

RESOLUTION NO. 07-136

**A RESOLUTION APPROVING INVOICES AS IT PERTAINS TO  
SERVICES RENDERED IN JANUARY 2007 TO THE CITY OF  
PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT  
CORPORATION BY GERMER GERTZ, LLP. IN THE AMOUNT  
OF \$9,674.15**

**WHEREAS**, the City Council approved the contract between Germer Gertz and the City of Port Arthur Section 4A Economic Development Corporation per Resolution No. 05-517 for the time period of April 2005 to April 2006 with the rates being as follows:

- Guy Goodson \$150
- Other Senior Attys \$150-\$200 per hour
- Senior Associates \$100-\$140 per hour:
- Associates \$80-\$140 per hour

**WHEREAS**, per Resolution No. 05-193 dated June 21, 2005, the City Council has approved the invoices of Germer Gertz for services that were rendered in April 2005 as follows:

- Invoice No. 215080 \$ 4,062.50

**WHEREAS**, per Resolution No. 05-214, the City Council has approved the invoices of Germer Gertz for services that were rendered in April-May 2005 as follows:

- Invoice No. 217755 \$ 7,691.25

**WHEREAS**, per Resolution No. 05-331 dated November 8, 2005, the City Council has approved the invoices of Germer Gertz for services that were rendered in June 2005 to September 2005

- Invoice No. 224760 for services rendered as it pertains to the EDC for June 2005 \$13,126.41
- Invoice No. 226274 for services rendered as it pertains to

the EDC for July 2005	\$ 8,321.06
• Invoice No. 229910 for services rendered as it pertains to the EDC for August 2005	\$ 8,905.87
• Invoice No. 235819 for services rendered as it pertains to the EDC for September 2005	<u>\$10,822.32</u>
(June 2005 to September 2005)	<u>\$41,175.66</u>

**WHEREAS**, from October 2005 to October 2006, the following Germer Gertz bills were paid as approved by the EDC Board of Directors as follows:

• Invoice No. 236962 for services rendered as it pertains to Training Research & Development for October 2005	\$ 723.42
• Invoice No. 236987 for services rendered as it pertains to Terry Fontenot, dba Marvin & Company for October 2005	\$ 743.46
• Invoice No. 238147 for services rendered as it pertains to the EDC for October 2005	\$16,192.31
• Invoice No. 245136 for services rendered in November 2005	\$19,766.60
• Invoice No. 247619 for services rendered as it pertains to Training Research & Development for December 2005	\$ 151.70
• Invoice No. 247620 for services rendered as it pertains to Bill Diamond for December 2005	\$ 37.50
• Invoice No. 247621 for services rendered as it pertains to Terry Fontenot for December 2005	\$ 227.36
• Invoice No. 248474 for services rendered in December 2005	\$ 9,525.66
• Invoice No. 252511 for services rendered as it pertains to Training Research & Development for January 2006	\$ 1,259.82
• Invoice No. 252518 for services rendered as it pertains to the EDC for January 2006	\$ 12,754.73
• Invoice No. 255698 for services rendered as it pertains to Training Research & Development for February 2006	\$ 433.42

- Invoice No. 255699 for services rendered as it pertains to Terry Fontenot for February 2006 \$ 51.60
- Invoice No. 255758 for services rendered as it pertains to EDC for February 2006 \$ 9,757.30
- Invoice No. 266132 for services rendered as it pertains to Training Research & Development for March 2006 \$ 379.39
- Invoice No. 266154 for services rendered as it pertains to Tres Caballeros for March 2006 \$ 912.50
- Invoice No. 266156 for services rendered as it pertains to the EDC for March 2006 \$13,603.66
- Invoice No. 270339 for services rendered as it pertains to Training Research & Development for April 2006 \$ 488.53
- Invoice No. 270340 for services rendered as it pertains to Tres Caballeros for April 2006 \$ 785.93
- Invoice No. 288776 for services rendered as it pertains to Training Research & Development for June 2006 \$ 91.97
- Invoice No. 288779 for services rendered as it pertains to Panelized Systems Technology for June 2006 \$ 1,235.50
- Invoice No. 288780 for services rendered as it pertains to West Side Development for June 2006 \$ 962.50
- Invoice No. 288781 for services rendered as it pertains to Redwine Family Partners for June 2006 \$ 586.02
- Invoice No. 288783 for services rendered as it pertains to FRP Group for June 2006 \$ 400.00
- Invoice No. 288784 for services rendered as it pertains to DonShe Pottery for June 2006 \$ 472.50
- Invoice No. 288785 for services rendered as it pertains to SETX Clearwater Environmental for July 2006 \$ 2,018.00
- Invoice No. 288815 for services rendered as it pertains to Spur 93 Business Park for June 2006 \$ 1,999.21

- Invoice No. 288816 for services rendered as it pertains to Camellia Plaza for June 2006 \$ 201.17
- Invoice No. 288817 for services rendered as it pertains to the EDC for June 2006 \$ 5,506.61
- Invoice No. 292454 for services rendered as it pertains to SALM Investment for July 2006 \$ 1,735.00
- Invoice No. 292455 for services rendered as it pertains to West Side Development for July 2006 \$ 478.31
- Invoice No. 292456 for services rendered as it pertains to Camellia Plaza for July 2006 \$ 2,401.25
- Invoice No. 292457 for services rendered as it pertains to Tres Caballeros for July 2006 \$ 334.75
- Invoice No. 292458 for services rendered as it pertains to Panelized Systems Technology for July 2006 \$ 511.00
- Invoice No. 292459 for services rendered as it pertains to SETX Clearwater Environmental for July 2006 \$ 289.89
- Invoice No. 292460 for services rendered as it pertains to Spur 93 Business Park for July 2006 \$ 1,747.50
- Invoice No. 292462 for services rendered as it pertains to the EDC for July 2006 \$ 3,713.21
- Invoice No. 294426 for services rendered as it pertains to Training Research & Development for August 2006 \$ 583.75
- Invoice No. 294427 for services rendered as it pertains to Tres Caballeros for August 2006 \$ 175.00
- Invoice No. 294428 for services rendered as it pertains to Camellia Plaza for August 2006 \$ 411.25
- Invoice No. 294429 for services rendered as it pertains to Panelized Systems Technology for August 2006 \$ 25.00
- Invoice No. 294430 for services rendered as it pertains to West Side Development for August 2006 \$ 150.00

- Invoice No. 292231 for services rendered as it pertains to Redwine Family Partners for August 2006 \$ 259.00
- Invoice No. 294432 for services rendered as it pertains to Spur 93 Business Park for August 2006 \$ 3,726.95
- Invoice No. 294433 for services rendered as it pertains to SALM Investment for August 2006 \$ 49.75
- Invoice No. 294434 for services rendered as it pertains to Mc-O Construction for August 2006 \$ 1,909.25
- Invoice No. 294435 for services rendered as it pertains to Pleasure Island Shrimp House for August 2006 \$ 3,043.00
- Invoice No. 299220 for services rendered as it pertains to the EDC for September 2006 \$ 15,122.91
- Invoice No. 299221 for services rendered as it pertains to Training, Research & Development for Sept. 2006 \$ 100.00
- Invoice No. 299222 for services rendered as it pertains to Tres Caballeros for September 2006 \$ 512.50
- Invoice No. 299223 for services rendered as it pertains to Camellia Plaza, for September 2006 \$ 50.00
- Invoice No. 299224 for services rendered as it pertains to Panelized Systems Technology for September 2006 \$ 37.50
- Invoice No. 299225 for services rendered as it pertains to West Side Development for September 2006 \$ 1,275.00
- Invoice No. 299226 for services rendered as it pertains to Redwine Family Partners for September 2006 \$ 1,130.50
- Invoice No. 299227 for services rendered as it pertains to Spur 93 Business Park for September 2006 \$ 2,265.16
- Invoice No. 299228 for services rendered as it pertains to FRP Group for September 2006 \$ 675.00
- Invoice No. 299229 for services rendered as it pertains to DonShe Pottery for September 2006 \$ 62.50

- Invoice No. 299230 for services rendered as it pertains to SETX Clearwater Environmental for September 2006 \$ 25.00
- Invoice No. 299231 for services rendered as it pertains to EcoDiesel Industries for September 2006 \$ 771.40
- Invoice No. 299232 for services rendered as it pertains to SALM Investments for September 2006 \$ 49.75
- Invoice No. 299233 for services rendered as it pertains to Mc-OO dba Mc-O Construction for September 2006 \$ 1,897.00
- Invoice No. 299234 for services rendered as it pertains to Pleasure Island Shrimp House for September 2006 \$ 4,840.75
- Invoice No. 302271 for services rendered as it pertains to EDC for October 2006 \$ 4,613.80
- Invoice No. 302272 for services rendered as it pertains to West Side Development for October 2006 \$ 1,414.16
- Invoice No. 302273 for services rendered as it pertains to Redwine Family for October 2006 \$ 1,600.30
- Invoice No. 302274 for services rendered as it pertains to Spur 93 for October 2006 \$ 905.00
- Invoice No. 302279 for services rendered as it pertains to Tres Caballeros for October 2006 \$ 733.00
- Invoice No. 302280 for services rendered as it pertains to Camellia Plaza for October 2006 \$ 137.50
- Invoice No. 302281 for services rendered as it pertains to Eco Diesel Industries for October 2006 \$ 937.00
- Invoice No. 302282 for services rendered as it pertains to Mc-OO dba Mc-O Construction for October 2006 \$ 237.50

(October 2005 to October 2006) \$ 161,168.06

**WHEREAS**, per Resolution No. 07-075, the City Council has approved the invoices of Germer Gertz for services that were rendered in November 2006,

- Invoice No. 304462 for services rendered as it pertains to Bio-Diesel in November 2006 \$ 78.00
- Invoice No. 304463 for services rendered as it pertains to MC-OO in November 2006 \$ 37.50
- Invoice No. 304464 for services rendered as it pertains to Lamar State College in November 2006 \$ 212.50
- Invoice No. 304466 for services rendered as it pertains to Pleasure Island Shrimp House in November 2006 \$ 4,463.98
- \$ 4,791.98

**WHEREAS**, per Resolution No. 07-063, the City Council has approved the invoices of Germer Gertz for services that were rendered in December 2006 as follows:

- Invoice No. 305417 for services rendered as it pertains to the EDC in December 2006 \$ 4,555.48
- Invoice No. 305421 for services rendered as it pertains to Tres Caballeros, LTD. in December 2006 \$ 372.36
- Invoice No. 305340 for services rendered as it pertains to Camellia Plaza, L.P. in December 2006 \$ 187.50
- Invoice No. 305341 for services rendered as it pertains to Spur 93 Business Park in December 2006 \$ 462.50
- Invoice No. 305342 for services rendered as it pertains to SETX Clearwater Environmental, LLC in December 2006 \$ 62.50
- Invoice No. 305343 for services rendered as it pertains to EcoDiesel Industries, LLC in December 2006 \$ 812.50
- Invoice No. 305344 for services rendered as it pertains to Mc-OO, Inc. in December 2006 \$ 75.00
- Invoice No. 305345 for services rendered as it pertains to Pleasure Island Shrimp House, Inc. for December 2006 \$ 1,800.00
- Invoice No. 305346 for services rendered as it pertains to Del Pueblo Foods, USA, Inc. for December 2006 \$ 100.00
- Invoice No. 305347 for services rendered as it pertains to

Lamar State College-Port Arthur for December 2006 \$ 425.00

- Invoice No. 305438 for services rendered as it pertains to Dessell-Maggard Corporation in December 2006 \$ 725.00

\$9,577.84

**WHEREAS**, per Resolution No. 07-063, the City Council approved the continued usage of Germer Gertz so long as:

- their hourly rates do not exceed the rates, as denoted in their Agreement, as approved by Resolution No. 05-117.
- their bills do not exceed the City of Port Arthur Section 4A Economic Development Corporation's budget for legal services; and
- the City of Port Arthur Section 4A Economic Development Corporation can terminate the Agreement with thirty (30) days written notice.

**WHEREAS**, the City Council approved Ordinance No. 04-61 and Resolution No. 05-163 pertaining to the approval and payment process of the City Port Arthur Section 4A Economic Development Corporation; and

**WHEREAS**, the total-to-date expenses paid to Germer Gertz by the EDC is \$228,467.29; and

**WHEREAS**, the invoices for services rendered in January 31, 2007, denoted in Exhibit "A", for \$12,699.15 were approved by the Board of Directors of the City of Port Arthur Section 4A Economic Development Corporation at their March 7, 2007 meeting, as follows:

- Invoice No. 308580 for services rendered as it pertains to the EDC for January 2007 \$3,746.97
- Invoice No. 308581 for services rendered as it pertains to Camellia Plaza for January 2007 \$ 287.20
- Invoice No. 308582 for services rendered as it pertains to West Side Development for January 2007 \$ 4.33



- Invoice No. 308583 for services rendered as it pertains to Redwine Family Partners for January 2007 \$ 87.50
  - Invoice No. 308584 for services rendered as it pertains to Spur 93 Business Park for January 2007 \$ 725.00
  - Invoice No. 308585 for services rendered as it pertains to Eco Diesel Industries for January 2007 \$1,237.50
  - Invoice No. 308586 for services rendered as it pertains to Pleasure Island Shrimp House for January 2007 \$1,252.93
  - Invoice No. 308587 for services rendered as it pertains to Del Pueblo Foods, USA for January 2007 \$ 412.66
  - Invoice No. 308588 for services rendered as it pertains to Lamar State College-Port Arthur for January 2007 \$ 875.00
  - Invoice No. 308589 for services rendered as it pertains to Desselle-Maggard Corporation for January 2007 \$4,070.06
- \$12,699.15

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF PORT ARTHUR:**

**Section 1.** That the facts and opinions in the preamble are true and correct.

**Section 2.** That the invoices, denoted in Exhibit "A" as to the legal services rendered in January 2007 in the amount of \$12,699.15, are hereby approved, less the credit for \$412.50, as denoted in Exhibit "B" and less the credit for \$2,612.50, as denoted in Exhibit "C". Therefore, the City Council approves the payment of \$9,674.15.

**Section 3.** That a copy of the caption of the Resolution be spread upon the Minutes of the City Council.

**READ, ADOPTED AND APPROVED ON THE** 27<sup>th</sup> day of March

A.D. 2007, at a Regular Meeting of the City Council of the City of Port Arthur, Texas by the following vote:

AYES: Mayor Pro Tem Prince;  
City Council: Lewis, Barker, Henderson,  
Williamson and Sinegal.

NOES: Councilmember Beard.  
Deloris Prince  
**MAYOR PRO TEM PRINCE**

ATTEST:  
Terri Hanks

TERRI HANKS, ASSISTANT CITY SECRETARY

APPROVED:  
Floyd Batiste  
FLOYD BATISTE, EDC CEO

APPROVED AS TO FORM:

SEE CONFIDENTIAL MEMO DATED MARCH 16, 2007  
MARK T. SOKOLOW, CITY ATTORNEY

# EXHIBIT “A”

**Germer Gertz, L.L.P.**  
**Invoices by Client**

From 02/19/07  
Thru 02/19/07

Client Name	Date Invoice	Total	Fees	Cost	Credits	Balance
<b>CITPOR Port Arthur EDC</b>						
56257 Economic Development Corpora	02/19/07 308580	3,746.97	3,612.50	134.47	0.00	3,746.97
	<b>Matter Totals</b>	<b>3,746.97</b>	<b>3,612.50</b>	<b>134.47</b>	<b>0.00</b>	<b>3,746.97</b>
69684 Camellia Plaza, L.P.	02/19/07 308581	287.20	250.00	37.20	0.00	287.20
	<b>Matter Totals</b>	<b>287.20</b>	<b>250.00</b>	<b>37.20</b>	<b>0.00</b>	<b>287.20</b>
69686 West Side Development	02/19/07 308582	4.33	0.00	4.33	0.00	4.33
	<b>Matter Totals</b>	<b>4.33</b>	<b>0.00</b>	<b>4.33</b>	<b>0.00</b>	<b>4.33</b>
69698 Redwine Family Partners, Ltd.	02/19/07 308583	87.50	87.50	0.00	0.00	87.50
	<b>Matter Totals</b>	<b>87.50</b>	<b>87.50</b>	<b>0.00</b>	<b>0.00</b>	<b>87.50</b>
69709 Spur 93 Business Park	02/19/07 308584	725.00	725.00	0.00	0.00	725.00
	<b>Matter Totals</b>	<b>725.00</b>	<b>725.00</b>	<b>0.00</b>	<b>0.00</b>	<b>725.00</b>
69877 EcoDiesel Industries, LLC	02/19/07 308585	1,237.50	1,237.50	0.00	0.00	1,237.50
	<b>Matter Totals</b>	<b>1,237.50</b>	<b>1,237.50</b>	<b>0.00</b>	<b>0.00</b>	<b>1,237.50</b>
70435 Pleasure Island Shrimp House, I	02/19/07 308586	1,252.93	850.00	402.93	0.00	1,252.93
	<b>Matter Totals</b>	<b>1,252.93</b>	<b>850.00</b>	<b>402.93</b>	<b>0.00</b>	<b>1,252.93</b>
70834 Del Pueblo Foods, USA, Inc. d/	02/19/07 308587	412.66	412.50	0.16	0.00	412.66
	<b>Matter Totals</b>	<b>412.66</b>	<b>412.50</b>	<b>0.16</b>	<b>0.00</b>	<b>412.66</b>
70835 Lamar State College-Port Arthur	02/19/07 308588	875.00	875.00	0.00	0.00	875.00
	<b>Matter Totals</b>	<b>875.00</b>	<b>875.00</b>	<b>0.00</b>	<b>0.00</b>	<b>875.00</b>
70966 Desselle-Maggard Corporation	02/19/07 308589	4,070.06	3,762.50	307.56	0.00	4,070.06
	<b>Matter Totals</b>	<b>4,070.06</b>	<b>3,762.50</b>	<b>307.56</b>	<b>0.00</b>	<b>4,070.06</b>
	<b>Firm Totals</b>	<b>12,699.15</b>	<b>11,812.50</b>	<b>886.65</b>	<b>0.00</b>	<b>12,699.15</b>

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308580

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

**Re: Economic Development Corporation (CITPOR-56257)**

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$3,612.50
Total Costs (as shown below): .....	134.47
<b>Total Invoice.....</b>	<b>3,746.97</b>

Prior Amount Due..... \$14,403.41

Invoice Date:	Invoice #:	Balance
06/22/06	282790	5,213.57
12/20/06	304467	4,834.36
01/11/07	305417	4,555.48

**Total Amount Due..... \$18,150.38**

**Costs Through 01/31/07**

01/04/07 Long distance charges for December 2006 - AT&T Long Distance	27.36
01/08/07 Access to Court Electronic Records 10/1-12/31/06 - Pacer Service Center	0.64
01/10/07 Travel to and from Port Arthur, Texas (40 miles) to attend EDC Annual and Board meeting on 1/9/07 - Robin M. Woolridge	19.40
01/25/07 Travel to and from Port Arthur, Texas (40 miles) for PAEDC Board Meeting - Robin M. Woolridge	19.40
Copying Expense 257 @ 0.25	64.25
Postage Expense	3.42
<b>Total Costs.....</b>	<b>134.47</b>

# Time Exhibit

Re: Economic Development Corporation (CITPOR-56257)  
Invoice for services rendered through 01/31/07

Invoice No.  
308580

Date	Inttfals	Work Description	Hours	Rate	
01/01/07	GNG	Finalize Jade Avenue Project; prepare comments on Eco-Diesel Project; review City resolution and audit results;	1.00	150.00	150.00
01/04/07	RMC	Conference with Floyd Batiste and Mark Sokolow regarding EDC process and pending EDC contracts	1.00	125.00	125.00
01/04/07	RMC	Correspond with Carina Figueroa and review draft of agendas for annual meeting and board meeting; correspond with Carina Figueroa regarding open records act and formal requests to review EDC incentive contracts	1.20	125.00	150.00
01/05/07	RMC	Receive and review agenda packet and attachments for annual and board meeting	0.50	125.00	62.50
01/05/07	RCR	Prepare notebook for Robin Cummings to attend the EDC meeting on January 9, 2007	0.50	50.00	25.00
01/08/07	RMC	Prepare and revise letter to EDC board members regarding voting process of election of officers and duties and responsibilities of elected officers	0.60	125.00	75.00
01/08/07	GNG	Telephone conference with Mark Sokolow; telephone conference with Floyd Batiste; final revisions to Lamar Contract;	1.00	150.00	150.00
01/09/07	RMC	Attend and participate in EDC annual and general board meeting	4.50	125.00	562.50
01/09/07	RMC	Conference with Guy Goodson and review EDC Agenda and attachments in preparation for board meeting attendance	1.20	125.00	150.00
01/09/07	GNG	Preparation of Lease; telephone conference with Tom Burger;	1.00	150.00	150.00
01/10/07	GNG	Draft lease with Golden Pass;	2.00	150.00	300.00
01/10/07	RMC	Attend conference call with Mark Sokolow and Floyd Batiste regarding EDC board meeting of 1/9/07 and pending incentive agreement	0.80	125.00	100.00
01/10/07	RMC	Conference with Guy Goodson regarding Golden Pass LNG lease agreement for laydown yard	0.50	125.00	62.50
01/11/07	RMC	Conference with Floyd Batiste regarding both Lamar Training Grant Agreement and DMC Incentive Agreement	0.50	125.00	62.50
01/16/07	RMC	Prepare letter to Floyd Batiste regarding cost analysis of January 2007	0.50	125.00	62.50
01/18/07	RMC	Correspond with Carina Figueroa and Floyd Batiste regarding EDC Agenda and Executive Session Items	0.50	125.00	62.50
01/19/07	RMC	Conference with Carina Figueroa and Floyd Batiste regarding PAEDC Board Meeting Agenda	0.50	125.00	62.50

**Time Exhibit**

Re: Economic Development Corporation (CITPOR-56257)  
Invoice for services rendered through 01/31/07

Invoice No.  
308580

Date	Initials	Work Description	Hours	Rate	
01/22/07	RMC	Conference with Keith Daws and Floyd Batiste regarding EDC Internal Revenue Code; review articles of incorporation and current code and research alternative Internal Revenue code applicable to the EDC	1.40	125.00	175.00
01/22/07	RMC	Receiv and review Resolution No. 13940 regarding EDC process	0.50	125.00	62.50
01/22/07	RMC	Conference with Floyd Batiste and Carmelia Staley regarding May 2006 invoice and resolutions needed for PAEDC board meeting	0.50	125.00	62.50
01/22/07	GNG	Preparation of ground lease;	1.00	150.00	150.00
01/23/07	RMC	Conference with Guy Goodson and review PAEDC Board Meeting Agenda and discuss Golden Pass LNG lease, Internal Revenue code, and DMC Contract	0.70	125.00	87.50
01/23/07	RMC	Correspond with Carmelia Staley regarding Acknowledgment of Conflict of Interest Policy and review PAEDC Applications and Quarterly Reports in search of policy for inclusion in application	2.60	125.00	325.00
01/24/07	RMC	Travel to/from Port Arthur, Texas to attend Port Arthur Economic Development Corp. Board Meeting which was eventually cancelled due to lack of quorum	1.50	125.00	187.50
01/24/07	RCR	Prepare notebook for Robin to attend the EDC meeting set for January 24, 2007	0.50	50.00	25.00
01/25/07	RMC	Correspond with Guy Goodson and floyd Batiste regarding consideration of special meeting to approve DMC contract and other items on Board agenda	0.30	125.00	37.50
01/31/07	RMC	Resend audit letter with transmittal letter cover letter to auditors and Floyd Batiste	0.50	125.00	62.50
01/31/07	RMC	Conference with Floyd Batiste regarding Bowhead financial report and review executed Bowhead Incentive Agreement	1.00	125.00	125.00
Total Hours			28.30		

### Time Allocation Exhibit

Re: Economic Development Corporation (CITPOR-56257)  
Invoice for services rendered through 01/31/07

Invoice No.  
308580

Timekeeper Name		Hours	Rate	Fee	ID
Guy N. Goodson	Partner	6.00	150.00	\$900.00	GNG
Renee C. Roberts	Paralegal	1.00	50.00	\$50.00	RCR
Robin M. Cummings	Associate	21.30	125.00	\$2,662.50	RMC
	Totals	28.30		\$3,612.50	



**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308581

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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Re: Camellia Plaza, L.P. (CITPOR-69684)

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$250.00
Total Costs (as shown below): .....	37.20
<b>Total Invoice.....</b>	<b>287.20</b>

Prior Amount Due..... \$187.50

Invoice Date:	Invoice #:	Balance
01/11/07	306340	187.50

**Total Amount Due..... \$474.70**

Costs Through 01/31/07

01/12/07 Travel to Port Arthur to drop off package on 12/28/06 (40 miles) - Donavon W. Salter	17.80
01/26/07 Travel to Port Arthur (40 miles) for delivery on 1/12/07 - Donavon W. Salter	19.40
<b>Total Costs.....</b>	<b>37.20</b>

**Time Exhibit**

Re: Camellia Plaza, L.P. (CITFOR-69684)  
Invoice for services rendered through 01/31/07

Invoice No.  
308581

Date	Initials	Work Description	Hours	Rate	
01/02/07	RMC	Meet with Douglas Lam, Mr. Nguyen, and George Scully regarding signing of contract and explain to Mr. Lam procedures to receive grant funds and amend contract	1.60	125.00	200.00
01/22/07	RMC	Conference with Carina Figueroa regarding effective date of incentive agreement	0.40	125.00	50.00
Total Hours			2.00		

**Time Allocation Exhibit**  
Re: Camellia Plaza, L.P. (CITPOR-69684)  
Invoice for services rendered through 01/31/07

Invoice No.  
308581

Timekeeper Name		Hours	Rate	Fee	ID
Robin M. Cummings	Associate	2.00	125.00	\$250.00	RMC
	<b>Totals</b>	<b>2.00</b>		<b>\$250.00</b>	

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308582

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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Re: West Side Development (CITPOR-69686)

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$0.00
Total Costs (as shown below): .....	4.33
Total Invoice.....	4.33

Prior Amount Due..... \$437.50

Invoice Date:	Invoice #:	Balance
12/20/06	304457	437.50

Total Amount Due..... \$441.83

Costs Through 01/31/07	
12/01/06 e-Filing for November 2006 - LexisNexis CourtLink Inc.	3.55
Postage Expense	0.78
Total Costs.....	4.33

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308583

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Floyd Batiste

**Re: Redwine Family Partners, Ltd. (CITPOR-69698)**

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$87.50
Total Costs (as shown below): .....	0.00
<b>Total Invoice.....</b>	<b>87.50</b>

Prior Amount Due..... \$501.33

Invoice Date:	Invoice #:	Balance
12/20/06	304458	501.33

**Total Amount Due..... \$588.83**

Costs Through 01/31/07

Total Costs..... 0.00

**Time Exhibit**

Re: Redwine Family Partners, Ltd. (CITPOR-69698)  
Invoice for services rendered through 01/31/07

Invoice No.  
308583

Date	Initials	Work Description	Hours	Rate	
01/08/07	RMC	Correspond with Floyd Batiste regarding changing execution date of contract	0.20	125.00	25.00
01/09/07	RMC	Correspond with Floyd Batiste regarding Redwine milestone schedule	0.50	125.00	62.50
Total Hours			0.70		

**Time Allocation Exhibit**

Re: Redwine Family Partners, Ltd. (CITPOR-69698)  
Invoice for services rendered through 01/31/07

Invoice No.  
308583

Timekeeper Name		Hours	Rate	Fee	ID
Robin M. Cummings	Associate	0.70	125.00	\$87.50	RMC
	<b>Totals</b>	<b>0.70</b>		<b>\$87.50</b>	

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308584

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

---

Re: Spur 93 Business Park (CITPOR-69709)

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$725.00
Total Costs (as shown below): .....	0.00
<b>Total Invoice.....</b>	<b>725.00</b>

Prior Amount Due..... \$575.00

Invoice Date:	Invoice #:	Balance
12/20/06	304459	112.50
01/11/07	305341	462.50

Total Amount Due..... **\$1,300.00**

Costs Through 01/31/07

Total Costs..... 0.00



**Time Exhibit**

Re: Spur 93 Business Park (CITPOR-69709)  
Invoice for services rendered through 01/31/07

Invoice No.  
308584

Date	Initials	Work Description	Hours	Rate	
01/04/07	RMC	Correspond with Floyd Batiste and Will Leonard regarding Reliable Polymers Incentive Contract for the purchase of 14 additional acres of land in the Business Park	1.30	125.00	162.50
01/05/07	RMC	Correspond with Phil Dunlap and Joe Dehotel regarding Exhibit B of sale of land contract and closing date	0.50	125.00	62.50
01/08/07	RMC	Correspond with Floyd Batiste and Beaumont Title Company regarding closing date of sale of land	0.40	125.00	50.00
01/08/07	RMC	Correspond with Phil Dunlap, attorney for McFaddin Ward Foundation, regarding Deed of Trust and special warranty deeds and amend said deeds and submit to Mr. Dunlap for execution by Foundation	1.50	125.00	187.50
01/15/07	GNG	Telephone conference with client on lease;	0.50	150.00	75.00
01/26/07	RMC	Receive and review correspondence from Phil Dunlap, attorney for McFaddin Ward Foundation, regarding sale of land in Business Park	0.10	125.00	12.50
01/29/07	RMC	Correspond with Beaumont Title and Floyd Batiste regarding closing of land in Business Park	0.30	125.00	37.50
01/31/07	RMC	Correspond with Floyd Batiste, Richard Wycoff, and Keith Daws regarding McFaddin Ward property closing and Beaumont Title	0.50	125.00	62.50
01/31/07	RMC	Correspond with Beaumont Title regarding Certificate of Secretary detailing election of officers	0.60	125.00	75.00
Total Hours			5.70		

**Time Allocation Exhibit**  
Re: Spur 93 Business Park (CITPOR-69709)  
Invoice for services rendered through 01/31/07

Invoice No.  
308584

Timekeeper Name		Hours	Rate	Fee	ID
Guy N. Goodson	Partner	0.50	150.00	\$75.00	GNG
Robin M. Cummings	Associate	5.20	125.00	\$650.00	RMC
	<b>Totals</b>	<b>5.70</b>		<b>\$725.00</b>	

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308585

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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Re: EcoDiesel Industries, LLC (CITPOR-69877)

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$1,237.50
Total Costs (as shown below): .....	0.00
Total Invoice.....	1,237.50

Costs Through 01/31/07	
Total Costs.....	0.00

**Time Exhibit**

Re: EcoDiesel Industries, LLC (CITPOR-69877)  
Invoice for services rendered through 01/31/07

Invoice No.  
308585

Date	Initials	Work Description	Hours	Rate	
01/02/07	RMC	Correspond with Michael Laws of EcoWater regarding ground lease between EcoWater and EcoDiesel	0.30	125.00	37.50
01/02/07	RMC	Contact Beaumont Title regarding title Commitment of one acre tract and research real estate contract for land to request title commitment	1.40	125.00	175.00
01/12/07	RMC	Correspond with Michael Laws regarding EcoDiesel - EcoWater ground lease	0.50	125.00	62.50
01/17/07	GNG	Preparation of documents relative to ground lease;	0.70	150.00	105.00
01/19/07	GNG	Continue preparation of ground lease;	2.00	150.00	300.00
01/22/07	RMC	Begin revising incentive agreement to include EcoWater as party to the contract and revise to include 1 acre of land in which bion diesel plant will be located and ground lease	2.10	125.00	262.50
01/25/07	RMC	Continue revising EcoDiesel contract to include EcoWater and ground lease provisions	1.40	125.00	175.00
01/30/07	GNG	Revisions to Incentive Agreement;	0.80	150.00	120.00
Total Hours			9.20		

**Time Allocation Exhibit**  
Re: EcoDiesel Industries, LLC (CITPOR-69877)  
Invoice for services rendered through 01/31/07

Invoice No.  
308585

Timekeeper Name		Hours	Rate	Fee	ID
Guy N. Goodson	Partner	3.50	150.00	\$525.00	GNG
Robin M. Cummings	Associate	5.70	125.00	\$712.50	RMC
	<b>Totals</b>	<b>9.20</b>		<b>\$1,237.50</b>	

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308586

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Floyd Batiste

Re: Pleasure Island Shrimp House, Inc. (CITPOR-70435)

Professional Services Through 01/31/07	
As per Time Exhibit Attached.....	\$850.00
Total Costs (as shown below): .....	402.93
<b>Total Invoice.....</b>	<b>1,252.93</b>

Prior Amount Due..... \$6,284.41

Invoice Date:	Invoice #:	Balance
12/20/06	304466	4,463.98
01/11/07	305345	1,820.43

**Total Amount Due..... \$7,537.34**

Costs Through 01/31/07	
12/21/06 Federal Express to Linda James on 12/19/06	15.57
01/08/07 Access to Court Electronic Records 10/1-12/31/06 - Pacer Service Center	11.68
01/10/07 Written report (Federal) - Advanced Document & Handwriting	350.00
01/18/07 Federal Express to Robin Woolridge on 1/12/07	16.68
Postage Expense	9.00
<b>Total Costs.....</b>	<b>402.93</b>

**Time Exhibit**  
Re: Pleasure Island Shrimp House, Inc. (CITPOR-70435)  
Invoice for services rendered through 01/31/07

Invoice No.  
308586

Date	Initials	Work Description	Hours	Rate	
01/09/07	RMC	Receive and review memorandum from Mark Sokolow outlining events and occurrences of the Pleasure Island Shrimp House	0.70	125.00	87.50
01/09/07	RMC	Correspond with Linda James, handwriting expert, regarding signature comparison of Tuan Tran	0.60	125.00	75.00
01/10/07	RMC	Receive and review handwriting analysis report from Linda James as to the signatures of Tuan Tran	0.50	125.00	62.50
01/12/07	RMC	Prepare Witness and Exhibit List, including Signature Analysis Report of Linda James	3.20	125.00	400.00
01/16/07	RMC	Correspond with Frank Maida regarding Agreed Motion for Continuance of the Tuan Tran hearing	0.60	125.00	75.00
01/25/07	RMC	Correspond with Assistant District Attorney, Tim Smith, handwriting expert, Linda James, and MetroBank attorney, Tom Perich regarding continuation and rescheduling of hearing on Objection to Proof of Claim #9 of PAEDC	1.00	125.00	125.00
01/30/07	RMC	Correspond with Floyd Batiste regarding status of bagging machine loan	0.20	125.00	25.00
<b>Total Hours</b>			<b>6.80</b>		

**Time Allocation Exhibit**

Re: Pleasure Island Shrimp House, Inc. (CITPOR-70435)  
Invoice for services rendered through 01/31/07

Invoice No.  
308586

Timekeeper Name		Hours	Rate	Fee	ID
Robin M. Cummings	Associate	6.80	125.00	\$850.00	RMC
	Totals	6.80		\$850.00	



**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308587

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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**Re: Del Pueblo Foods, USA, Inc. d/b/a Tex-Mix (CITPOR-70834)**

Professional Services Through 01/31/07	\$412.50
As per Time Exhibit Attached.....	0.16
Total Costs (as shown below): .....	412.66
Total Invoice.....	

Costs Through 01/31/07	
01/08/07 Access to Court Electronic Records 10/1-12/31/06 - Pacer	0.16
Service Center	
Total Costs.....	0.16

**Time Exhibit**

Re: Del Pueblo Foods, USA, Inc. d/b/a Tex-Mix (CITPOR-70834)  
Invoice for services rendered through 01/31/07

Invoice No.  
308587

Date	Initials	Work Description	Hours	Rate	
01/26/07	RMC	Receive and review Del Pueblo resolution and incentive agreement in preparation for filing of proof of claim in bankruptcy court	1.00	125.00	125.00
01/30/07	RMC	Review Del Pueblo Resolution and Incentive Agreement in preparation for proof of claim filing; request executed Incentive Agreement from PAEDC office for use in proof of claim	1.00	125.00	125.00
01/31/07	RMC	Conference with Rebecca Underhill regarding outstanding balance of Del Pueblo loan; receive and review executed Incentive Agreement and prepare bankruptcy proof of claim filing documents	1.30	125.00	162.50
Total Hours			3.30		

**Time Allocation Exhibit**

Re: Del Pueblo Foods, USA, Inc. d/b/a Tex-Mix (CITPOR-70834)  
Invoice for services rendered through 01/31/07

Invoice No.  
308587

Timekeeper Name		Hours	Rate	Fee	ID
Robin M. Cummings	Associate	3.30	125.00	\$412.50	RMC
	Totals	3.30		\$412.50	

**Germmer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

Invoice No.  
308588

Port Arthur BDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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**Re: Lamar State College-Port Arthur (CITPOR-70835)**

Professional Services Through 01/31/07	\$875.00
As per Time Exhibit Attached.....	0.00
Total Costs (as shown below): .....	875.00
Total Invoice.....	

Costs Through 01/31/07	
Total Costs.....	0.00

**Time Exhibit**  
Re: Lamar State College-Port Arthur (CITPOR-70835)  
Invoice for services rendered through 01/31/07

Invoice No.  
308588

Date	Initials	Work Description	Hours	Rate	
12/01/06	RMC	Continue preparing and revising training grant agreement between PAEDC and Lamar State College-Port Arthur	4.80	125.00	600.00
01/02/07	GNG	Review Executive Summary;	0.50	150.00	75.00
01/04/07	GNG	Telephone conference on Agreement;	0.50	150.00	75.00
01/05/07	RMC	Revise Lamar Training Grant Agreement	0.50	125.00	62.50
01/09/07	RMC	Revise Lamar State College - Port Arthur agreement dates	0.20	125.00	25.00
01/10/07	RMC	Revise Lamar Grant Training Agreement	0.30	125.00	37.50
<b>Total Hours</b>			<b>6.80</b>		

**Time Allocation Exhibit**

Re: Lamar State College-Port Arthur (CITPOR-70835)  
Invoice for services rendered through 01/31/07

Invoice No.  
308588

Timekeeper Name		Hours	Rate	Fee	ID
Guy N. Goodson	Partner	1.00	150.00	\$150.00	GNG
Robin M. Cummings	Associate	5.80	125.00	\$725.00	RMC
	<b>Totals</b>	<b>6.80</b>		<b>\$875.00</b>	

**Germer Gertz, L.L.P.**

P.O. Box 4915  
Beaumont, Texas 77704  
409-654-6700  
Tax ID # 76-0445148  
February 19, 2007

**Invoice No.**  
308589

Port Arthur EDC  
P.O. Box 3934  
4173 39th Street  
Port Arthur, TX 77642

Attn: Chief Executive Officer

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Re: Desselle-Maggard Corporation (CITPOR-70966)

Professional Services Through 01/31/07	\$3,762.50
As per Time Exhibit Attached.....	307.56
Total Costs (as shown below): .....	4,070.06
Total Invoice.....	

Costs Through 01/31/07	
01/05/07 Westlaw research charges for December 2006	307.56
Total Costs.....	307.56

**Time Exhibit**  
**Re: Desselle-Maggard Corporation (CITPOR-70966)**  
**Invoice for services rendered through 01/31/07**

**Invoice No.**  
**308589**

<b>Date</b>	<b>Initials</b>	<b>Work Description</b>	<b>Hours</b>	<b>Rate</b>	
01/02/07	RMC	Complete review of DMC contract from attorneys in comparison to initial contract prepared for board approval	2.60	125.00	325.00
01/03/07	GNG	Revise Application;	1.00	150.00	150.00
01/04/07	RMC	Revise DMC Incentive Contract; discuss revisions and suggestions with Floyd Batiste and Guy Goodson; correspond with Charles Schutte, attorney for DMC, regarding revisions of the contract	3.50	125.00	437.50
01/04/07	GNG	Telephone conference with on Contract;	1.00	150.00	150.00
01/05/07	RMC	Attend and participate in conference call with Guy Goodson, Floyd Batiste, Charles Schutte, and DMC representatives regarding DMC Incentive Agreement	1.30	125.00	162.50
01/05/07	RMC	Revise DMC contract to include terms and conditions discussed on conference call and include Special Warranty Deed for sale of land in the Business Park	3.40	125.00	425.00
01/05/07	GNG	Finalize contract;	1.00	150.00	150.00
01/08/07	RMC	Revise DMC contract	1.40	125.00	175.00
01/09/07	RMC	Revise DMC contract to include metes and bounds of 10 acres of land subject to incentive agreement	1.60	125.00	200.00
01/10/07	RMC	Revise DMC Incentive Agreement to be sent to City Council and Mark Sokolow	0.50	125.00	62.50
01/10/07	RMC	Conference with Mark Sokolow, Guy Goodson, and Charles Schutte regarding revisions to the DMC Incentive Agreement	1.70	125.00	212.50
01/11/07	RMC	Complete revising DMC contract after receiving input from Mark Sokolow and Floyd Batiste; send DMC Incentive Agreement to DMC attorney, Charles Schutte, for DMC's approval	1.60	125.00	200.00
01/18/07	RMC	Correspond with Charles Schutte, attorney for DMC, regarding revised Incentive Agreement	0.20	125.00	25.00
01/19/07	RMC	Revise DMC contract to accept track changes and forward to Floyd Batiste; contact DMC attorney Charles Schutte regarding approval letter	0.50	125.00	62.50
01/22/07	RMC	Revise and clean up DMC Contract in preparation for board approval	0.60	125.00	75.00
01/23/07	RMC	Prepare and revise DMC letter of submission for City Council Agreement review and approval; revise DMC Special Warranty Deed to include non-profit language	0.70	125.00	87.50



**Time Exhibit**

Re: Desselle-Maggard Corporation (CITPOR-70966)  
Invoice for services rendered through 01/31/07

Invoice No.  
308589

Date	Initials	Work Description	Hours	Rate	
01/24/07	RMC	Conference with Floyd Batiste, Mark Sokolow, Charles Schutte, and Charles Moniotte regarding DMC Contract and DMC company status; receive and review DMC Incentive Application	1.50	125.00	187.50
01/24/07	RMC	Revise DMC Contract	2.70	125.00	337.50
01/29/07	GNG	Telephone conference with Floyd Batiste on underwriting questions for Incentive Agreement; discussions with co-counsel;	0.50	150.00	75.00
01/30/07	RMC	Receive and review memorandum from Mark Sokolow regarding DMC incentive agreement; conference with Floyd Batiste regarding D&B report	0.60	125.00	75.00
01/31/07	RMC	Receive and review DMC Dun & Bradstreet report and discuss findings with Mark Sokolow; research DMC on Texas Secretary of State site	1.50	125.00	187.50
Total Hours			29.40		

**Time Allocation Exhibit**  
Re: Desselle-Maggard Corporation (CITPOR-70966)  
Invoice for services rendered through 01/31/07

Invoice No.  
308589

Timekeeper Name		Hours	Rate	Fee	ID
Guy N. Goodson	Partner	3.50	150.00	\$525.00	GNG
Robin M. Cummings	Associate	25.90	125.00	\$3,237.50	RMC
	Totals	29.40		\$3,762.50	

# EXHIBIT “B”

**Mark Sokolow**

---

**From:** "Robin Woolridge" <rwoolridge@germer.com>  
**To:** "Mark Sokolow" <mark@portarthur.net>  
**Cc:** "Guy Goodson" <GGoodson@germer.com>  
**Sent:** Monday, March 12, 2007 2:33 PM  
**Subject:** Invoice No. 308589

The above-reference invoice should reflect a total of \$3657.56. This is less \$412.50 of the amount currently reflected on the invoice. Should you have any additional questions, please let me know. Thanks.

*Robin M. Woolridge*

Associate

Germer Gertz, LLP

P.O. Box 4915

Beaumont, Texas 77704

Phone: (409) 654-6700

Fax: (409) 835-3373

E-mail: RobinC@germer.com

The information contained in this electronic mail message is confidential and intended only for the personal and confidential use of the designated recipients. This message may be an attorney-client communication or attorney work product and as such is privileged and confidential. For any question, or if you have received this message in error, please contact Germer Gertz, L.L.P. at 409.654.6700

3/14/2007

# **EXHIBIT “C”**

GERMER GERTZ L.L.P.  
ATTORNEYS AT LAW

AUSTIN BEAUMONT HOUSTON  
www.gerner.com

ROBIN M. WOOLRIDGE  
ASSOCIATE

Telephone: 409.654.6700  
Facsimile: 409.835.2115  
robinw@gerner.com

March 14, 2007

Mark Sokolow, City Attorney  
City of Port Arthur, Texas  
444 4<sup>th</sup> Street  
Port Arthur, Texas 77640

VIA FACSIMILE

Re: Germer Gertz, LLP Invoice No. 299220

Dear Mr. Sokolow:

I have reviewed the above-referenced invoice and additional invoices pertaining to the PAEDC and Germer Gertz, LLP will gladly credit a total of \$2,612.50 to future PAEDC billing as the invoices were paid as of November 17, 2006. The amount credited reflects billing for the following dates: 9/7/06, 9/10/06, 9/11/06, and 9/12/06. Please note that the PAEDC was consulted regarding billing during this attorney transition process and all invoices were approved by the PAEDC Board.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

GERMER GERTZ, L.L.P.

By: 

Robin M. Woolridge

RMW

cc: Guy Goodson (in the firm)