

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
4173 39th Street, Port Arthur, Texas
June 3, 2013**

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 3, 2013. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Aletha Kirkwood, Roosevelt Petry, Dwight Wagner, Richard Wycoff, Shad Wise, Pat Holmes, and Eli Roberts

The invocation was given by Dwight Wagner.

The Pledge of Allegiance followed the Invocation

III. MINUTES

May 6, 2013

A motion was made by Richard Wycoff and seconded by Shad Wise to approve the minutes of May 6, 2013. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

1. Presentations

None

2. Communications

1. Brock Connections

Mr. Batiste presented the Board with Brock's Newsletter that featured the On the Job Training Program they partnered with the EDC in.

2. Entertainment Project Letter of Intent from Truth & Education Corporation

The Board acknowledged the communication as a Statement of Interest from Truth & Education Corporation as it cannot be accepted as a Letter of Intent at this time due program guidelines for the Proposition funds they are requesting not being in place as the funds are not available until after October 1st.

3. The ITEX Group, LLC

The Board was given a copy of the letter sent by the ITEX Group concerning the selection of a Pre-Construction Developer for 501 Procter St.

The Board was also given a communication from the Port Arthur Chamber for attendance at the June Luncheon featuring the Project Manager for the LNG Project. Board Members will let staff know if wanting to attend.

3. **Speakers**

None

V. UNFINISHED BUSINESS

None

VI. CONSENT

1. To discuss for possible consideration approving an invoice from Cornerstone Media for the Houston Market Billboard.
A motion was made by Richard Wycoff and seconded by Shad Wise to approve the invoice from Cornerstone Media. The vote was 6 – 1. Aletha Kirkwood voted no. Motion passed.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss for possible consideration a Letter of Intent submitted by Procter Street properties, Inc.
A motion was made by Shad Wise and seconded by Richard Wycoff to accept the Letter of Intent and move forward with the full application process. The vote was unanimous. Motion carried.
2. To discuss for possible consideration an On-the-Job Training Agreement with BOD Environmental.
A motion was made by Dwight Wagner and seconded by Aletha Kirkwood to approve the On-the-Job Training Agreement with BOD Environmental. The vote was unanimous. Motion carried.
3. To discuss for possible consideration approving Change Order No. 2 to the Abatement Contract for asbestos, lead, and mold with R.L. Abatement at 501 Procter Street.

A motion was made by Roosevelt Petry and seconded by Richard Wycoff to approve Non-Consent Items 3 and 5 together. The vote was unanimous. Motion carried.

4. To discuss for possible consideration engaging the services of Haddon + Cowan Architects Collaborative for design of Tenant office floor plans at 501 Procter Street.
A motion was made by Richard Wycoff and seconded by Dwight Wagner to approve the additional services of Haddon + Cowan. Roosevelt Petry recused himself from the vote. The vote was unanimous. Motion carried.
5. To discuss for possible consideration entering into a Limited Scope Construction Contract with SpawGlass Construction for building, security, temporary repairs and related services at 501 Procter.
Refer to motion noted under Item 3.
6. To discuss for possible consideration approving the installation of street light poles on Kerry "Twin" Thomas Dr. in the Spur 93 Business Park.
A motion was made by Richard Wycoff and seconded by Dwight Wagner to approve the installation of street light poles. The vote was unanimous. Motion carried.
7. To discuss for possible consideration the award of the grass cutting contract for Spur 93 Business Park to the lowest bidder.
**A motion was made by Roosevelt Petry to reject all bids and re-bid administered through the EDC rather than the City.
A second motion was made by Roosevelt Petry to rescind the previous motion.
A third motion was made by Roosevelt Petry and seconded by Pat Holmes to table this item. The vote was 7 – 1. Richard Wycoff voted no. Motion passed.**
8. To discuss for possible consideration approving the Fiscal Year 2013-2014 EDC Budget.
A motion was made by Roosevelt Petry and seconded Richard Wycoff to approve the Budget with the removal of the Texas Economic Development Council's Membership Contribution. The vote was unanimous. Motion carried.
9. To discuss for possible consideration procedures for advertising/ promotion/ sponsorship correspondence.
A motion was made by Richard Wycoff and seconded by Roosevelt Petry to table this item until the advertising committee has a chance to meet. The vote was unanimous. Motion carried.
10. To discuss for possible consideration seeking an opinion from the Attorney General as to use of funds for the City of Port Arthur Proposition 12.
A motion was made by Aletha Kirkwood and seconded by Dwight Wagner to approve to approve seeking the opinion of the Attorney General. The vote was unanimous. Motion carried.

11. To discuss for possible consideration policies and procedures for the allocation of funds from the pending legislation on On-the-Job Training.
Discussion only. No action taken.
12. To discuss for possible approval Correction Document for sale of property in Spur 93 Business Park.
A motion was made by Richard Wycoff and seconded by Roosevelt Petry to approve the Correction Document for sale of property in the Spur 93 Business Park. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Monthly Financial Update
Ms. Staley provided the Board with an update as to the Financial status of the PAEDC
2. Proposed Legislative Update
Mr. Batiste informed the Board of the standpoint each proposed legislation is currently in.
3. Sub-Committee Reports
EDC/ Rotary Centennial Committee will try to meet this coming Thursday at 1:002 after the Regular Rotary Meeting.
4. Marketing Update
Mr. Batiste gave the Board information as to the current marketing efforts
5. New Market Tax Credit – 501 Procter
Mr. Batiste informed the Board of the current status of the New Market Tax Credit Application.

IX. CLOSED SESSION (EXECUTIVE SESSION)

In Order To Comply With The Requirements Of Chapter 551 (Open Meetings Law) Of The Texas Government Code, Prior To Going Into Closed Meeting The Presiding Officer To The City of Port Arthur Section 4A Economic Development Corporation Board Of Directors Should Make The Following Public Announcement:

"A Closed Meeting or Executive Session Will Be Held Pursuant To the Following Sections of Chapter 551, Texas Government Code,

- 1. Section 551.071 Government Code – To discuss with Attorney Guy Goodson pending and potential litigation and/ or legal advice.**
- 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
 - b. Staff Compensation

4. **Section 551.087 Government Code** – To discuss Incentives for Commercial and Industrial Business Prospects.
a. ESP Structure & Piping Solutions, LLC.

The Items in Executive Session May Be Discussed and Acted On In Open Session.

The Board retired to Executive Session at 7:50 p.m. and reconvened at 8:48 p.m.

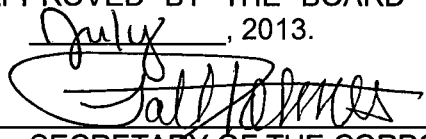
X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

1. Dwight Wagner – Requested an update as to the Downtown Pavilion.
2. Eli Roberts – Requested an update as to the naming of the Downtown Pavilion.
3. Richard Wycoff – Requested staff begin looking at the development of Pleasure Island.

XI. ADJOURNMENT OF MEETING

A motion was made by Dwight Wagner to adjourn the meeting. The meeting was adjourned at 8:51 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 8th DAY OF July, 2013.



SECRETARY OF THE CORPORATION