was made by Justin Thompson. He gave a presentation about the 2007 Marketing. He asked for the Board to make a decision for 2007. Justin gave an overview of events taken place at the moment. He also discussed the proposals that he had for the Board.

4. Dikita Engineering – Lucious Williams

Mr. Williams did not show up for presentation. He cancelled prior to the meeting.

B. COMMUNICATIONS

1. "Golden Triangle Days in Austin"

Carina has already made contact with the EDC Board Members.

V. CONSENT AGENDA ITEMS

1. **To discuss and consider the approval of an invoice from Mc-O Construction in the amount of \$66,416.37 to Mc-O for services rendered through October 31, 2006.**

This item was tabled until after executive session.

2. **To discuss and consider the approval of an invoice from Fittz & Shipman, Inc. in the amount of \$1,778.17 for land surveying services rendered through December 1, 2005 to November 5, 2006.**

This item was tabled until after executive session.

3. **To discuss and consider the approval of an invoice from Crain, Caton & James in the amount of \$3,181.31 for services rendered through October 31, 2006 regarding Port Iron Site.**

This item was tabled until after executive session.

4. **To discuss and consider the approval of invoices from Germer Gertz for professional services rendered:**

Through:	Amount:	Pertaining to:
June 22, 2006	\$5,213.57	The Economic Development Corporation
November 14, 2006	\$4,613.80	The Economic Development Corporation
November 14, 2006	\$733.00	City of Port Arthur Section 4A EDC v. Tres

		Caballeros, Ltd.
November 14, 2006	\$137.50	Camellia Plaza, L.P.
November 14, 2006	\$1,414.16	West Side Development
November 14, 2006	\$1,600.30	Redwine Family Partners, Ltd.
November 14, 2006	\$905.00	Spur 93 Business Park
November 14, 2006	\$937.00	EcoDiesel Industries, LLC
November 14, 2006	\$237.50	Mc-OO, Inc. d/b/a Mc-O Construction
November 14, 2006	\$3,649.34	Pleasure Island Shrimp House, Inc.

A motion was made by Barbara Mulroy and seconded by Lloyd Christian to approve the invoices from Germer Gertz for professional services rendered from June 22, 2006 through November 14, 2006. The vote was unanimous.

VI. NON-CONSENT

1. **To discuss and consider the approval of the Board Marketing Plan for the year 2007 by World Economic Development Alliance.**

This item was tabled until after executive session.

2. **To discuss and consider the approval of an Incentive Agreement between the Port Arthur Section 4A Economic Development Corporation and Neofuel USA.**

This item was tabled until after executive session.

3. **To discuss and consider the approval of the City of Port Arthur Economic Development Corporation's Comprehensive Policy Statement of Economic Development Incentives.**

A motion was made by Lloyd Christian and seconded by Barbara Mulroy to send as DRAFT to the City for input and return as DRAFT; the City of Port Arthur Economic Development Corporation's Comprehensive Policy Statement of Economic Development Incentives. The vote was unanimous.

4. **To discuss and consider the approval of a letter to City Council concerning the City of Port Arthur Economic Development Corporation's Comprehensive Policy Statement of Economic Development Incentives.**

A motion was made by Richard Wycoff and seconded by Barbara Mulroy to approve a letter to City Council concerning the City of Port Arthur Economic Development Corporation's Comprehensive Policy Statement of Economic Development Incentives. The vote was unanimous.

5. **To discuss and consider the approval of the selection of a Peace Officer.**

A motion was made by Richard White and seconded by Kerry Thomas to approve the selection of a Peace Officer. The selected Peace Officer is

within Constable Eddie Collins office. The vote was unanimous. Board Member Richard White made a comment that rate will go up to \$30 after January 1, 2007. Board Member Keith Daws made comment that he was unsure of the need for a Peace Officer.

6. To discuss and consider the approval of putting signs with the Economic Development Corporation's contact information in the Business Park.

A motion was made by Lloyd Christian and seconded by Richard Wycoff to approve putting signs with the Economic Development Corporation's contact information in the Business Park. The board prefers vertical signs. The vote was unanimous.

7. To discuss and consider the approval of the lease space for the Golden Triangle Minority Business Council.

A motion was made by Kerry Thomas and seconded by Richard White to allow moving forward with the lease space for the Golden Triangle Minority Business Council. The vote was unanimous.

8. To discuss and consider the approval of the reimbursement to the City for the remaining portion of the deductible in the Mills litigation.

This item was tabled until after executive session.

9. To discuss and consider the approval of the payment to the Parker Law Firm for litigation with Diamond Consulting and Schaumburg & Polk as it related to the Business Park.

This item was tabled until after executive session.

VII. REPORTS

1. CEO's Report was given by Jana Barnes.

VIII. EXECUTIVE SESSION

The board retired to executive session at 7:47 p.m., and reconvened at 8:10 p.m.

After Executive Session, the Board acted on the following items:

1. A motion was made by Lloyd Christian and seconded by Kerry Thomas to approve invoices from Mc-O Construction in the amount of \$135,522.17 for services rendered October 31, 2006 through November 30, 2006. The vote was unanimous.
2. A motion was made by Barbara Mulroy and seconded by Keith Daws to approve an invoice from Fittz & Shipman, Inc. in the amount of \$1,778.17 for land surveying services rendered through December 1, 2005 to November 5, 2006. The vote was unanimous.

3. A motion was made by Richard Wycoff and seconded by Barbary Mulroy to approve an invoice from Crain, Caton & James in the amount of \$3,181.31 for services rendered through October 31, 2006 regarding Port Iron Site. Also to check contingency that \$10,000 cap has not been met. The vote was unanimous.
4. A motion was made by Keith Daws and seconded by Kerry Thomas to approve the Board Marketing Plan for the year 2007 by World Economic Development Alliance without building and sites almanac. The vote was unanimous.
5. A motion was made by Keith Daws and seconded by Richard Wycoff to table consideration of Neofuel USA incentive until SETX Clearwater project brought into compliance with Deeds & Restrictions of the EDC Business Park. The vote was unanimous.
6. A motion was made by Lloyd Christian and seconded by Richard Wycoff to approve reimburse City for remaining portion of the deductible in the Mills litigation. The vote was unanimous.
7. A motion was made by Kerry Thomas and seconded by Lloyd Christian to table the payment to Parker Law for litigation with Diamond Consulting and Schaumburg & Polk as related to Business Park. The vote was unanimous.
8. A motion was made by Barbara Mulroy and seconded by Richard Wycoff to keep Jade Avenue deadline at December 31, 2009. The vote was unanimous.
9. A motion was made by Lloyd Christian and seconded by Barbara Mulroy to authorize legal counsel to send letter to Morris Albright of Port Iron & Supply regarding incentive agreement. The vote was unanimous.

IX. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

1. Joint City Council/EDC Meeting;
2. Bylaws-Committee Meeting;
3. Annual Meeting; and
4. Update on Demolition;

X. ADJOURNMENT OF MEETING

A motion was made to adjourn the meeting by Kerry Thomas and seconded by Richard Wycoff. It was adopted unanimously. The meeting was adjourned at 8:31 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 9th DAY OF January, 2007.



SECRETARY OF THE CORPORATION