

**MINUTES**  
**CITY OF PORT ARTHUR SECTION 4A**  
**ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING**  
**4173 39<sup>th</sup> Street, Port Arthur, Texas**  
**February 27, 2008**

**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, February 27, 2008. The meeting was called to order at 6:06 p.m.

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

The following Board Members were present:

Richard Wycoff, Doris Green, Keith Daws, Eli Roberts, and Kelly Shanks, and Graciela Alvarez.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

**III. MINUTES**

None

**IV. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

Becky Underhill gave an annual overview of EDC's finances.

**B. COMMUNICATIONS**

Quota Club—Person of the Year

The board bought a table for the event.

Letter of Intent—KB & C Trucking

Letter of Intent—TEAM Industries

Letter of Intent—Lamar State College—Port Arthur

Letter of Intent—Ally Investments, LLC

A motion was made by Eli Roberts and seconded by Doris Green to approve all 4 letters of intent with one motion. The vote was unanimous.

Letter from Excavator & Constructions

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

None

**V. UNFINISHED BUSINESS**

To discuss and consider the approval of adopting a flow chart as to the Board policy & procedures for grant/loan applications, requested by Keith Daws.

A motion was made by Kelly Shanks and seconded by Eli Roberts to adopt the PAEDC Flow Chart with one motion. The vote was unanimous.

#### **VI. CONSENT AGENDA ITEMS**

1. **To discuss and consider the approval of an invoice in the amount of \$378,078.12 from Desselle Maggard Corp (DMC) for services rendered by BRYSTAR Contracting, Inc.**

A motion was made by Eli Roberts and seconded by Richard Wycoff to pay the invoice for DMC with one motion. The vote was unanimous.

2. **To discuss and consider the approval of an invoice in the amount of \$300.00 from the Parker Law Firm for services rendered in the Diamond Business Park law suit.**
3. **To discuss and consider the approval of an invoice in the amount of \$4,421.16 from Germer Gertz, L.L.P. for services rendered through January 31, 2008.**
4. **To discuss and consider the approval of an invoice in the amount of \$200.75 from Germer Gertz, L.L.P. for services rendered through January 31, 2008.**

A motion was made by Eli Roberts and seconded by Kelly Shanks to approve items # 2-4 with one motion. The vote was unanimous.

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

1. **To discuss and consider the approval of PAEDC Annual Audit Report of fiscal years ending September 2007.**

A motion was made by Eli Roberts and seconded by Richard Wycoff to approve the annual audit report with one motion. The vote was unanimous.

2. **To discuss and consider the approval of PAEDC staff submitting a Letter of Intent and application for the Port Arthur Communities Fund Grant in the amount not to exceed \$100,000.**

A motion was made by Eli Roberts and seconded by Graciela Alvarez to approve the submitting of a Letter of Intent and application for the PACF Grant with one motion. The vote was unanimous.

3. **To discuss and consider approval of adopting procedures for the City of Port Arthur Revolving Loan Fund Applications Process.**

There was no action taken due to lack of motion.

4. **To discuss construction of future road projects for the City of Port Arthur Section 4A Economic Development Corporation Spur 93 business Park.**

This item was tabled for the next board meeting.

5. **To discuss and consider the approval of a subordination and priority agreement and amendment to the incentive agreement between the Port Arthur Economic Development Corporation and Desselle Maggard Corporation.**

This item was tabled to next board meeting for preparation of subordination agreement, contract and a presentation by the committee

#### **VIII. REPORTS**

1. **CEO's Report**  
None

#### **IX. 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 incentive for EDC business prospects.**
2. **Section 551.071 Government Code – To discuss with Attorney Guy Goodson pending and potential litigation.**
3. **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.**

**\*The items in executive session may be discussed and acted on in open session.**

#### **X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS**

EDC Spur 93 Business Park future road construction  
DMC subordination and priority agreement  
Update on EDC's finances/budget  
Status of unresolved projects  
Update on the Business Park

**XI. ADJOURNMENT OF MEETING**

A motion was made to adjourn the meeting by Kelly Shanks and seconded by Eli Roberts. It was adopted unanimously. The meeting was adjourned at 8:50 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 31<sup>st</sup> DAY OF  
March, 2008.

  
\_\_\_\_\_  
SECRETARY OF THE CORPORATION

**MINUTES  
CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING  
4173 39<sup>th</sup> Street, Port Arthur, Texas  
March 5, 2008**

**I. CALL TO ORDER**

The Board of Directors of the City of Port Arthur Section 4A Economic Development Corporation met in a Special Meeting on Wednesday, March 5, 2008. The meeting was called to order at 6:02 p.m.

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

The following Board Members were present:

Doris Green, Keith Daws, Kaprina Frank, Eli Roberts, Kelly Shanks, and Graciela Alvarez.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

**III. MINUTES**

None

**IV. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

None.

**B. COMMUNICATIONS**

None.

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

None.

**V. UNFINISHED BUSINESS**

None

**VI. CONSENT AGENDA ITEMS**

None

**VII. NON-CONSENT AGENDA ITEMS**

1. To discuss and consider approving awarding a bid by the City of Port Arthur Section 4A Economic Development Corporation and authorizing the execution of a contract for construction of Jade Avenue Extension outside the Port Arthur Business Park located at 9555 W. Port Arthur Road to Hwy 365.

A motion was made by Eli Roberts and seconded by Kelly Shanks not to award the bid for construction of Jade Avenue Extension to Excavators & Constructors with one motion:

**Roll Call:**

**Yes**

Keith Daws  
Doris Green

**No**

Kelly Shanks  
Eli Roberts  
Kaprina Frank  
Graciela Alvarez

2. **To discuss and consider the approval of an amendment to the incentive and subordinated agreement between the Port Arthur Economic Development Corporation and Desselle Maggard Corporation.**

A motion was made by Eli Roberts and seconded by Doris Green to amend the incentive and subordinated agreement between PAEDC and DMC. The vote was unanimous.

**VIII. REPORTS**

None

**IX. 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 incentive for EDC business prospects.
2. **Section 551.071 Government Code** –To discuss with Attorney Guy Goodson pending and potential litigation.

**\*The items in executive session may be discussed and acted on in open session.**

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

**XI. ADJOURNMENT OF MEETING**

A motion was made by Graciela Alvarez and seconded by Eli Roberts to adjourn the meeting with one motion. The vote was unanimous. The meeting was adjourned.

APPROVED BY THE BOARD OF DIRECTORS ON THE 31<sup>st</sup> DAY OF March, 2008.

  
\_\_\_\_\_  
SECRETARY OF THE CORPORATION

**MINUTES**  
**CITY OF PORT ARTHUR SECTION 4A**  
**ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING**  
**4173 39<sup>th</sup> Street, Port Arthur, Texas**  
**March 12, 2008**

**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 12, 2008. The meeting was called to order at 6:02 p.m.

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

The following Board Members were present:

Richard Wycoff, Doris Green, Keith Daws, Kaprina Frank, Eli Roberts, Kelly Shanks, and Roosevelt Petry.

The invocation was given by Doris Green.

The Pledge of Allegiance followed the invocation.

**III. MINUTES**  
**None**

**IV. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

**1. KT Maintenance Site Plan –Councilman Chatman**

Mr. Chatman gave a presentation for development in District 1.

**2. TEAM Industries, Inc/TEAM Fabricators, LLC—Anthony Valentine**

Mr. Valentine passed out information about businesses.

**3. LSCPA – Dr. Stretcher**

Dr. Stretcher talked about Lamar's plans for opening 7 welding classes a process technology building and instrumentation lab and the cost of each as well as the cost of instructors for the courses. Lamar would like for the classes to begin June of 2008.

**4. KB & C Trucking**

Want to start up a trucking company that makes timely deliveries and hires local drivers. They want \$798,000 in



financing for the purchase of 3 tri axle trucks and 2 tantrum trucks.

5. Ally Investment -Dr. Ally

Dr. Ally gave a presentation to the board discussing opening a plant that recycles tires into fuel. He said the plant will create 110 permanent jobs with average salaries of \$25/hr. He said opening this plant will be a great idea because it processes alternative fuel, cleans up the environment, redevelops the West side of Port Arthur, and will be great advertisement for PA because it will have the first one in the country.

**B. COMMUNICATIONS**

Lockwood International—Lockwood International, Inc.

Gave a presentation letting the board know that the company wants funding for land and they want a spot in the Business Park.

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

None

**V. UNFINISHED BUSINESS**

None

**VI. CONSENT AGENDA ITEMS**

1. To discuss and consider the approval of an invoice in the amount of \$6,000.00 from the National Development Council for technical assistance services rendered for the period of February 1-29, 2008.
2. To discuss and consider the approval of an invoice in the amount of \$3,195.96 from Arceneaux & Gates for professional services regarding design and construction of Jade Avenue from Business Park to HWY 365.
3. To discuss and consider the approval of an invoice in the amount of \$3,704.35 from Arceneaux & Gates for professional services regarding design and construction of new roadways in the Business Park Phase II.
4. To discuss and consider the approval of an invoice in the amount of \$3,441.66 from Amelia Lawn Care & Landscaping for the month of February 2008.

5. **To discuss and consider the approval of an invoice in the amount of \$9,995.00 from Star Graphics Copiers, Inc. for the purchase of a Toshiba Estudio 351c color copier.**

A motion was made by Richard Wycoff and seconded by Eli Roberts to approve items # 1-5 with one motion. The vote was unanimous.

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

1. **To discuss and consider the approval of an amendment to the sale agreement between Port Arthur Partners and Port Arthur EDC.**

A motion was made by Eli Roberts and seconded by Kelly Shanks to approve the sale agreement with one motion. The vote was unanimous.

2. **To discuss and consider approval of the PAEDC spending \$3,000.00 of its advertising budget toward the purchase of gifts for the Chinese Government to market the City of Port Arthur for possible future economic development investments by Chinese Businesses during the upcoming trip to China by the Mayor and a delegation from Southeast Texas.**

A motion was made by Eli Roberts and seconded by Kaprina Frank to approve the spending of the gifts, but only for the amount of \$1500.00 with one motion. 6 were for the motion and 1 was opposed – Kelly Shanks.

3. **To discuss and consider award/reject bids received for construction of Jade Avenue Extension outside the Port Arthur Business Park located at 9555 W. Port Arthur Road to HWY 365.**

4. **To discuss and consider approving Arceneaux & Gates to advertise bid for construction of Jade Avenue Extension outside the Port Arthur Business Park located at 9555 W. Port Arthur Road to HWY 365 for the City of Port Arthur Section 4A EDC.**

A motion was made by Kelly Shanks and seconded by Doris Green to table items 3 & 4 were tabled until the earliest convenience so that the board can meet with the city council do discuss action on both items with one motion. The vote was unanimous.

ind. motion

## **VIII. REPORTS**

1. **CEO's Report**
  - a. **Monthly Financial Report**

Mr. Batiste gave an update of the balance for the fund account.

b. Development Account Status

Mr. Batiste gave the balance of the development account.

**IX. 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:**

The board retired to executive session at 7:58 pm, and reconvened at 8:57 pm.

1. **Section 551.087 Government Code** – To discuss incentive for EDC business prospects.
2. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
3. **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.

**\*The items in executive session may be discussed and acted on in open session.**

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

Team Industries  
Lamar State College Port Arthur  
Ally Investments

**XI. ADJOURNMENT OF MEETING**

A motion was made to adjourn the meeting by Richard Wycoff and seconded by Kelly Shanks. It was adopted unanimously. The meeting was adjourned at 9:30 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 31<sup>st</sup> DAY OF March, 2008.

  
\_\_\_\_\_  
SECRETARY OF THE CORPORATION