

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING
501 Procter St., Ste. 100 Port Arthur, Texas
October 5, 2015**

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, October 5, 2015. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Harold Doucet, Eli Roberts, Christy Derouen, Langston Adams, Richard Wycoff, Warren Pena, Pat Holmes, Ingrid West Holmes, and Carol Wommack

The invocation was given by Ingrid West Holmes.

The Pledge of Allegiance followed the Invocation

III. MINUTES

September 14, 2015 Regular
September 22, 2015 Special
September 28, 2015 Special

A motion was made by Carol Wommack and seconded by Richard Wycoff to approve the above mentioned minutes. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

1. Presentations

- a. Spawglass Construction – Associated Builders & Contractors Excellence in Construction Awards
Michael Green, 501 Procter St. Renovation Project Manager, presented the Ice Excellence in Construction Award and the Best of Houston Award that Spawglass received in recognition of their rehabilitation work for the Port Arthur Savings Building at 501 Procter St.

2. Communications

None

3. Speakers

- a. Lamar State College - Port Arthur
Dr. Betty Reynard
Dr. Ben Stafford

Dr. Reynard and Dr. Stafford were present to speak on behalf of their request to the EDC to insure payback of any cost associated with non-performances of a Skills Development Grant with the State of Texas for the training of employees for Ryze Renewables.

V. UNFINISHED BUSINESS

None

VI. CONSENT AGENDA ITEMS

1. To discuss for possible consideration requesting a joint meeting with City Council.

A motion was made by Carol Wommack and seconded by Ingrid Holmes to approve requesting a joint meeting with City Council. The vote was unanimous. Motion carried.

2. To discuss holding a Board Economic Development Workshop on November 14, 2015.

No action taken. The workshop will be held on Nov. 14th. Board Member Adams requested that the workshop be videotaped for future references.

VII. NON CONSENT AGENDA ITEMS

1. To discuss for possible consideration a Letter of Intent from Ana's Mexican Bakery for a possible economic incentive.

A motion was made by Carol Wommack and seconded by Warren Pena to approve moving forward with the full application process with Ana's Mexican Bakery. The vote was unanimous. Motion carried.

2. To discuss for possible consideration a recommendation from the CEO of the Corporation as to possible terms and conditions of an Economic Incentive Agreement between ESP Structure & Piping Solutions, LLC. and the Port Arthur Economic Development Corporation.

Item was taken into Executive Session. After Executive session, the following motion was made:

A motion was made by Eli Roberts and seconded by Harold Doucet to approve the recommended terms and conditions for an Economic Incentive with ESP Structure & Piping Solutions, LLC. The vote was unanimous. Motion carried.

3. To discuss for possible consideration a recommendation from the CEO of the Corporation as to possible terms and conditions of an Economic Incentive Agreement between PA69, L.P. and the Port Arthur Economic Development Corporation.
Item was taken into Executive Session. After Executive session, the following motion was made:
A motion was made by Harold Doucet and seconded by Eli Roberts to approve the recommended terms and conditions of an Economic Incentive with PA69, L.P. The vote was unanimous. Motion carried.
4. To discuss for possible consideration entering into an agreement with The Labiche Architectural Group, Inc. for architectural services for the Design Development, Construction Documents, Bidding and Construction Administration for a recreational area inside the Spur 93 Business Park.
A motion was made by Richard Wycoff and seconded by Eli Roberts to approve entering into an Agreement with Labiche Architectural Services. The vote was unanimous. Motion carried.
5. To discuss for possible consideration an amendment to the Purchase Agreement between the City of Port Arthur Section 4A Economic Development corporation and Clay Development & Construction, Inc.
A motion was made by Carol Wommack and seconded by Richard Wycoff to approve Amendment of the Purchase Agreement with Clay Development extending the Agreement through November 16th, 2015. The vote was unanimous. Motion carried.
6. To discuss for possible consideration the purchase of approximately 141 acres adjacent to the Spur 93 Business Park.
Item was taken into Executive Session. After Executive session, the following motion was made:
A motion was made by Harold Doucet and seconded by Richard Wycoff to move forward with negotiations and to have an appraisal completed on the property. The vote was unanimous. Motion carried.
7. To discuss for possible consideration entering into an agreement with Lamar State College Port Arthur for PAEDC to payback any cost associated with non-performances of a Skills Development Grant with the State of Texas.
A motion was made by Richard Wycoff and seconded by Harold Doucet to table this item in order for the EDC staff and attorneys to gather more research as to any possible risk involved. The vote was unanimous. Motion carried.
8. Discussion from Legal Counsel on Texas State University's approval for the Lamar State College Port Arthur Student Housing Project.
Discussion only, no action taken.
9. To discuss for possible consideration action to ratify previous funding commitment for the Lamar State College Port Arthur Student Housing Project and funding through \$1,000,000 conditional Loan Grant and \$1,000,000 Loan (to be collateralized by Subordinated Deed of Trust and Security Agreements); said financing commitments provided pursuant of Section 501.163, Texas Local Government Code.

10. To discuss for possible consideration authorizing Legal Counsel to prepare a \$1,000,000 Condition Loan/Grant Agreement and \$1,000,000 Subordinated Permanent Loan Agreement and related documents to fund financing commitment for Lamar State College Port Arthur Student Housing Project.

A motion was made by Richard Wycoff and seconded by Carol Wommack to approve items 9 and 10. The vote was unanimous. Motion carried.

11. To discuss for possible consideration entering into an On-The-Job Training Agreement with Team Fabricators for possible additional welding training for Port Arthur residents not to exceed \$2,400.00 per trainee and a total amount not to exceed \$12,000.

A motion was made by Harold Doucet and seconded by Richard Wycoff to approve entering into an On-the-Job Training Agreement with team Fabricators for an amount not to exceed \$12,000. The vote was unanimous. Motion carried.

VIII. REPORTS

1. Marketing & Business Recruitment
None
2. Employment & Training
Report given by Krystle Muller
3. Business Operations, Retention and Expansion
None
4. Financial
Report given by Floyd Batiste
5. CEO's Report
None

The Board retired to Executive Session at 7:31 p.m. and reconvened at 8:22 p.m.

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.
 - a. **Adjacent property to Spur 93 Business Park**

3. **Section 551.074 Government Code** – To discuss matters of Personnel.
 - a. **EDC Chief Executive Officer Performance Evaluation**

4. **Section 551.087 Government Code** – To discuss Incentives for Commercial and Industrial Business Prospects.
 - b. **Lamar State College – Port Arthur Student Housing**
 - c. **Ryze Renewables Port Arthur, LLC.**

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

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS

Board Member Doucet requested volunteers from the Board to serve on the Bylaws Committee with him.

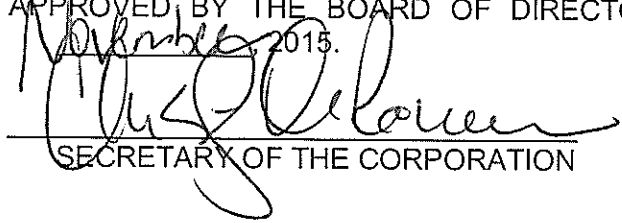
Langston Adams and Richard Wycoff volunteered.

The Committee will meet before the next Board Meeting and have recommendations ready for the next Regular Board Meeting.

XI. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:26 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 2nd DAY OF November, 2015.


SECRETARY OF THE CORPORATION