

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
4173 39th Street, Port Arthur, Texas
December 3, 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, December 3, 2012. 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, Richard Wycoff, Don Page, Pat Holmes, Kaprina Frank, and Eli Roberts

The invocation was given by Kaprina Frank.

The Pledge of Allegiance followed the Invocation

III. MINUTES

September 6, 2012

A motion was made by Don Page and seconded by Eli Roberts to approve the minutes of September 6, 2012. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

Mr. George Francis presented on behalf of a proposed call center requesting an economic incentive. Stated hiring would commence in May 2013. Requesting \$1,200,000.

B. COMMUNICATIONS

None

C. SPEAKERS

None

V. UNFINISHED BUSINESS

1. To discuss for possible consideration the PAEDC staff schedule of pay rates and ranges.

A motion was made by Don Page and seconded by Pat Holmes to table this item. The vote was unanimous. Motion carried.

VI. CONSENT AGENDA ITEMS

None

VII. NON-CONSENT AGENDA ITEMS

1. To discuss for possible consideration a training agreement with TSC Security.
Ms. Linda Spears and Mr. Emanuel Preston presented on this project. A Power Point presentation was presented by Mr. Preston. The company is not currently providing security services; they are providing training only at this point. They would like to commence a pilot program, 60 day period with possible placement. TSC is requesting training funding for the training of 10 people.
A motion was made by Eli Roberts and seconded by Kaprina Frank to approve moving forward with working with TSC Security in drafting a presentation for a training incentive. The vote was unanimous. Motion carried.
2. To discuss for possible consideration approving a Letter of Intent from B&B Ice and Water.
A motion was made by Don Page and seconded by Richard Wycoff to move forward with the full application process. The vote was unanimous. Motion carried.
3. To discuss for possible consideration Change Order No. 2 and final payment pertaining to the Contract with Excavators & Constructors for the construction of Kerry "Twin" Thomas Dr. in the Spur 93 Business Park.
A motion was made by Eli Roberts and seconded by Don Page to approve Change Order No. 2 and final payment to Excavators & Constructors. The vote was unanimous. Motion carried.
4. To discuss for possible consideration an Employment Agreement with Coastal Industrial Services to serve in addition to the First Source Referral Agreement.
Mr. Mark Sonnier came before the Board to withdraw the Employment Agreement. No action necessary.
5. To discuss for possible consideration a modification to the Agreement with Climate Controlled Containers.
City Manager, Floyd Johnson was present to speak on behalf of the City procedures that have delayed the Climate Controlled Containers Project. He agreed to present a timeline to the Board for moving forward with the project.
A motion was made by Eli Roberts and seconded by Don Page to approve the modification to the Agreement. The vote was unanimous. Motion carried.

6. To discuss for possible consideration the naming of roads in the Spur 93 Business Park and other future roads.
A motion was made by Kaprina Frank and seconded by Eli Roberts to name the next road constructed by the EDC in the Spur 93 Business Park after Chairman Roosevelt Petry. The vote was 6-1. Aletha Kirkwood voted no. Motion passed.
7. To discuss for possible consideration EDC CEO's recommendation for the Security Services in the Spur 93 Business Park.
A motion was made by Richard Wycoff and seconded by Eli Roberts to approve awarding the bid to Vets Securing America of San Antonio as recommended by Floyd Batiste. The vote was unanimous. Motion carried.
8. To discuss for possible consideration a settlement for the Loan Agreement with DonShe Pottery.
A motion was made by Eli Roberts and seconded by Kaprina Frank to approve a \$1,000 settlement with DonShe Pottery. The vote was unanimous. Motion carried.
9. To discuss for possible consideration Board's counter offer for proposed sale of land in the Spur 93 Business Park.
**Item taken into Executive Session for discussion.
Board took action after reconvening from Executive Session.
A motion was by Eli Roberts and seconded by Pat Holmes to approve a counter offer for the proposed sale of land with the following modifications to the Property Sales Contract presented by the purchasing entity including but not limited to: Survey to being paid for by the buyer, no conveyance of mineral interest, no opportunity to hold property, no resale, identification of end user, an increase in earnest money. The vote was unanimous. Motion carried.**
10. To discuss for possible consideration a time extension to the Operation Downtown Agreement with Donnell Lavolais.
**A motion was made by Eli Roberts and seconded by Kaprina Frank to approve a time extension to the Agreement with Donell Lavolais. The vote was unanimous. Motion carried.
A second motion was made by Don Page and seconded by Kaprina Frank to withdraw the previous motion as a timeframe has not been specified. The vote was unanimous. Motion carried.**
11. To discuss for possible consideration a time extension to the Operation Downtown Agreement with Lamar State College Port Arthur.
**A motion was made by Eli Roberts and seconded by Kaprina Frank to approve the time extension. The vote was unanimous. Motion carried.
A second motion was made by Kaprina Frank and seconded by Eli Roberts to approve a 90 day extension. The vote was unanimous. Motion carried.**

12. To discuss for possible consideration an amendment to the Operation Downtown Agreement with Kilgore Construction.

13. To discuss for possible consideration a time extension to the Operation Downtown Agreement with Kilgore Construction.

A motion was made by Don Page and seconded by Kaprina Frank to table non-consent items 10, 12, and 13. The vote was unanimous. Motion carried.

14. To discuss for possible consideration to approve and submit required documentation of eminent domain authority in Texas.

A motion was made by Don Page and seconded by Pat Holmes to approve submitting documentation of eminent domain. The vote was unanimous. Motion carried.

15. To discuss for possible consideration the Administrative Fees Agreement with the City of Port Arthur.

A motion was by Kaprina Frank and seconded by Eli Roberts to remove this item. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Monthly Financial Update
Update given by Floyd Batiste
2. 5 Year Strategic Plan Quarterly Report
Report given to Board
3. Annual Meeting & Officer Elections
Regular and Annual Board Meetings will be held on the second Tuesday of January
4. Timeline for Retrofitting of 501 Procter Street
Floyd Batiste presented the Board with the suggested timeline. The Board requested a joint meeting with the Council at their next Tuesday Meeting. Staff will request the meeting.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.
 - a. Hernandez & Solis
2. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.
 - a. Property located at W. Port Arthur Rd. and Highway 365.
3. **Section 551.074 Government Code** – To discuss matters of Personnel.
 - b. EDC position salary structure

- 4. Section 551.087 Government Code – To discuss Incentives for Commercial and Industrial Business Prospects.**
a. Call Center

The Board retired to executive session at 7:32 p.m. to discuss the above mentioned items, and reconvened at 8:04 p.m.

Action was taken on the following:

A motion was made by Don Page and seconded by Kaprina Frank to approve a memorandum of understanding regarding an incentive in the amount of \$1.2 million for the proposed call center project. The memorandum will detail that 500 jobs would need to be created by this project with 40 or more being supervisory positions, the agreement will include a three year milestone schedule, and it will be a back end loaded incentive. The vote was unanimous. Motion carried.

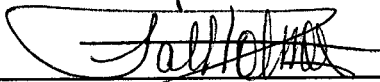
X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

1. Richard Wycoff – Milestones update on current projects. Status update on closed out projects.

XI. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:18 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 4th DAY OF February, 2013.



SECRETARY OF THE CORPORATION