

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
4173 39th Street, Port Arthur, Texas
March 7, 2007**

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, March 7, 2007. The meeting was called to order at 6:05 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present: Barbara Mulroy, Keith Daws, Linda Spears, Eli Roberts, Lloyd Christian, and Kerry Thomas.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

III. MINUTES

1. February 7, 2007

A motion was made by Keith Daws and seconded by Eli Roberts to approve the February 7, 2007 minutes. The vote was unanimous.

IV. PETITIONS & COMMUNICATIONS

A. *PRESENTATIONS*

1. S.G.S Causeway Bait & Tackle – Herbert Schwarznau

The presentation was given by Mr. Herbert Schwarznau who was accompanied by his wife. He has been the owner of S.G.S Causeway Bait & Tackle for 10 years. The building had two floors; a home on top and a store on the bottom; has been completely destroyed by Hurricane Rita. He wants to rebuild a 4000 sq ft building. He submitted an application for the City Revolving Loan Fund. NDC has offered to fund this project upon the EDC Board's approval.

2. Arceneaux & Gates Consulting Engineers, Inc. – Ron Arceneaux

The presentation was given by Mr. Joe Wilson. Ron Arceneaux had to go out of town. He handed out construction documents to the Board regarding the Jade Avenue Extension.

B. *COMMUNICATIONS*

None.

V. CONSENT AGENDA ITEMS

1. **To discuss the administrative agreement between the City of Port Arthur Section 4A Economic Development Corporation and the City of Port Arthur.**

Eli Roberts was concerned about legal fees included in the Administrative Fees of that we pay to the City. He wants this item to be on the Joint/EDC meeting agenda and wants itemized invoices from the City of Port Arthur.

2. **To discuss and consider the approval of an invoice from Arceneaux & Gates Consulting Engineers, Inc. in the amount of \$330.00 for professional services rendered through February 21, 2007 for additional services regarding Excavators and Constructors.**
3. **To discuss and consider the approval of an invoice from Arceneaux & Gates Consulting Engineers, Inc. in the amount of \$2,091.50 for professional services rendered through February 21, 2007 for the survey of EDC property on 4th street.**
4. **To discuss and consider the approval of an invoice from Arceneaux & Gates Consulting Engineers, Inc. in the amount of \$2,910.00 for professional services rendered through February 21, 2007 for engineering study-metal recycling facility.**
5. **To discuss and consider the approval of invoices from Germer Gertz for professional services rendered:**

<u>Through:</u>	<u>Amount:</u>	<u>Pertaining to:</u>
January 31, 2007	\$3,746.97	Economic Development Corporation
January 31, 2007	\$ 287.20	Camellia Plaza, L.P.
January 31, 2007	\$ 4.33	West Side Development
January 31, 2007	\$ 87.50	Redwine Family Partners, Ltd.
January 31, 2007	\$ 725.00	Spur 93 Business Park
January 31, 2007	\$1,237.50	EcoDiesel Industries, LLC.
January 31, 2007	\$1,252.93	Pleasure Island Shrimp House, Inc.
January 31, 2007	\$ 412.66	Del Pueblo Foods, USA, Inc.
January 31, 2007	\$ 875.00	Lamar State College-Port Arthur
January 31, 2007	\$4,070.06	Desselle-Maggard Corporation
Total:	\$12,699.15	

A motion was made by Kerry Thomas and seconded by Lloyd Christian to approve items #2, #3, #4, and #5 with one motion. The vote was unanimous.

VI. NON-CONSENT AGENDA ITEMS

1. **To discuss and request the City of Port Arthur's City Council to participate 50% in the renewal of the agreement between the City of Port Arthur and the Port Arthur Section 4A Economic Development Corporation and the National Development Council.**

This item was tabled until after executive session.

- 2. To discuss and consider the approval of the recommended settlement offer from Placo.**

This item was tabled until after executive session.

- 3. To discuss and consider the approval of the recommended settlement offer from Schaumburg & Polk.**

This item was tabled until after executive session.

- 4. To discuss and consider the approval of the recommended settlement offer from Excavators & Constructions.**

This item was tabled until after executive session.

- 5. To discuss and consider the acceptance of interest-only payments from Abraham Manufacturing for three months extending the term of the loan to December 1, 2013.**

This item was tabled until after executive session.

- 6. To discuss and consider the approval of the report from Arceneaux & Gates pertaining to the proposed scrap metal for the Triangle Waste recycling facility.**

A motion was made by Keith Daws and seconded by Lloyd Christian to accept the report from Arceneaux & Gates pertaining to the proposed scrap metal for Triangle Waste recycling facility. The vote was unanimous.

- 7. To discuss and consider the approval of an incentive agreement between the City of Port Arthur Section 4A Economic Development Corporation and Triangle Waste.**

This item was tabled until after executive session.

- 8. To discuss and consider the approval of the City of Port Arthur Revolving Loan administered through the National Development Council for S.G.S. Causeway Bait & Tackle.**

This item was tabled until after executive session.

- 9. To discuss and consider the approval of an agreement between the Port Arthur Section 4A Economic Development Corporation and Golden Pass LNG.**

A motion was made by Keith Daws and seconded by Barbara Mulroy to remove this item until a later date. The vote was unanimous.

10. To discuss and consider the reimbursement to the City of Port Arthur for expenses paid in the amount of \$12,696.00 for insurance for fiscal year 2006-2007.

This item was tabled until after executive session.

11. To discuss and consider the approval of an Ordinance for the Business Park Landscaping.

A motion was made by Keith Daws and seconded by Barbara Mulroy to approve an Ordinance for the Business Park Landscaping. It will not affect current clients landscaping. The vote was unanimous.

VII. REPORTS

1. CEO's Report

- a. Contract monthly status reports.**
 - o Mr. Batiste gave an update of various contracts.
- b. Board Financial Update.**
 - o Carmellia explained the rollover that was done for the Camellia Plaza project. She has an appointment with Becky Underhill on Friday at 10:00 a.m.
- c. Open Public Session time, requested by Kerry Thomas.**
 - o EDC need to have control over the open public session time; therefore citizens have three minutes to speak. The law does not require for the name of citizen on the agenda.
- d. Audit report on findings, requested by Eli Roberts.**
 - o Auditors, Mitch Fontenot, Mike Tate and James Edward, were present to explain the audit report. They also explained the audited financials. They gave their recommendations to improve the EDC filing system to stay in compliance.
- e. Update EDC cd's, requested by Keith Daws and Eli Roberts.**
 - o Board questioned if we had any feedback from anyone.
- f. City Council Joint Meeting on a Wednesday, requested by Kerry Thomas.**
 - o Kerry, as citizen of Port Arthur will poll for a Joint City/EDC meeting at 4:30 p.m. on Tuesday.
- g. Office space for Beverly Hatcher, requested by Barbara Mulroy, Eli Roberts and Richard Wycoff.**
 - o Getting approved for sub-leasing.
- h. Website update, requested by Richard Wycoff.**
 - o Pictures changed, Keith wants his personal mail to be routed to PAEDC mail.

- i. EDC guidelines for future bereavement cases, requested by Keith Daws.
 - o Policy to follow consistently, flowers, cards, who in the facility is eligible, Keith willing to help with this.

VIII. EXECUTIVE SESSION

The board retired to executive session at 7: 50 p.m., and reconvened at 10:10 p.m.

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

1. A motion was made by Kerry Thomas and seconded by Eli Roberts to **table** the City of Port Arthur's City Council to participate 50% in the renewal of the agreement between the City of Port Arthur and the Port Arthur Section 4A Economic Development Corporation and the National Development Council, until the Joint EDC/Council Meeting. The vote was unanimous.
2. A motion was made by Kerry Thomas and seconded by Lloyd Christian to approve the recommended settlement offer from Placo. Keith Daws opposed. Vote was 5-1. Motion passed.
3. A motion was made by Keith Daws and seconded by Kerry Thomas to **table** the recommended settlement offer from Schaumburg & Polk. The vote was unanimous.
4. A motion was made by Eli Roberts and seconded by Keith Daws to approve the recommended settlement offer from Excavators & Constructors in the amount of \$20,000.

Roll Call:

Yes

Keith Daws
Lloyd Christian

No

Linda Spears
Kerry Thomas
Eli Roberts

2-3 Motion failed. A second motion was made by Eli Roberts and seconded by Keith Daws to increase the settlement offer from Excavators & Constructors by \$30,000 and if not accepted will consider second bidder. The vote was unanimous.

5. A motion was made by Kerry Thomas and seconded by Barbara Mulroy to approve the acceptance of interest-only payments from Abraham Manufacturing for three months starting February through April extending the term of the loan to December 1, 2013. The vote was unanimous.
6. A motion was made by Kerry Thomas and seconded by Eli Roberts to **table** the incentive agreement between the Port Arthur Section 4A Economic Development Corporation and Triangle Waste pending completed application. The vote was unanimous.

7. A motion was made by Eli Roberts and seconded by Kerry Thomas to approve the City of Port Arthur Revolving Loan administered through the National Development Council for S.G.S. Causeway Bait & Tackle. The vote was unanimous.
8. A motion was made by Lloyd Christian and seconded by Kerry Thomas to approve the reimbursement to the City of Port Arthur for expenses paid in the amount of \$12,696.00 for insurance for fiscal year 2006-2007. The vote was unanimous.
9. A motion was made by Lloyd Christian and seconded by Kerry Thomas to approve the extension of the Germer Gertz legal services agreement for one year at current rate. The vote was unanimous.

IX. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

1. List of procedures for application process to be posted in Executive Room, requested by Eli Roberts.

X. ADJOURNMENT OF MEETING

A motion was made to adjourn the meeting by Kerry Thomas and seconded by Lloyd Christian. It was adopted unanimously. The meeting was adjourned at 11:08 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 18th DAY OF April, 2007.


SECRETARY OF THE CORPORATION