

**MINUTES  
CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION  
REGULAR MEETING  
4173 39<sup>th</sup> Street, Port Arthur, Texas  
March 7, 2011**

**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, March 7, 2011. The meeting was called to order at 6:01 p.m.

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

The following Board Members were present:

Carolyn Guillory, Aletha Kirkwood, Roosevelt Petry, Richard Wycoff, Keith Daws, and Eli Roberts.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the Invocation

**III. MINUTES**

February 7, 2011

**A motion was made by Eli Roberts and seconded by Richard Wycoff to approve the minutes of February 7, 2011. The vote was unanimous. Motion passed.**

**IV. PETITIONS & COMMUNICATIONS**

**A. PRESENTATIONS**

None

**B. COMMUNICATIONS**

1. SEaTex Marine Service, Inc. – Letter of Intent  
**EDC Attorney Guy Goodson informed the Board that this company appeared to fall under the qualifying codes for 4A funding eligibility. He requested the Board to allow the staff to obtain more information to determine the services provided by SEaTex and further consider the full application.  
A motion was made by Eli Roberts and seconded by Roosevelt Petry to move forward with the application process. The vote was unanimous. Motion carried.**
2. Management Resources Group, Inc. – Letter of Intent  
**Principals were present to speak on this project; Jeff Hayes, Russell Buss, Melvin White, and Dr. Victor Salome. MRG has**

established an office at 617 Procter St. Ste. 200 and is looking at three different sites for a possible energy research project. They will work in phases; Phase I being to supply additional power on the land that's available. Their focus is to produce energy efficiently and faster and to produce jobs.

A motion was made by Roosevelt Petry and seconded by Eli Roberts to move forward with the application process. The vote was unanimous. Motion carried.

3. City of Port Arthur's 4<sup>th</sup> "Annual State of Affairs of the City" Address Board members will let staff know if interested in attending.

**C. SPEAKERS**

None

**V. UNFINISHED BUSINESS**

1. To discuss and consider the renewal of a contract with Phillips Productions.  
A motion was made by Roosevelt Petry and seconded by Eli Roberts to reject the renewal of the contract with Phillips Productions. The vote was 5 – 1, motion passed. Keith Daws voted no.
2. To discuss and consider modifying Resolution 09-459, the submission procedures of proposed projects and agreements by the PAEDC to the City Council.  
A motion was made by Eli Roberts and seconded by Aletha Kirkwood to approve the modification of Resolution 09-459. The vote was 5 – 1, motion passed. Richard Wycoff voted no.

**VI. CONSENT AGENDA ITEMS**

1. To discuss and consider approving invoices from Affordable Lawn and Tractor Service for lawn maintenance services rendered during the months of January and February 2011.

Invoice #	Amount:	Pertaining to:
021	\$2,833.33	Spur 93 Business Park (January)
022	\$2,833.33	Spur 93 Business Park (February)
1001	\$635.00	Hwy. 73 Business Park (January)
1002	\$635.00	Hwy. 73 Business Park (February)
<b>Total:</b>	<b>\$6,936.66</b>	

2. To discuss and consider approving an invoice in the amount of \$10,902.00 from URS Corporation for the Pavilion Project work undertaken during the period through February 11, 2011.
3. To discuss and consider approving an invoice in the amount of \$6,000 from National Development Council for technical assistance rendered for the period: February 1-28, 2011.

4. To discuss and consider invoices from Germer Gertz, L.L.P. for professional services through 01/31/11.

Invoice #	Amount:	Pertaining to:
400105	\$4,861.52	PAEDC
400106	\$520.00	SETX Clearwater Environmental, L.L.C.
400107	\$600.00	Clay Development & Construction, Inc.
400965	\$140.00	Mc-OO, Inc. d/b/a Mc-O Construction
400966	\$1,309.21	Southland Overseas Investment, Inc.
<b>Total:</b>	<b>\$7,430.73</b>	

5. To discuss and consider approving Monthly Pay Estimate No. 4 in the amount of \$50,180.85 to Excavators & Constructors, Ltd. for the Water, Sanitary Sewer, Paving and Drainage Facilities for the Port Arthur Business Park – Phase II, Contract 4.

**A motion was made by Eli Roberts and seconded by Richard Wycoff to approve Non-Consent Items 1 – 5 in one motion. The vote was unanimous. Motion carried.**

## VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider Amendment No. 1 to the Water, Sanitary Sewer, Paving and Drainage Facilities for the Port Arthur Business Park – Phase II, Contract 4 with Excavators & Constructors, Ltd.

**A motion was made by Roosevelt Petry and seconded by Eli Roberts to approve Amendment No. 1. The vote was unanimous. Motion carried.**

2. To discuss and consider solicitation of bids for the construction of an all weather utility road, movement of dirt, and installation of underground electrical conduit for light poles in the Spur 93 Business Park.

**Ron Arceneaux of Arceneaux & Gates Consulting Engineers was present to speak on this matter.**

**A motion was made by Richard Wycoff and seconded by Eli Roberts to approve solicitation of bids. The vote was unanimous. Motion carried.**

3. To discuss and consider the evaluation of the Chief Executive Officer of the Corporation.

**This item was tabled. Staff will email a copy of the evaluation form to the Board so they may fill it out.**

4. To discuss and consider a quote from DynaSource, Inc. for the purchase, installation, and maintenance of Laserfiche software to upgrade the PAEDC's electronic filing system.

**A motion was made by Eli Roberts and seconded by Roosevelt Petry to approve the purchase, installation, and maintenance of Laserfiche software. The vote was unanimous. Motion carried.**

5. To discuss and consider an Agreement between the City of Port Arthur and the PAEDC to install a city water line to support the planned economic expansion of Performance Blasting and Coating located at 6301 Procter St. Extension Port Arthur, TX.  
**A motion was made by Eli Roberts and seconded by Richard Wycoff to approve an Agreement with the City of Port Arthur to install a city water line to support the economic expansion of PBC contingent upon a receipt of a certificate of occupancy.**  
**Roosevelt Petry recused himself from the vote.**  
**The vote was 4 – 1. Motion passed. Richard Wycoff voted no.**

6. To discuss and consider an Agreement between Texas Gas Co. and the PAEDC to install a 4" natural gas line to support the planned economic expansion of Performance Blasting and Coating and Team Fabricators.  
**A motion was made by Eli Roberts and seconded by Richard Wycoff to approve an Agreement with the Texas Gas Co. to install a city 4" natural gas line to support the economic expansion of PBC and Team Fabricators contingent upon a receipt of a certificate of occupancy.**  
**Roosevelt Petry recused himself from the vote.**  
**The vote was unanimous. Motion passed.**

7. To discuss and consider rescinding the Economic Incentive Agreement with Triangle Waste in consideration of payment of \$124,000 for land specified in the Agreement.  
**A motion was made by Roosevelt Petry and seconded by Aletha Kirkwood to table this item.**

<u>Ayes</u>	<u>Noes</u>
Eli Roberts	Aletha Kirkwood
Roosevelt Petry	Keith Daws
Carolyn Guillory	Richard Wycoff

**Motion failed.**

**A second motion was made by Aletha Kirkwood and seconded by Richard Wycoff to approve rescinding of the Economic Incentive Agreement with Triangle Waste in consideration of the payment of \$124,000 for land specified in the Agreement.**

<u>Ayes</u>	<u>Noes</u>
Aletha Kirkwood	Carolyn Guillory
Richard Wycoff	Roosevelt Petry
Keith Daws	Eli Roberts

**Motion failed.**

8. To discuss and consider approving the 2011 Summer Intern Program.  
**A motion was made by Roosevelt Petry and seconded by Eli Roberts to approve the 2011 Summer Internship Program. The vote was unanimous. Motion carried.**

9. To discuss and consider approval of a possible contract with Entergy Texas for the installation of 19 street light poles and underground electrical cable in the Spur 93 Business Park.  
**A motion was made by Eli Roberts and seconded by Richard Wycoff to approve entering into a contract with Entergy for the installation of 19 light poles in the Spur 93 Business Park in an amount not to exceed \$69,500. The vote was unanimous. Motion carried.**
10. To discuss and consider an advertisement in the Port Arthur Business Journal.  
**A motion was made by Eli Roberts and seconded by Roosevelt Petry to table this item until the Advertising Committee has a had a chance to discuss this item. The vote was unanimous. Motion carried.**
11. To discuss Economic Development Week 2011.  
**No action taken. Staff presented proposed changes and additions to Economic Development Week 2011.**
12. To discuss and consider security issues in the Spur 93 Business Park.  
**No action taken. Chief Blanton of the PAPD was present to speak to the Board about possible security options for the Park. The Board instructed staff to move forward in working with the Chief in preparing a request for proposals from security companies for the security of the Business Park.**
13. To discuss and consider amendments to the Covenants & Restrictions of the Spur 93 Business Park for security assessment fees.  
No action taken.  
**This item was discussed during discussion for Non-Consent Item 12. Staff will request proposals for security in the Business Park before the Board considering an appropriate amount for security assessment fees.**

## VIII. REPORTS

1. Monthly Financial Report  
**Mr. Batiste gave a brief overview of the Financial Report prepared by Ms. Staley.**
2. Bylaws Committee  
**Keith Daws presented the Board with a draft of the proposed amendments to the EDC Bylaws. Roosevelt Petry will submit his suggestions to Mr. Daws.**
3. Board Report on Golden Triangle Days in Austin  
**Keith Daws and Aletha Kirkwood attended Golden Triangle Days in Austin and reported on the event's programs and subjects.**
4. Spur 93 Business Park Companies Report  
**Mr. Batiste reported that he has met with each of the businesses in the Business Park and has determined that a major concern of most of the businesses is security. Staff will begin to look into soliciting security company bids.**

5. Mr. Batiste also reported to the Board that the City has requested proposals from outside auditors to perform department performance audits for each city department including the EDC.

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

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
  - a. SETX Clearwater
  - b. Mc-O Construction
2. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.
  - a. 501 Procter St.
3. **Section 551.074 Government Code** – To discuss personnel matters of Port Arthur Section 4A Economic Development Corporation.
  - a. CEO Evaluation
4. **Section 551.087 Government Code** – To discuss Incentives for EDC Prospects.
  - a. Tyco Valves & Controls, LP
  - b. Land in Spur 93 Business Park
  - c. Management Resources Group, Inc.

The Board retired to executive session at 7:59 p.m. to discuss the above mentioned items, and reconvened at 8:46 p.m.

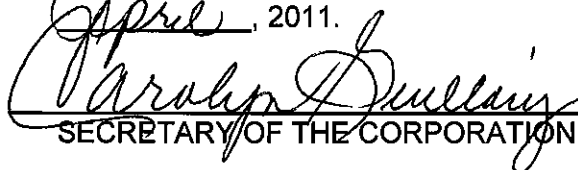
**X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS**

None

**XI. ADJOURNMENT OF MEETING**

A motion was made to adjourn the meeting by Roosevelt Petry and seconded by Eli Roberts. It was adopted unanimously. The meeting was adjourned at 10:10 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 04<sup>th</sup> DAY OF April, 2011.

  
SECRETARY OF THE CORPORATION