

**MINUTES**  
**City of Port Arthur**  
**Section 4A Economic Development Corporation**  
**Regular Board Meeting**  
**501 Procter Street, Ste. 100, Port Arthur, TX 77640**  
**September 6, 2016**

**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 Tuesday, September 6, 2016. The meeting was called to order at 6:00 p.m.

**II. ROLL CALL, INVOCATION & PLEDGE**

The following Board Members were present:

Darrell Anderson, Eli Roberts, Christy DeRouen, Kenneth Marks, Richard Wycoff, Warren Pena, Dallas Smith, Ingrid West Holmes and Carol Wommack.

The invocation was given by Darrell Anderson.

The Pledge of Allegiance followed the Invocation.

**III. MINUTES**

August 1, 2016

August 8, 2016

**A motion was made by Carol Wommack and seconded by Eli Roberts to approve the minutes of August 1, 2016 and August 8, 2016. The vote was unanimous. Motion carried.**

**IV. PETITIONS & COMMUNICATIONS**

**1. Presentations**

None

**2. Communications**

a. PAEDC Board Workshop, Saturday, September 17<sup>th</sup>, 9 a.m. – 1 p.m.

b. Greater Port Arthur Chamber of Commerce – September 27, 2016  
Membership Luncheon / Guest Speaker Floyd Batiste, CEO PAEDC.  
**It was agreed individual tickets would be purchased for this event at the request of Board Members. President Holmes encouraged Board Member attendance in support of the EDC CEO.**

c. Letter of Thanks from Kate Leverett.

3. Speakers (limited to 3 min. ea.)

None

V. UNFINISHED BUSINESS

1. To discuss for possible consideration recommendations from the Board sub-committee regarding security services/systems for 501 Procter Street.  
**This item was tabled. Board sub-committee advised they have not yet met to discuss this item. The Board sub-committee asked EDC Staff to research and obtain two additional "like" bids for Access Control means.**

VI. CONSENT AGENDA ITEMS

None

VII. NON-CONSENT AGENDA ITEMS

1. To discuss for possible consideration rescinding the Board action to request bids for buildout of bathrooms and other improvements to the 3<sup>rd</sup> Floor of 501 Procter and rescinding the per square foot buildout allowance for letters of intent for 501 Procter.  
**A motion was made by Carol Wommack and seconded by Eli Roberts to rescind the Board action to request bids for buildout of bathrooms and other improvements to the 3<sup>rd</sup> Floor of 501 Procter and rescinding the per square foot buildout allowance for letters of intent for 501 Procter. The vote was unanimous. Motion Carried.**
2. To discuss for possible consideration the approval of a Life Skills and Financial Planning Training Agreement with Jireh World Church and Outreach Ministries.  
**A motion was made by Carol Wommack and seconded by Darrell Anderson to approve a Life Skills and Financial Planning Training Agreement with Jireh World Church and Outreach Ministries. The vote was unanimous. Motion Carried.**
3. To discuss for possible consideration the approval of the Phase I Application for the Olive Packing Company, Inc.  
**A motion was made by Warren Pena and seconded by Carol Wommack to approve the Phase I Application for the Olive Packing Company, Inc. The vote was unanimous. Motion Carried.**
4. To discuss for possible consideration the recommended Economic Incentive for Port Arthur Recycling LLC.  
  
**A motion was made by Warren Pena and seconded by Kenneth Marks to recommend an Economic Incentive for Port Arthur Recycling LLC. In the amount of \$158,700. The vote was unanimous. Motion Carried.**

5. To discuss for possible consideration the Policy and Procedures of the PAEDC Down Payment Assistance Program (Legacy Community Development Corporation).  
**A motion was made by Darrell Anderson and seconded by Dallas Smith to approve the Policy and Procedures of the PAEDC Down Payment Assistance Program (Legacy Community Development Corporation), with the condition the policy and procedures be fluid to bring back to the Board should the demand on this program change. The vote was unanimous. Motion Carried.**
6. To discuss for possible consideration a Right of Entry Agreement with pipeline companies/contractors for Jade Avenue Business Park.  
**A motion was made by Darrell Anderson and seconded by Eli Roberts to approve the format of the Right of Entry Agreement with pipeline companies/contractors for the Jade Avenue Business park. It is indicated that HSC Pipeline Partnerships LLC would be the company filled in for Board action. The vote was unanimous. Motion carried.**
7. To discuss the appraisal of the land located on West Reverend Howard Street.  
**A motion was made by Dallas Smith and seconded by Eli Roberts to approve the appraisal of \$200,000.00 for the land located on West Reverend Howard Street. The vote was unanimous. Motion carried.**
8. To discuss for possible consideration the final payment and release of retainage to ALLCO, LTD. for the site grading in the Spur 93 Business Park in the amount of \$14,488.60.  
**A motion was made by Kenneth Marks and seconded by Carol Wommack to approve the final payment and release of retainage to ALLCO, LTD. for the site grading in the Spur 93 Business Park in the amount of \$14,488.60. The vote was unanimous. Motion carried.**
9. To discuss for possible consideration authorizing the CEO to release a 10% retainage in the amount of \$100,000.00 to Nautical Affordable Housing, Inc. for Seahawk Landing, contingent on obtaining the Certificate of Occupancy for Seahawk Landing and authorizing cancellation of Note, Loan Agreement and Collateral Pledge.  
**A motion was made by Darrell Anderson and seconded by Richard Wycoff to authorize the CEO to release a 10% retainage in the amount of \$100,000.00 to Nautical Affordable Housing, Inc. for Seahawk Landing, contingent on obtaining the Certificate of Occupancy for Seahawk Landing and authorizing cancellation of Note, Loan Agreement and Collateral Pledge. The vote was unanimous. Motion carried.**
10. To discuss for possible consideration authorizing the CEO to request funding the \$1,000,000.00 permanent loan to Seahawk Landing LLC for Seahawk Landing; contingent on obtaining the Certificate of Occupancy for Seahawk Landing.  
**A motion was made by Eli Roberts and seconded by Richard Wycoff to authorize the CEO to request funding the \$1,000,000.00 permanent loan to**

**Seahawk Landing LLC for Seahawk Landing; contingent on obtaining the Certificate of Occupancy for Seahawk Landing. The vote was unanimous. Motion carried.**

11. To discuss for possible consideration the renewal of the agreement with the National Development Council.

**A motion was made by Richard Wycoff and seconded by Darrell Anderson to approve the renewal of the agreement with the National Development Council. The vote was unanimous. Motion carried.**

12. To discuss for possible consideration awarding the bid for the grass maintenance at Highway 73 Business Park.

**A motion was made by Darrell Anderson and seconded by Kenneth Marks to award the bid for grass maintenance at the Highway 73 Business Park to Williams Transport. The vote was 4 Ayes and 4 Noes. Motion failed.**

**Ayes**

**Darrell Anderson**

**Christy DeRouen**

**Kenneth W. Marks**

**Carol Wommack**

**Noes**

**Eli Roberts**

**Richard Wycoff**

**Dallas Smith**

**Ingrid West Holmes**

**Note - Warren Pena had departed and not available to vote.**

13. To discuss for possible consideration the placement of signs at the Spur 93 and Jade Ave. Business Parks.

**A motion was made by Kenneth Marks and seconded by Richard Wycoff to approve the placement of two (2) signs at the Spur 93 Business Park. Jade Ave. Business Park signs will not be placed at this time. The vote was unanimous. Motion carried.**

14. To discuss for possible consideration landscaping for the entrance of the Jade Business Park.

**This item was tabled.**

15. To discuss for possible consideration allowing Mardi Gras Southeast Texas to utilize the side of the building at 501 Procter Street to display a laser show during 2017 Mardi Gras events.

**A motion was made by Carol Wommack and seconded by Eli Roberts to allow Mardi Gras Southeast Texas to utilize the side of the building at 501 Procter Street to display a laser show during 2017 Mardi Gras events. The vote was unanimous. Motion carried.**

16. To discuss for possible consideration approval of Board Member travel.

**A motion was made by Carol Wommack and seconded by Eli Roberts to approve Board Member travel. The vote was unanimous. Motion carried.**

17. To discuss for possible consideration the approval of a 3% pay raise for EDC Staff; contingent on Council approval, effective October 1, 2016.  
**A motion was made by Eli Roberts and seconded by Darrell Anderson to approve 3% pay raise for EDC Staff; contingent on Council approval, effective October 1, 2016. The vote was unanimous. Motion carried.**
18. To discuss for possible consideration the approval of the revised budget.  
**A motion was made by Eli Roberts and seconded by Kenneth Marks to approve the revised budget. The vote was unanimous. Motion carried.**

#### **VIII. REPORTS**

1. Marketing & Business Recruitment Report
2. Operational Report
3. Financial Report
4. CEO's Report

#### **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.

**None**

2. **Section 551.072 Government Code** – To deliberate the purchase, exchange, lease, or value of real property.

**None**

3. **Section 551.074 Government Code** – The discuss matters of Personnel.

**None**

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

**None**

**\*The Items in Executive Session May Be Discussed and Acted On In Open Session"**

**The Board did not retire to Executive Session as there were no items for discussion.**

**X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS**

**None**

**XI. ADJOURNMENT OF MEETING**

**Meeting was adjourned at 8:13 p.m.**

**APPROVED BY THE BOARD OF DIRECTORS ON THE** 3<sup>rd</sup> **DAY OF**

October **, 2016.**

Dallas Smith  
**SECRETARY OF THE BOARD**