

MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
SPECIAL MEETING
4173 39th Street, Port Arthur, Texas
October 26, 2009

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 Monday, October 26, 2009. The meeting was called to order at 6:02 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Carolyn Guillory, Kaprina Frank, Kelly Shanks, Kerry Thomas (7:05), Keith Daws, and Eli Roberts

The invocation was given by Carolyn Guillory.

The Pledge of Allegiance followed the invocation.

III. MINUTES

October 8, 2009

A motion was made by Keith Daws and seconded by Kaprina Frank to approve the minutes of October 8, 2009. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. **Arceneaux & Gates Consulting Engineers** – Reporting status on Hwy. 73 Business Park and Bidding of projects for Spur 93 Business Park.

Joe Wilson of Arceneaux & Gates came before the Board to give an update as to the status of the construction of roadways at the Hwy. 73 Business Park. He stated that there is concrete work left to do; all work is up to date and being completed on time. The current completion date for the roadways is scheduled for Dec. 11th.

Mr. Wilson also gave an update as to the Bidding of the Detention Pond contract for the Spur 93 Business Park. A Pre-Bid Meeting will take place on Oct. 28th and they will be accepting bids on Nov. 4th. He stated that the pond will be about 5 acres with an additional 1 acre pond connecting to it. One pond will be south of the pipeline and the other north of it. It will be gravity

fed. The projected cost for the project per Mr. Wilson will be between \$700,000 and \$800,000. He also stated that they will be soon bidding for the Spur 93 Business Park Road and Underground Utilities Contract II.

B. COMMUNICATIONS

None

C. SPEAKERS

None

V. UNFINISHED BUSINESS

1. To discuss and consider EDC Advertisements.

- A motion was made by Carolyn Guillory and seconded by Kaprina Frank to approve a purchase agreement with the Port Arthur Independent School District for advertisement space on the Memorial Stadium Score Board at \$7,500 per year for ten years. The vote was unanimous. Motion carried.

- A motion was made by Carolyn Guillory and seconded by Kaprina Frank to enter into a Public Broadcast Agreement in the amount of \$5,000 with The Breeze Radio Station for advertisement.

Ayes

Carolyn Guillory
Kaprina Frank
Eli Roberts
Keith Daws

Noes

Kelly Shanks

Motion carried.

- A motion was made by Carolyn Guillory and seconded by Kelly Shanks to enter into an agreement with Marketing Alliance, Inc. for the creation of a new EDC website in the amount of \$20,000.

Carolyn Guillory rescinded the previous motion.

A motion was made by Keith Daws and seconded by Kaprina Frank to table this item until more specific information as to what the website will consist of is provided. The vote was unanimous. Motion carried.

2. To discuss the design of the Downtown Pavilion Project.

The Board instructed the CEO to proceed with the bid process for the hiring of an architect to produce plans for the design of the Pavilion.

VI. CONSENT AGENDA ITEMS

1. To discuss and consider approving an invoice in the amount of \$3,990 from Trey's Tractor Service for the cutting of acreage at the Spur 93 Business Park on September 21, 2009.
2. To discuss and consider approving Monthly Pay Estimate No. 2 in the amount of \$127,815.61 from Doughtie Construction for the Water, Sanitary Sewer, Paving, and Drainage Facilities for the Hwy. 73 Business Park Project.
3. To discuss and consider the approval of invoices from Germer Gertz, L.L.P. for professional services rendered through September 30, 2009.

Invoice #	Amount	Pertaining to:
374232	\$2,474.17	Economic Development Corporation
374233	\$ 300.00	SETX Clearwater
374234	\$ 300.75	Pleasure Island Shrimp House
374235	\$ 161.75	Abraham Mfg. Inc.
374236	\$1,920.75	Sitel
374237	\$ 100.75	Tide Wind Alliance Corporation
Total:	\$5,258.17	

A motion was made by Keith Daws and seconded by Kelly Shanks to approve Consent Items 1-3 in one motion with a correction to Invoice # 374234 of Consent Item 3 as is should be in the amount of \$200.75. The vote was unanimous. Motion carried.

4. To discuss and consider approving invoices submitted by the Sub-Contractors in reference to the Social Services Block Grant.

A motion was made by Kerry Thomas and seconded by Carolyn Guillory to approve payment of the invoices in reference to the Social Service Block Grant. The vote was unanimous. Motion carried.

Attorney Guy Goodson advised the Chairman that the vote is not valid as Kerry Thomas should recuse himself due to a conflict of interest.

A second motion was made by Kelly Shanks and seconded by Kaprina Frank to approve payment of the invoices in reference to the Social Service Block Grant.

Kerry Thomas recused himself from the vote due to a conflict of interest.

The vote was unanimous. Motion carried.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider a recommendation to City Council for a seat on the Downtown Revitalization Organization (DRO) Board.
A motion was made by Kerry Thomas and seconded by Kelly Shanks to nominate Vicki Derese of Chevron Phillips as the nomination from Industry by the PAEDC. The vote was unanimous. Motion carried.

Stated for the record by Keith Daws: "We're getting nominations for the strategic plan, and in recognition of what Mr. Batiste said earlier, we haven't gone by the plan yet but we are actually going by the plan. It leaves confusing comments."

2. To discuss and consider approving the Summer Internship Program (SIP) for 2010.
A motion was made by Keith Daws and seconded by Kaprina Frank to approve the Summer Internship Program for 2010.

A second motion was made by Keith Daws and seconded by Kelly Shanks to approve the Summer Internship Program of 2010 for ten (10) students. The vote was unanimous. Motion carried.

3. To discuss and consider a contribution in support of the Southeast Texas Workforce Solutions Jobs NOW Hiring Event.
A motion was made by Keith Daws and seconded by Carolyn Guillory to contribute \$1,000 to the Texas Workforce Solutions Jobs NOW Hiring Event. The vote was unanimous. Motion carried.

4. To discuss and consider accepting a Memorandum of Understanding with the City of Port Arthur for the Social Services Block Grant.
A motion was made by Keith Daws and seconded by Carolyn Guillory to accept the Memorandum of Understanding with the City of Port Arthur. The vote was unanimous. Motion carried.

5. To discuss and consider approving entering into Amended Training Agreements with the following sub-contractors for the Social Services Block Grant.

- a. K's & D's Industrial Training Center, Inc.
- b. Gulf Coast Career Institute, Inc.
- c. Jireh World Church and Outreach Ministries, Inc.

A motion was made by Kelly Shanks and seconded by Keith Daws to approve the Individual Training Agreements with the above stated sub-contractors.

Kerry Thomas recused himself from the vote due to a conflict of interest.

The vote was unanimous. Motion carried.

6. To discuss and consider approving a form letter as a response to advertising requests.

A motion was made by Keith Daws and seconded by Carolyn Guillory to approve the form letter as a general response to advertising requests. The vote was unanimous. Motion carried.

VIII. REPORTS

CEO's Reports

1. ED Week Update
Ms. Villarreal reported that there are 21 businesses that the students will be touring during ED Week. There will be 90 Memorial HS students participating. Volunteers were asked of the Board Members to assist with chaperoning the tours, and to present the Keynote Speaker at the Awards Banquet.
2. Report on EDC Projects
Mrs. Vaughn gave the Board an update as to the status of current EDC projects.
3. Plans for Business Retention & Expansion '09-'10
Mrs. Vaughn presented the Board with her plans and goals for the Business Retention & Expansion Program for '09-'10.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
 - a. Abraham Manufacturing
 - b. SETX Clearwater
2. **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.
3. **Section 551.072 Government Code** – To discuss the value of land at the Hwy 73 Business Park.
4. **Section 551.072 Government Code** - To discuss and review possible property as to the location of the EDC office in Downtown Port Arthur.
5. **Section 551.087 Government Code** – To discuss Incentives for EDC Prospects.

The Board retired to executive session at 7:40 p.m. to discuss the above mentioned items, and reconvened at 8:15 p.m.

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

- **Kelly Shanks stated he will come into the office to work with Mr. Batiste on the CEO Goals and Objectives.**

- **Non-Consent: To discuss and consider granting a waiver to the covenants and restrictions for the contract with Lange Brothers, Inc.**

XI. ADJOURNMENT OF MEETING

A motion was made to adjourn the meeting by Kelly Shanks and seconded by Kerry Thomas. It was adopted unanimously. The meeting was adjourned at 8:21 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 16th DAY OF November, 2009.

Christina A. Green
SECRETARY OF THE CORPORATION