

MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
4173 39th Street, Port Arthur, Texas
October 8, 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, October 8, 2008. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Doris Green, Richard Wycoff, Kelly Shanks, Keith Daws, and Roosevelt Petry

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the invocation.

III. MINUTES

September 10, 2008

A motion was made by Richard Wycoff and seconded by Doris Green to approve the minutes for September 10, 2008. The vote was unanimous.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

Abraham Manufacturing – Mr. Richard

Mr. Richard announced a request for a time extension on payments. He reported having equipment down following Hurricane Ike. Some of the main equipment damaged and causing a delay in production include an REF Machine and a Computer Router. Mr. Richard stated that insurance funds will be needed to repair damages. Currently he has four employees. The EDC Board will consider his request.

Triangle Waste Properties, LP – Donovan Weldon , Tony Broussard

A report was given in reference to the delay in the construction of the metal facility. Mr. Weldon reported unexpected funds were used to repair the facility on Gulfway Dr. in Port Arthur per a City Ordinance. This caused a change in plans for the architecture of the new metal facility. A request for an extension in milestones due to these delays was presented to the board.

A motion was made by Roosevelt Petry and seconded by Doris Green to approve the milestone extension for Triangle Waste Properties, LP. The vote was unanimous.

Amelia Lawn Care & Landscaping – Wayne Riley

Mr. Riley gave an update on the status of the Business Park following Hurricane Ike. He reported some trees were down, and was able to salvage and re-plant some of them. He is currently three weeks behind in mowing of the Business Park. Most of his equipment was lost or damaged during the hurricane, some of it was recently stolen. He also reported losing most of his employees following the hurricane as well.

Desselle Maggard Corporation – Joey Jobe

Mr. Jobe gave a report on current changes taking place within DMC. PVI Holdings, Inc., an organization out of the Netherlands will be purchasing the asset portion of Desselle – Maggard Corporation. He reported that the name of the company and operations will remain the same. The EDC Board was asked to release the present incentive recipient; Rhorer-Moniotte, to Desselle-Maggard Corporation, a Delaware Co. The Port Arthur EDC will assume first lien position when the sale of Desselle-Maggard to PDI is final.

A motion was made by Roosevelt Petry and seconded by Richard Wycoff to approve the release of Rhorer-Moniotte, the current incentive recipient to be taken on by Desselle-Maggard. The vote was unanimous.

B. COMMUNICATIONS

Letter of Intent – Clay Development & Construction for Tyco Flow Control

Clay Development & Construction for Tyco Flow Control is interested in purchasing three acres of land in the Business Park for construction of a building for Tyco Flow Control. The Board approved to proceed with the process.

V. UNFINISHED BUSINESS

1. Discuss and consider possible action to approve amendments to Economic Incentive Agreement between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Systems, Inc.
2. Discuss and consider possible action to amend Lease with Option to Purchase between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Corporation.
3. Discuss and consider possible action to approve Lease Guaranty between City of Port Arthur Section 4A Economic Development Corporation and ENGlobal Corporation.
4. Consideration and possible action to authorize officers of the Board of Directors of the Corporation and Executive Director to execute any and all documents necessary for the issuance and sale of the City of Port Arthur Section 4A Economic Development Corporation Sales Tax Revenue Bonds, Series 2008 and related documents as to the Economic Incentive Agreement with ENGlobal Systems, Inc.
5. To discuss and consider the value of the land in the Highway 73 Business Park.
6. To discuss and consider requirements, restrictions and expectations for the land in Highway 73 Business Park.

Items 1-6 under Unfinished Business were tabled until the next regular EDC Board Meeting.

VI. CONSENT AGENDA ITEMS

1. To discuss and consider the approval of an invoice in the amount of \$6,403.54 from Germer Gertz, L.L.P. for professional legal services rendered through 8/31/08.
2. To discuss and consider the approval of an invoice in the amount of \$520.00 from Germer Gertz, L.L.P. for professional legal services rendered through 8/31/08.
3. To discuss and consider the approval of an invoice in the amount of \$5,146.00 from Arceneaux & Gates Consulting Engineers, Inc for professional services regarding design and construction of JADE Avenue from Business Park to Hwy 365.
4. To discuss and consider the approval of an invoice in the amount of \$17,813.63 from Arceneaux & Gates Consulting Engineers, Inc for design and construction of New Roadways – Business Park, Phase II.

5. To discuss and consider the approval of an invoice in the amount of \$6,000.00 from National Development Council for technical assistance rendered for the period of September 1-30, 2008.
6. To discuss and consider the approval of an invoice in the amount of \$3,935.00 from Lamar University, Department of Communication to provide video production services to the PAEDC for the production of videotapes of each regular meeting from November 1, 2008 to October 31, 2009.
7. 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 August 2008.
8. 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 September 2008.
9. To discuss and consider the approval of paying \$150,000.00 due October 1, 2008, the first of ten payments to Camellia Plaza's toward the construction of eligible infrastructure for the Plaza.

A motion was made by Richard Wycoff and seconded by Roosevelt Petry to approve items 1-9 under Consent Agenda Items. The vote was unanimous.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider a request to de-obligate \$100,000 of the City Revolving Loan Fund administered by PAEDC through the Grow Port Arthur Fund by The National Development Council to establish a Port Arthur Emergency Relief Loan Program (PEARL) to assist Small Credit Challenged Businesses affected by natural disaster.

A motion was made by Richard Wycoff and seconded by Roosevelt Petry to approve Non-Consent Agenda Item 1. The vote was unanimous.

VIII. REPORTS

1. Policies & Procedures and Bylaws Committee's Report

This item was tabled until next regular board meeting.

2. Discussion of Board Economic Development Plan for Fiscal Year 2008-2009

This item was tabled until next regular board meeting.

3. CEO's Report

a) Sales Tax collections to Date

The CEO reported a 7% increase in sales tax collections over last year.

b) ED Week Cancellation

The CEO reported the cancellation of the Economic Development Week functions due to the location originally planned for the functions being occupied.

c) EPA / TCEQ

This item was discussed during Executive Session.

d) GTMBC / PAEDC Rapid Response Small Business Recovery Information

The CEO reported that this meeting will be moved to a later date following next City Council Meeting.

IX. CLOSED SESSION (EXECUTIVE SESSION)

The Board retired to executive session at 6:58pm, and reconvened at 7:48pm.

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

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 7:53 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 22nd DAY OF October, 2008.

Louis Michèle Green
SECRETARY OF THE CORPORATION