

**MINUTES  
CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING  
4173 39<sup>th</sup> Street, Port Arthur, Texas 77642  
April 4, 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, April 4, 2007. The meeting was called to order at 6:00 p.m.

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

The following Board Members were present: Richard Wycoff, Barbara Mulroy, Keith Daws, Eli Roberts, Kelly Shanks, Lloyd Christian, and Kerry Thomas.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

**III. MINUTES**

None.

**IV. PETITIONS & COMMUNICATIONS**

**A. *PRESENTATIONS***

1. KT Maintenance – Carrie

Carrie Johnson made the presentation; she informed the Board that the Planning & Zoning Dept. approved the rezoning of the area from Plan Development to Light Industrial. The alternative will be to stay where they are currently doing business if the city does not go forward with KT Maintenance proposal.

**B. *COMMUNICATIONS***

1. Introduction of the New Board Member, Mr. Kelly Shanks.

Mr. Kelly Shanks was introduced to the Board.

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

1. Tracie Rockefor, a representative of Triangle Waste Solutions, wanted to encourage the Board to approve phase II for the new recycling facility for Triangle Waste Solutions.

**V. CONSENT AGENDA ITEMS**

- 1. To discuss the Supplemental Clarification letter of the Economic Development Grant Agreement between the City of Port Arthur Section 4A Economic Development Corporation and Camellia Plaza, L.P.**

A motion was made by Barbara Mulroy and seconded by Lloyd Christian to approve the Draft Supplemental Clarification letter of the Economic Development Grant Agreement between the City of Port Arthur Section 4A Economic Development Corporation and Camellia Plaza, L.P.

<b><u>ROLL CALL:</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSTAINED</u></b>
	Richard Wycoff	Keith Daws	Kelly Shanks
	Barbara Mulroy	Eli Roberts	
	Lloyd Christian		

**3-2, Motion passed.**

- 2. To discuss and consider the budget adjustment to transfer from the reserve account into the development account.**

A motion was made by Barbara Mulroy and seconded by Eli Roberts to approve the budget adjustment to allocate monies set aside for the reserve account into the development account. The vote was unanimous.

- 3. To approve the renewal, extension and modification of the agreement between the Port Arthur Section 4A Economic Development Corporation and Abraham Manufacturing, LLC.**

A motion was made by Barbara Mulroy and seconded by Lloyd Christian to approve the renewal, extension and modification of the agreement including the amended contract between the Port Arthur Section 4A Economic Development Corporation and Abraham Manufacturing, LLC.

<b><u>ROLL CALL:</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSTAINED</u></b>
	Richard Wycoff		Kelly Shanks
	Barbara Mulroy		
	Keith Daws		
	Eli Roberts		
	Lloyd Christian		

**5-0, Motion passed**

- 4. To approve the recommended settlement offer from Schaumburg & Polk.**

This item was tabled until after executive session.

- 5. To approve the recommended settlement offer from Excavators & Constructors.**

This item was tabled until after executive session.

6. **To discuss and consider the approval to update the Economic Development Corporation's compact discs with Cornerstone Media.**

Board requested that EDC Staff come back with presentation from Cornerstone Media, contract and cost.

7. **To discuss and consider the approval of an invoice from Amelia Lawn Care & Landscaping in the amount of \$3,416.66 for services rendered for the month of February 2007.**
8. **To discuss and consider the approval of an invoice from Amelia Lawn Care & Landscaping in the amount of \$3,416.66 for services rendered for the month of March 2007.**

A motion was made by Keith Daws and seconded by Barbara Mulroy to approve Items # 7 – 8 with one motion to approve two invoices from Amelia Lawn Care & Landscaping in the amount of \$3,416.66 for services rendered for the month of February 2007 and \$3,416.66 for services rendered for the month of March 2007. The vote was unanimous.

9. **To discuss and consider the approval of an invoice from the National Development Council in the amount of \$6,000.00 for services rendered through February 2007.**

A motion was made by Barbara Mulroy and seconded by Keith Daws to approve an invoice from the National Development Council in the amount of \$6,000.00 for services rendered through February 2007. The vote was unanimous.

10. **To discuss and consider the approval of the final reimbursement to Mc-O Construction in the amount of \$190,880.19 for labor, equipment and materials.**

A motion was made by Keith Daws and seconded by Barbara Mulroy to approve the final reimbursement to Mc-O Construction in the amount of \$190,880.19 for labor, equipment and materials. The vote was unanimous.

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

<b><u>Through:</u></b>	<b><u>Amount:</u></b>	<b><u>Pertaining to:</u></b>
February 28, 2007	\$4,607.30	Economic Development Corporation
February 28, 2007	\$ 163.25	Terry Fontenot, Individually and d/b/a Marvin & Co.
February 28, 2007	\$ 300.00	Camellia Plaza, L.P.
February 28, 2007	\$1,875.00	EcoDiesel Industries, LLC.
February 28, 2007	\$ 337.50	Pleasure Island Shrimp House, Inc.
February 28, 2007	\$ 669.66	Del Pueblo Foods, USA, Inc.
February 28, 2007	\$ 87.50	Abraham Mfg. Inc.
February 28, 2007	\$1,021.50	Desselle-Maggard Corporation
February 28, 2007	\$ 62.50	Triangle Waste Solutions, Inc.
February 28, 2007	\$ 137.50	Reliable Polymer Services
February 28, 2007	\$ 125.00	Bowhead Manufacturing Co. LLC
<b>TOTAL:</b>	<b>\$9,386.71</b>	

A motion was made by Eli Roberts and seconded by Barbara Mulroy to approve the invoices from Germer Gertz in the amount of 9,386.71 for professional services rendered through February 28, 2007. The vote was unanimous.

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

- 1. 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.

- 2. To discuss and consider the approval of a contract between the Port Arthur Section 4A Economic Development Corporation and Excavators & Constructors.**

This item was tabled until after executive session.

- 3. To discuss and consider the approval to amend Business Park Covenants & Restrictions to include Business Park landscaping.**

A motion was made by Keith Daws and seconded by Barbara Mulroy to approve amending the Business Park Covenants & Restrictions to include Business Park landscaping, grandfathering current businesses. The vote was unanimous.

- 4. To discuss and consider the approval to renew the agreement between the Port Arthur Section 4A Economic Development Corporation and the National Development Council for consulting services.**

A motion was made by Barbara Mulroy and seconded by Eli Roberts to approve contingent upon confirmation from the Attorney General to renew the agreement between the Port Arthur Section 4A Economic Development Corporation and the National Development Council for consulting services.

- 5. To discuss and consider the approval to negotiate the land adjacent to Houston Avenue as it pertains to new EDC office.**

This item was tabled until after executive session.

## **VII. REPORTS**

- 1. CEO's Report**
  - a. DMC Groundbreaking Ceremony on April 10, 2007  
Mr. Batiste informed the board that it starts at starts at 11:00 a.m.
  - b. CoreNet Tradeshow.  
Staff explained the cost and board decided to cancel the trip.
  - c. Organizational File System.  
Mr. Batiste explained the Intranet change.
  - d. Notes Receivable Invoices.  
Carmelia Staley explained the process of invoicing the business.
- 2. Board Financial Update**  
Explained the Board Financial update
- 3. Mr. Batiste introduced the new staff person, Mrs. Brenda Vaughn.**

## **VIII. EXECUTIVE SESSION**

The board retired to executive session at 8:00 p.m., and reconvened at 9:45 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 approve the recommended settlement offer from Schaumburg & Polk as approved by the City Council. The vote was unanimous.
2. A motion was made by Eli Roberts and seconded by Lloyd Christian to approve the recommended settlement offer from Excavators & Constructors as approved by the City Council. The vote was unanimous.
3. A motion was made by Barbara Mulroy and seconded by Kerry Thomas to approve an incentive agreement between the City of Port Arthur Section 4A Economic Development Corporation and Triangle Waste.

### **ROLL CALL:**

#### **YES**

Richard Wycoff  
Barbara Mulroy  
Eli Roberts  
Kerry Thomas  
Lloyd Christian

#### **NO**

Keith Daws

#### **ABSTAINED**

Kelly Shanks

### **5-0, Motion Passed**

4. A motion was made by Lloyd Christian and seconded by Kerry Thomas to approve a contract between the Port Arthur Section 4A Economic Development Corporation and Excavators & Constructors. The vote was unanimous.

### **ROLL CALL:**

#### **YES**

Richard Wycoff  
Keith Daws  
Lloyd Christian  
Kerry Thomas

#### **NO**

Eli Roberts

#### **ABSTAINED**

Kelly Shanks  
Barbara Mulroy

### **4-1, Motion Passed**

5. A motion was made by Kelly Shanks and seconded by Eli Roberts to negotiate the land adjacent to Houston Avenue as it pertains to new EDC office.

### **ROLL CALL:**

#### **YES**

Richard Wycoff  
Keith Daws  
Eli Roberts  
Kelly Shanks  
Kerry Thomas

#### **NO**

#### **ABSTAINED**

Lloyd Christian  
Barbara Mulroy

### **5-0, Motion Passed**

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

1. Set policy & procedures by board members
2. come up with committee for Kelly, Kerry and Keith
3. report on other EDC's on how they do business
4. flowchart for milestones

**X. ADJOURNMENT OF MEETING**

A motion was made to adjourn the meeting by Eli Roberts and seconded by Barbara Mulroy. It was adopted unanimously. The meeting was adjourned at 10:13 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 13<sup>th</sup> DAY OF  
June, 2007.

  
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SECRETARY OF THE CORPORATION