

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
4173 39th Street, Port Arthur, Texas
April 4, 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, April 4, 2011. The meeting was called to order at 6:02 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Aletha Kirkwood, Roosevelt Petry, Kaprina Frank, Richard Wycoff, Don Page, Keith Daws, and Eli Roberts.

The invocation was given by Keith Daws.

The Pledge of Allegiance followed the Invocation

III. MINUTES

March 7, 2011

A motion was made by Roosevelt Petry and seconded by Eli Roberts to approve the minutes of March 7, 2011. The vote was unanimous. Motion passed.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. James Edwards – Auditor
Assistant City Manager Rebecca Underhill and Mr. James Edwards, Auditor were present to speak on the matter of the EDC's Audit in conjunction with the City's Annual Audit. Ms. Underhill presented the Board with the EDC's portion of the City's Comprehensive Annual Financial Report for the year ended September 30, 2010. Mr. Edwards reported that there were no findings in the operation of and monitoring of the EDC incentive contracts.
2. Triangle Waste Solutions
Mr. Greg Gabriel of Triangle Waste presented the Board with their proposed plans for the 10 acres of land in the Spur 93 Business Park that were incentivized by the Board in 2007. Triangle is proposing to construct and operate a rental facility that will supply roll-off boxes, 18 wheeler tanks, etc. The facility

will employ approximately 5 people at start up. May open within a year.

3. Phillips Productions
Michael Grant of Phillips Productions gave the Board a presentation highlighting all services done for the City, including services done for the EDC over the last year. City Council is looking to renew Phillips Productions' contract in partnership with the EDC.
4. John Hall – John Hall Consulting
Mr. Hall came before the Board to present information regarding the scope of work he will be providing the City in regards to working with the Environmental Protection Agency for the improvement of the City as the EDC has partnered with the City in engaging Mr. Hall's consultation services. He provided the Board with a detailed plan of his proposed projects and their proposed funding sources that he will be working to secure.

B. COMMUNICATIONS

1. Mc-O Construction
The Board was given the status update submitted to the EDC by Mc-O Construction for their review.
2. 2011 Brooks Conference – Invitation
Board was given the information regarding this event if they'd like to attend. There is no cost or obligation to RSVP.
3. Port Arthur ISD – State of the Schools Luncheon
Board will let staff know if they are interested in attending so that a ticket can be purchased.
4. Lamar State College Port Arthur – Discovery 2011
Attorney Goodson informed the Board that sponsorship for this program does not qualify under the laws for a 4A corporation.

C. SPEAKERS

None

V. UNFINISHED BUSINESS

1. To discuss and consider the evaluation of the Chief Executive Officer of the Corporation.
This item was taken into Executive Session.
2. To discuss and consider an advertisement in the Port Arthur Business Journal.
A motion was made by Eli Roberts and seconded by Richard Wycoff not to advertise as recommended by the Advertising Committee. The vote was unanimous. Motion carried.

VI. CONSENT AGENDA ITEMS

1. To discuss and consider approving invoices from Germer Gertz, L.L.P. for professional services through 2/28/2011.

Invoice #:	Amount:	Pertaining to:
401499	\$912.03	SETX Clearwater, L.L.C.
401500	\$120.61	Mc-OO, Inc. d/b/a Mc-O Construction
401501	\$460.00	Clay Development & Construction
401607	\$3,553.83	PAEDC
Total:	\$5,046.47	

2. To discuss and consider approving an invoice in the amount of \$6,515.50 from Arceneaux & Gates Consulting Engineers, Inc. for the design & construction services for the Business Park, Contract 4.
3. To discuss and consider payment of Contract 4 retainage for sanitary sewer, paving and drainage facilities to serve Port Arthur Business Park Phase II of \$27,968.27 to Excavators & Constructors, Ltd.
Joe Wilson of Arceneaux & Gates Consulting Engineers was present to speak on the completion of this project.
4. To discuss and consider approving payments to Brock Services, Ltd. for training reimbursement through the On-The-Job Training Program for the period of 2/7/11 – 3/20/11.

Invoice #:	Amount:	Pertaining to:
48644	\$423.96	OJT
48645	\$2,340.23	OJT
49539	\$2,550.85	OJT
49860	\$2,599.94	OJT
49861	\$2,449.35	OJT
00308	\$1,665.62	OJT
Total:	\$12,029.95	

5. To discuss and consider approving an invoice in the amount of \$6,000 from the National Development Council for technical assistance rendered for the period: March 1-31, 2011.

A motion was made by Roosevelt Petry and seconded by Eli Roberts 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 electing a President of the Board.
A motion was made by Eli Roberts and seconded by Kaprina Frank to nominate Roosevelt Petry.
A motion was made by Aletha Kirkwood and seconded by Don Page to nominate Keith Daws.
Roll call vote was taken on the motion to nominate Roosevelt Petry as President.

Ayes
Roosevelt Petry
Kaprina Frank
Richard Wycoff
Don Page
Eli Roberts

Noes
Aletha Kirkwood

Motion passed. Roosevelt Petry elected President of the Board.

2. To discuss and consider the appointment of a member to the Advertising Committee.

Board Chair appointed Richard Wycoff to the Advertising Committee.

3. To discuss and consider the renewal of a contract with Phillips Productions.

A motion was made by Roosevelt Petry and seconded by Kaprina Frank to approve the renewal of a contract with Phillips Productions in partnership with the City of Port Arthur and the Port Arthur Convention and Visitor's Bureau. The vote was unanimous. Motion carried.

4. To discuss the Bylaws of the Corporation.
Discussion only. No action taken.

5. To discuss and consider travel reimbursement for board members.
Discussion only. No action taken.

6. To discuss and consider a Gas Main Agreement with Performance Blasting & Coating L.P., Team Fabricators, L.L.C. and Texas Gas Service.

A motion was made by Eli Roberts and seconded by Kaprina Frank to approve the Agreement as written. The vote was unanimous. Motion carried.

7. To discuss and consider marketing standards for the Grow Port Arthur Fund administered by the National Development Council.

A motion was made by Kaprina Frank and seconded by Richard Wycoff to table this item. The vote was unanimous. Motion carried.

8. To discuss and consider rescinding the Board action to operate a Summer Internship Program.

9. To discuss and consider rescinding the Board action to provide an annual economic development academic scholarship.

A motion was made by Richard Wycoff and seconded by Keith Daws to rescind both actions discussed in items 8 and 9 pertaining to the Summer Internship Program and the Annual Economic Development Scholarship. The vote was unanimous. Motion carried. Both actions are rescinded.

10. To discuss the budget for Fiscal Year 2011-2012.

A motion was made by Kaprina Frank and seconded by Aletha Kirkwood to table this item. The vote was unanimous. Motion carried.

11. To discuss and consider rescinding the contract with Trey's Tractor Service for the grass cutting of the Spur 93 Business Park.

A motion was made by Eli Roberts and seconded by Keith Daws to rescind the grass cutting contract with Trey's Tractor Service. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Financial Report

Ms. Staley gave the Board a financial update of the budget.

2. Bid Proposal for Spur 93 Business Park Construction

Mr. Batiste reported that the bid announcement has gone out for this project and we will have a recommendation for award at the next Board Meeting.

Mr. Batiste also reported that Clay Development has started construction of their new facility in the Spur 93 Business Park.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.

a. SETX Clearwater

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.

The Board retired to executive session at 8:35 p.m. to discuss the above mentioned items, and reconvened at 9:18 p.m.

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

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 9:19 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 18th DAY OF April, 2011.

Carly D. Sullivan
SECRETARY OF THE CORPORATION