

MINUTES
AMENDED
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
4173 39th Street, Port Arthur, Texas
February 23, 2009

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 Monday, February 23, 2009. The meeting was called to order at 6:01 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Carolyn Guillory, Roosevelt Petry, Kaprina Frank, Richard Wycoff, Kerry Thomas, Keith Daws, and Eli Roberts.

The invocation was given by Carolyn Guillory.

The Pledge of Allegiance followed the invocation.

III. MINUTES
None

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

Willie Lewis – Asked the EDC to look into the Safe Harbor Act, Area Use Tax, and Earned Income Tax Credit, and possible advertisement of these through the EDC.

Johnson Development Associates, Inc. – Charlie Neuhaus

Mr. Neuhaus came before the board to express Johnson Development Associates, Inc.'s request to have the exclusive right to build speculative buildings in the PA Business Park. They are requesting a ten month exclusive right in order to ensure they are the beneficiary of this particular marketing scheme.

B. COMMUNICATIONS

1. EPA – Hurricane Ike Pad Closure
Mr. Batiste reported that the land used for this pad is in better shape now than it was before.

2. Junior Achievement of the Golden Triangle, Inc.
Junior Achievement has requested the EDC make a contribution to their efforts to help offset costs for student projects.
The Board instructed staff to see if we can direct the contribution to a specific program activity and bring this matter back to the board.
3. Orbital Insulation – Letter of Intent
Orbital has turned in a letter of intent to apply for a grant through the PAEDC.

C. PUBLIC COMMENT

1. KT Maintenance – Kenny Tims

Mr. Tims came before the board with a request to purchase the land behind his facility on 4th St. Plans to use this land for parking purposes.

V. UNFINISHED BUSINESS

None

VI. CONSENT AGENDA ITEMS

1. To discuss and consider approving an invoice from Entergy Texas, Inc. in the amount of \$142,802.92 for the installation of 3 switch boxes in the Business Park.
2. To discuss and consider approving invoices from Germer Gertz, L.L.P. for Legal Professional Services.

Invoice #	Amount:	Pertaining to:
359455	\$ 2,459.53	EDC
359456	\$315.00	Pleasure Island Shrimp House, Inc.
359457	\$200.00	Sitel
Total:	\$ 2,974.53	

3. To discuss and consider approving FINAL Monthly Pay Estimate No. 9 from Excavators & Constructors, Ltd. in the amount of \$129,488.56 for the Construction of Jade Avenue Extension Phase II..

A motion was made by Roosevelt Petry and seconded by Richard Wycoff to approve Consent Agenda Items 1 - 3. The vote was unanimous. Motion carried.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider approving Change Order No. 3 for the Jade Avenue Extension – Phase II Contract with Excavators & Constructors, Ltd.

A motion was made by Keith Daws and seconded by Roosevelt Petry to approve Change Order No. 3 for the Jade Ave. Extension. The vote was unanimous. Motion carried.

2. To discuss and consider approving the Release of Retainage to Excavators & Constructors, Ltd.

A motion was made by Kerry Thomas and seconded by Richard Wycoff to approve the Release of Retainage of Excavators & Constructors, Ltd. The vote was unanimous. Motion carried.

3. To discuss better use of Advertising Budget.

Ms. Guillory discussed the need to separate what is advertising from other things that are being funded through the advertising budget; such as sponsorships and contributions. This will be worked on during the Board's Goals & Objectives Workshop.

4. To discuss the sale/ incentives of property located on 4th St. to KT Maintenance.

5. To discuss and possibly take action on the request from Johnson Development Associates, Inc.

Non-Consent Items 4 and 5 were deferred until executive session.

6. To discuss and consider changing the language in the proposed 4B Proposition for the May 9, 2009 Election.

A motion was made by Keith Daws and seconded by Kerry Thomas to change the language in the proposed 4B Proposition. The vote was unanimous. Motion carried.

VIII. REPORTS

1. CEO's Report

- a. IEDC Port Arthur Site Visit

Mr. Batiste reported that IEDC will be in town this week for the Site Visit.

- b. Board Goals & Objectives Workshop

Date set for Saturday March 14, 2009 from 9 am – 1 pm

- c. On the Job Training Program

Mr. Batiste and Mrs. Vaughn reported that RPS currently has a trainee through this program.

CLOSED SESSION (EXECUTIVE SESSION)

The Board retired to executive session at 7:05 p.m., and reconvened at 7:49 p.m.

NON-CONSENT ITEMS 4 & 5

4. To discuss the sale/ incentives of property located on 4th St. to KT Maintenance.
A Motion was made by Roosevelt Petry and seconded by Keith Daws to move forward in negotiating sale price with KT Maintenance.
A motion was made by Keith Daws and seconded by Roosevelt Petry to move forward in negotiations contingent upon clarification of the city title issues. The vote was unanimous. Motion carried.
5. To discuss and possibly take action on the request from Johnson Development Associates, Inc.
A motion was made by Roosevelt Petry and seconded by Richard Wycoff to bring back this request after negotiations have been made and with the removal of exclusiveness. The vote was unanimous. Motion carried.

IX. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

Kerry Thomas – Establish a 4B Campaign Committee

The EDC Attorney, Guy Goodson advised that the EDC cannot use funds for campaigning purposes. He advised that Board members may go out individually and make the community aware of the proposition. He also advised that the EDC can publish an informational sheet for community awareness.

Keith Daws – To discuss EDC Bylaws and Policies & Procedures – Res, 03-307

X. ADJOURNMENT OF MEETING

A motion was made to adjourn the meeting by Keith Daws and seconded by Richard Wycoff. It was adopted unanimously. The meeting was adjourned at 8:02 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 9th DAY OF March, 2009.

Don Allen Crane
SECRETARY OF THE CORPORATION