

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
4173 39th Street, Port Arthur, Texas
April 2, 2012**

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 2, 2012. The meeting was called to order at 6:05 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Ransom Howard, Aletha Kirkwood, Dwight Wagner, Richard Wycoff, and Pat Holmes.

The invocation was given by Ransom Howard.

The Pledge of Allegiance followed the Invocation

III. MINUTES

February 6, 2012

A motion was made by Richard Wycoff and seconded by Dwight Wagner to approve the minutes of February 6, 2012. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. Gayle Botley & Associates – Annual Audit
Ms. Deborah Echols from the City of Port Arthur and Gayle Botley of Botley & Associates were present to report on the annual audit of the financials of the PAEDC.
2. Downtown Renaissance District –Downtown Fund Renewal
Mr. Clark Colvin was present to speak on behalf of the Downtown Renaissance District requesting and in support of the PAEDC to extend the 4B Downtown Renewal funds for an additional three years.
3. Time Warner Cable – Fiber Optics for the Spur 93 Business Park
Presenters not present.

B. COMMUNICATIONS

1. Lamar State College PA – Gulf Coast Gala
A motion was made by Richard Wycoff and seconded by Dwight Wagner to approve purchasing a table at \$2500. The vote was unanimous. Motion carried.

2. Kay Bailey Hutchison Appreciation Lunch
Those interested in attending will let staff know so tickets can be purchased.

C. SPEAKERS

None

V. UNFINISHED BUSINESS

1. To discuss and consider approving the terms and conditions to enter into an Economic Incentive Agreement with Gulf Copper Manufacturing.
Item was taken into executive session.
After executive session, Richard Wycoff made a motion to approve entering into an Agreement with Gulf Copper Manufacturing for an incentive amount of \$604,033. The vote was unanimous. Motion carried.
2. To discuss and consider an appointment/ reappointment to the Downtown Renaissance District Board.
A motion was made by Aletha Kirkwood and seconded by Ransom Howard to reappoint Vicki Derese to the DRD Board. The vote was unanimous. Motion carried.

VI. CONSENT AGENDA ITEMS

1. To discuss requesting City Council to extend or not to extend the 4B Ballot Proposition for an additional three years.
A motion was made by Richard Wycoff and seconded by Ransom Howard to send a recommendation to City Council to extend the 4B Proposition for an additional three years. The vote was unanimous. Motion carried.
2. To discuss recommendations by PAEDC and City Council Sub - Committee Members as to the Economic Development application process and EDC organizational structure.
Mrs. Holmes and Mr. Wycoff spoke on behalf of the committee stating that communication between the two groups is improved since the committee has been formed. There is a better understanding by the Council as to the EDC operations. It was suggested by the committee to focus on marketing to make the citizens and business prospects aware of what is available and happening in the City.
3. To discuss the PAEDC Fiscal Year 2012 – 2013 Budget.
Ms. Staley informed the Board that this upcoming fiscal year's budget will be performance based, on goals, objectives, cost, and outcomes.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider a request from the Downtown Renaissance District for the PAEDC to hire a professional to provide the necessary services to create a Tax Increment Finance Zone which will include the downtown area.
A motion was made by Aletha Kirkwood and seconded by Ransom Howard to approve hiring The Parker Law Firm to provide services in creating a Tax Increment Finance Zone in an amount in \$65,000. The vote was unanimous. Motion carried.
2. To discuss and consider requesting bids for the Phase I construction of infrastructure for the proposed North road in the Spur 93 Business Park.
A motion was made by Richard Wycoff and seconded by Ransom Howard to approve requesting bids. The vote was unanimous. Motion carried.
3. To discuss and consider approving a Change Order to the contract with APAC Texas and closing of the contract.
A motion was made by Aletha Kirkwood and seconded by Ransom Howard to approve the change order requested by APAC Texas. The vote was unanimous. Motion carried.
4. To discuss and consider approving The Bank of College Station/ Bryan sale of property in the Port Arthur Business Park to BOD Environmental.
A motion was made by Ransom Howard and seconded by Richard Wycoff to approve the sale of property by The Bank of College Station/ Bryan to BOD Environmental. The vote was unanimous. Motion carried.

The Board retired to Executive Session at 7:23 p.m. and reconvened at 8:00 p.m.

5. To discuss and consider a request for an amendment to the Incentive/ Loan Agreement with Hernandez & Solis, Inc.
A motion was made by Richard Wycoff and seconded by Ransom Howard to revisit the collateral portion of the Agreement before moving forward. The vote was unanimous. Motion carried.
6. To discuss and consider terms and conditions to enter into an Economic Development Incentive Agreement with PA69, L.P.
A motion was made by Dwight Wagner and seconded by Ransom Howard to approve an Incentive Agreement in an amount not to exceed \$470,986 awarded in increments according to milestones. The vote was unanimous. Motion carried.

7. To discuss and consider terms and conditions to enter into an Economic Development Incentive Agreement with Tyco/ Willfire.
A motion was made by Dwight Wagner and seconded by Richard Wycoff to approve entering into an Economic Incentive Agreement with Willfire/ Tyco Intl. for an amount not to exceed \$300,000 with collateral being the property. The vote was unanimous. Motion carried.
8. To discuss and consider terms and conditions to enter into an Economic Development Incentive Agreement with Coastal Industrial Services, Inc.
This item was tabled until the next board meeting.
9. To discuss and consider a Letter of Intent submitted by Brock Services for On-The-Job Training.
A motion was made by Richard Wycoff and seconded by Ransom Howard to approve entering into an On-The-Job Training Agreement with Brock Services for an amount not to exceed \$28,000. The vote was unanimous. Motion carried.
10. To discuss and consider the proposed Five Year Economic Development Strategic Plan for Goals and Objectives.
A motion was made by Richard Wycoff and seconded by Aletha Kirkwood to table this item until the new proposed marketing piece has been added into it. The vote was unanimous. Motion carried.
11. To discuss and consider requesting City Council to approve a Budget Adjustment for Fiscal Year ending 2012.
12. To discuss and consider amendments to the Covenants & Restrictions of the Spur 93 Business Park.
13. To discuss and consider increasing the Spur 93 Business Park Assessment Fees.

Items 11 through 13 were tabled until the next board meeting.

14. To discuss and consider entering into a 60 month Lease Agreement with Xerox Corporation for a Xerox Multifunction Printer.
A motion was made by Ransom Howard and seconded by Dwight Wagner to approve entering into a Rental Agreement with Xerox Corporation. The vote was unanimous. Motion carried.
15. To discuss and consider accepting a bid for the renovation of the Pavilion.
A motion was made by Richard Wycoff and seconded by Ransom Howard to table this item until the next board meeting. The vote was unanimous. Motion carried.
16. To discuss and consider a Memorandum of Understanding with the City of Port Arthur regarding the use of the building located at 3457 57th St.
A motion was made by Richard Wycoff and seconded by Dwight Wagner to approve the Memorandum of Understanding as presented. The vote was unanimous. Motion carried.

17. To discuss and consider accepting a grant in the amount of \$1,000,000 from the EDA as a co-applicant with the City of Port Arthur.
A motion was made by Ransom Howard and seconded by Richard Wycoff to approve acceptance of a grant from the EDA as a co-applicant with the City of Port Arthur. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Monthly Financial Update
Ms. Staley reported the EDC's monthly financial update
2. Worldwide Sorbent Products
Mrs. Vaughn reported that WSP has decided not to go forward with the Incentive Agreement proposed to them at this time.
3. Report on recently attended workshops/ courses
Ms. Staley and Ms. Kirkwood reported their experiences with the workshops/ convention they attended recently.
4. Business Development Week
Mr. Batiste informed the Board that the Regional Planning Commission was putting together this event, he will be presenting at the event and invited the Board to attend.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
2. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.
3. **Section 551.074 Government Code** – To discuss matters of Personnel.
 - a. CEO Evaluation
4. **Section 551.087 Government Code** – To discuss Incentives for Commercial and Industrial Business Prospects.
 - a. Tyco International
 - b. Team Industries
 - c. Coastal Industrial Services
 - d. PA69, L.P.
 - e. Gulf Copper
 - f. Hernandez & Solis, Inc.

The Board retired to executive session at 7:23 p.m. to discuss the above mentioned items, and reconvened at 8:00 p.m.

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

None

XI. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:19 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 4th DAY OF June, 2012.



SECRETARY OF THE CORPORATION