

**MINUTES  
CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING  
4173 39<sup>th</sup> Street, Port Arthur, Texas  
August 13, 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, August 13, 2008. The meeting was called to order at 6:00 p.m.

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

The following Board Members were present:

Carolyn Guillory, Doris Green, Kaprina Frank, Richard Wycoff, Kelly Shanks, Keith Daws, Eli Roberts.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

**III. MINUTES**

**July 30, 2008**

A motion was made by Richard Wycoff and seconded by Eli Roberts to approve the minutes for July 30, 2008 with corrections to the wording pertaining to non-consent agenda item #5. The vote was passed with one opposition by Doris Green.

**IV. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

**1. Ms. Rebecca Underhill – City of Port Arthur Finance Department**

Ms. Underhill gave a summary of the proposed 2008-2009 Economic Development Corporation Budget with the inclusion of possible purchases and sales. Ms. Underhill also reviewed the proposed 2007-2008 budget changes. This presentation reflected the necessary changes needed in order to purchase the 7.295 acres of land off State Hwy 73. The PAEDC Board will need to amend the budget if approved.

**2. Mr. Ron Arceneaux**

Mr. Arceneaux Briefly discussed the estimated costs and related information regarding the development of the roadways off State Hwy 73. This information gave the Board of Directors a better understanding for the need of the Budget Change Request.

### **1. Dr. Stephanie Jupiter – Relationship Fitness Education**

Ms. Jupiter gave a presentation with the focus and purpose of introducing her company and line of work. Relationship Fitness Education is a company that focuses on training management and supporting staff of various companies on better relating to each other; therefore, building better and healthier work environments. The intention of this presentation was too hopefully become a partner to the PAEDC as possibly serving as an incentive to new and existing companies that come through the EDC.

### **2. Dr. Thigpen – City of Port Arthur – Parks & Recreation**

Dr. Thigpen gave an update as to the uses and accomplishments pertaining to the funding provided to them by the Economic Development Corporation. He stated that all anticipated projects were now complete. Dr. Thigpen also gave information and answers pertaining to former questions presented to him by the PAEDC Board at a former meeting.

### **B. COMMUNICATIONS**

None

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

None

## **V. UNFINISHED BUSINESS**

**1. To discuss appointment of citizen ad-hoc Committee Members to the following Board of Directors Subcommittees: (Requested by Keith Daws)**

- a. By-Laws**
- b. Policy and Procedures**
- c. Business Retention and Expansion**

This item was held until after executive session.

**2. To discuss and consider possible action on a Resolution concerning issuance of sales tax revenue bonds or other tax exempt obligations to finance the acquisition, construction, renovation, repairs, modifications and improvement of facilities, buildings, utilities, streets, roads, parking areas, landscaping and related facilities and the costs of issuance of such bonds or other tax exempt obligations.**

This item was tabled until after executive session.

## **VI. CONSENT AGENDA ITEMS**

- 1. To discuss and consider the approval of an invoice in the amount of \$8980.00 from Arceneaux & Gates Consulting Engineers, Inc. for professional services regarding design and construction of JADE Avenue from Business Park to Hwy 365.**
- 2. To discuss and consider the approval of an invoice in the amount of \$25,867.00 from Arceneaux & Gates Consulting Engineers, Inc. for Design and Construction of New Roadways – Business Park, Phase II.**
- 3. To discuss and consider the approval of an invoice in the amount of \$373,844.21 from Excavators & Constructors, Ltd. For the construction of JADE Avenue Extension – Phase II.**
- 4. To discuss and consider the approval of an invoice in the amount of \$6,946.57 from Germer Gertz, L.L.P. for professional legal services rendered through 6/30/08.**
- 5. To discuss and consider the approval of invoices for the months of June and July, 2008 in the amount of \$3,441.66 and \$3,441.66 respectively from Amelia Lawn Care & Landscaping Service for landscaping of the Business Park at Spur 93.**

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 a request by Excavators & Constructors, LTD for extension of their contract days, 7 additional days due to weather delays.**

A motion was made by Eli Roberts and seconded by Kaprina Frank to approve the extension of seven additional days. The vote was unanimous.

- 2. To discuss and consider possible action on request by Able Fasteners, Inc. to purchase approximately 40,000 square feet out of the 7.295 acre tract of land off State Highway 73 proposed for purchase by the City of Port Arthur Section 4A Economic Development Corporation from the Salvation Army.**
- 3. To discuss and consider possible action to approve an Economic Incentive Agreement between the City of Port Arthur Section 4A Economic Development Corporation and ENGglobal Systems, Inc.**

4. To discuss and consider possible action to approve Lease with Option to Purchase between the City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Systems, Inc.
5. To discuss and consider possible action to approve request by Triangle Waste for amendment of Performance Milestone Schedule and to direct City of Port Arthur Section 4A Economic Development Corporation legal counsel to prepare amendment to Economic Incentive Agreement with Triangle Waste.
6. To discuss and consider possible action to approve requesting the City Council to amend the City of Port Arthur Section 4A Economic Development Corporation's FY 07-08 budget, to purchase the 7.295 acres off State Hwy 73 and to pay for the infrastructure associated with the development of said property.
7. To discuss and consider for approval a settlement agreement between Pleasure Island Shrimp House and the Port Arthur Section 4A Economic Development Corporation.

Items 2 – 7 were tabled until after executive session.

#### **VIII. REPORTS**

##### **a. CEO's Report**

##### **1) BR&E Survey Report**

Mr. Batiste along with Mrs. Vaughn gave a brief report on current Business Retention and Expansion.

##### **2) Board Award Recommendation**

Mr. Batiste updated the PAEDC Board on progress of Award Recommendations. Stated there were about 250 businesses given the opportunity to vote on other businesses.

##### **3) Quarterly Report**

Mr. Batiste reviewed the report with the Board and explained the information it contained. This report was also given to The Port Arthur City Council.

#### **IX. CLOSED SESSION (EXECUTIVE SESSION)**

The Board retired to executive session at 7:10pm, and reconvened at 9:05pm.

### **Unfinished Business**

1. Chairman Keith Daws gave report on status of sub-committees. He reported Mr. Mike Nicholas will no longer serve as a member as he has accepted a job out of state. The sub-committees for By-Laws and Policy and Procedures will combine and work together. The final selected members for that combined committee are:

Jack Chatman, Keith Daws, Doris Green, Dr. Beverly Parker, Kerry Thomas, and D. Kay Wise. Keith Daws will chair this committee.

That committee along with Business Retention and Expansion will meet apart from Regular Board Meetings and as needed. Sub-Committee Finance & Budget will stand still and be on hold for now. The final selected committee members for Business Retention & Expansion are:

Conrad Cooper, Ron Conner, Alma LeBlanc, Renysa LeBlanc, Kenneth Muller, Jeremiah Roberts, and Richard Wycoff. Richard Wycoff will chair this committee.

2. This item was deferred to a Special Meeting scheduled to take place Wednesday, August 20, 2008 at 6:00pm..

### **Non- Consent Agenda Items**

2. A motion was made by Eli Roberts and seconded by Richard Wycoff to approve the request by Able Fasteners to purchase approximately 40,000 square feet of land out of the 7.295 acre tract of land off State Hwy 73 contingent upon the approval of non-consent agenda item #6. The vote was unanimous.

Non – Consent Agenda Items 3 & 4 were deferred to a Special Meeting scheduled for Wednesday August 20, 2008 at 6:00pm.

5. A Motion was made by Eli Roberts and seconded by Doris Green to approve a request by Triangle Waste for amendment of Performance Milestone Schedule and to direct City of Port Arthur Section 4A Economic Development Corporation legal counsel to prepare amendment to Economic Incentive Agreement with Triangle Waste. The vote was unanimous.

6. A motion was made by Eli Roberts and seconded by Richard Wycoff to approve requesting the City Council to amend the City of Port Arthur Section 4A Economic Development Corporation's FY 07-08 budget, to purchase the 7.295 acres off State Hwy. 73 and to pay for the infrastructure associated with the development of said property. The vote was unanimous.

7. No action was needed for Non-Consent Agenda Item # 7.

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

1. Spreadsheet projecting all information regarding the Hwy 73 Project.

**XI. ADJOURNMENT OF MEETING**

A motion was made to adjourn the meeting by Eli Roberts and seconded by Kaprina Frank. It was adopted unanimously. The meeting was adjourned at 9:46 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 27<sup>th</sup> DAY OF August 2008.  
David S. Stinebaugh  
SECRETARY OF THE CORPORATION