

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
4173 39th Street, Port Arthur, Texas
June 13, 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, June 13, 2011. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Ransom Howard, Aletha Kirkwood, Roosevelt Petry, Edith Neveaux, Don Page, and Eli Roberts.

The invocation was given by Aletha Kirkwood.

The Pledge of Allegiance followed the Invocation

III. MINUTES

May 16, 2011

A motion was made by Eli Roberts and seconded by Don Page to approve the minutes of May 16, 2011. The vote was unanimous. Motion passed.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. Introduction of new board members: Ransom Howard, Sr. and Edith Neveaux
The new board members gave self introductions.

B. COMMUNICATIONS

1. WSP Sorbents – Letter of Intent
WSP Sorbents is seeking to expand their facilities in Port Arthur, they are seeking assistance from the PAEDC in the amount of \$399,000. They plan to retain their 40 full time employees and add another 20 fulltime employees.
A motion was made by Eli Roberts and seconded by Don Page to move forward with the full application process.

C. SPEAKERS

None

V. UNFINISHED BUSINESS

1. To discuss and consider an amendment to the Covenants and Restrictions of the Spur 93 Business Park.

A motion was made by Eli Roberts and seconded by Kaprina Frank to amend the covenants and restrictions of the Spur 93 Business Park to include security costs that would be divided equally among the Business Park tenants. 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 04/30/11.

Invoice #:	Amount:	Pertaining to:
405701	\$4,436.29	PAEDC
405702	400.00	Lamar Port Arthur
405703	100.00	Desselle-Maggard Corp.
405908	920.00	Southland Overseas Investment, Inc.
Total:	\$5,856.29	

2. To discuss and consider approving an invoice in the amount of \$2,762.96 from URS Corporation for project work completed through May 13, 2011 for the renovation design of the Downtown Pavilion.
3. To discuss and consider approving an invoice in the amount of \$6,000.00 from National Development Council for technical assistance rendered for the period: May 1-31, 2011.
4. To discuss and consider approving payment to Brock Services, Ltd. in the amount of \$8,448.79 for the On the Job Training Program during the period of 03/28/11 to 05/1/11.

A motion was made by Eli Roberts and seconded Aletha Kirkwood to approve Consent Agenda Items 1 – 4 in one motion. The vote was unanimous. Motion carried.

VII. NON-CONSENT AGENDA ITEMS

1. Chairman to consider seven appointments to the Economic Development Recruitment Team to assist in the recruitment of new and expanding businesses that will employ according to the available skill sets in our community.

The following were appointed:

1. Ransom Howard – EDC
2. Kaprina Frank – EDC
3. Dr. Sam Monroe – Lamar PA
4. Marilyn Smith – Workforce
5. Ira McNeil – Workforce
6. Raymond Polk – PAISD
7. To be appointed by City Council

2. To discuss and consider either the first or second Monday the Board would like to hold the monthly regular board meetings.
A motion was made by Don Page and seconded by Kaprina Frank to approve holding the regular board meetings on the second Monday of each month. The vote was unanimous. Motion carried.
3. To discuss and consider electing a Vice President of the Board of Directors.
A motion was made by Roosevelt Petry and seconded by Eli Roberts to nominate Kaprina Frank as the Board Vice President. The vote was unanimous. Motion carried.
4. To discuss and consider electing a Secretary of the Board of Directors.
A motion was made by Don Page and seconded by Kaprina Frank to nominate Aletha Kirkwood as the Board Secretary. The vote was unanimous. Motion carried.
5. To discuss and consider appointing members to the vacant board committee positions:
Bylaws Committee – 1 vacancy
Advertising Committee – 1 vacancy
Operation Downtown Committee – 1 vacancy
**Don Page was appointed to the Bylaws Committee.
Eli Roberts was appointed to the Advertising Committee
Edith Neveaux was appointed to the Operation Downtown Committee.**
6. To discuss and consider hiring a security officer to secure the EDC Office/ Property during evening board meetings.
A motion was made by Eli Roberts and seconded by Ransom Howard to approve the hiring of a security officer to secure the EDC office during board meetings. The vote was unanimous. Motion carried.
7. To discuss and consider amending the policies and procedures for the Operation Downtown Program.
A motion was made by Eli Roberts and seconded by Kaprina Frank to approve an amendment to the Operation Downtown Policies and Procedures to allow the City and EDC to apply for funding once annually during the duration of the program. The vote was unanimous. Motion carried.
8. To discuss and consider amending the Administrative Fees Agreement between the City and the EDC.
A motion was made by Kaprina Frank and seconded by Aletha Kirkwood to approve an amendment to the Agreement with the City for Administrative Charges to reflect an increase to 2.5%. The vote was unanimous. Motion carried.

9. Consideration and possible action to ratify employment agreement of PAEDC Chief Executive Officer and to set compensation and term of the agreement.
This item was taken into executive session.
10. Consideration and possible action to approve the Operation Downtown Infrastructure Grant Agreement (Small Project) with Kilgore Construction, LLC.
A motion was made by Eli Roberts and seconded by Don Page to table this item until the new board members have been updated with the program details and purpose. The vote was unanimous. Motion carried.
11. Consideration and possible action to approve closing of the Economic Incentive Contract and Loan Agreement (the "Agreement") with Triangle Waste Solutions, LLC ("Triangle"), transfer of 10 acres of land within the Spur 93 Business Park by Triangle to PAEDC and release of lien and collateral as to the Agreement.
A motion was made by Eli Roberts and seconded by Kaprina Frank to approve closing of the Economic Incentive Contract with Triangle Waste Solutions, LLC. The vote was unanimous. Motion carried.
12. To discuss and consider an advertisement opportunity through support of the Valero Kid Fest.
A motion was made by Eli Roberts and seconded by Don Page to approve supporting the Valero Kid Fest through an advertisement at the \$500 level. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Financial Update
Ms. Staley gave an update as to the EDC's financial status.
2. Operation Downtown
Mrs. Vaughn updated the Board with the statuses of the current Operation Downtown projects.
3. Industries of the Future Conference Report
Ms. Staley reported on her recent attendance of the of the conference.
4. Report on the Downtown Renaissance District Streetscape Project
This report was discussed previously during the Non-Consent Items.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
 - a. SETX Clearwater Environmental, L.L.C.
 - b. Mc-OO, Inc. d/b/a 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.
4. **Section 551.087 Government Code** – To discuss Incentives for EDC Prospects.

The Board retired to executive session at 7:21 p.m. to discuss the above mentioned items, and reconvened at 7:59 p.m.

The Board took action on the following item/s:

Non-Consent Item 9

Consideration and possible action to ratify employment agreement of PAEDC Chief Executive Officer and to set compensation and term of the agreement.

A motion was made by Eli Roberts and seconded by Kaprina Frank to approve ratification of the employment agreement with the Chief Executive Officer of the PAEDC and to set compensation at \$145,000 with an increase in auto allowance to \$850, and increase in cell phone allowance to \$80 and setting the term of the contract to 3 years with a nine month severance package. The vote was unanimous. Motion carried.

Non-Consent Item 10

Consideration and possible action to approve the Operation Downtown Infrastructure Grant Agreement (Small Project) with Kilgore Construction, LLC.

A motion was made by Eli Roberts and seconded by Don Page to approve entering into an Operation Downtown Agreement with Kilgore Construction with a change to the normal procedures for payout that would reimburse Kilgore once a Certificate of Occupancy is provided since they will be the contractor making the repairs to the property. The vote was unanimous. Motion carried.

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 8:05 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 11th DAY OF July, 2011.

Aletha C. Kerkewood

SECRETARY OF THE CORPORATION