

RESOLUTION NO. 17-13.4

**A RESOLUTION APPROVING THE CLOSING OF THE  
ECONOMIC DEVELOPMENT CONDITIONAL GRANT  
AGREEMENT BETWEEN BK PA, LTD. AND THE CITY OF  
PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT  
CORPORATION**

**WHEREAS**, on October 29, 2013, the Port Arthur City Council approved Resolution No. 13-524 authorizing the City of Port Arthur Section 4A Economic Development Corporation ("PAEDC") to enter into an Economic Development Conditional Grant Agreement (the "Agreement") with BK PA, LTD. ("BK PA"); and

**WHEREAS**, BK PA has fully satisfied their contractual obligations as denoted in the memorandum attached hereto as **Exhibit "A"**; and

**WHEREAS**, on May 1, 2017, the PAEDC Board of Directors voted and acknowledged the satisfaction of the contractual obligations, thereby concluding the Agreement with BK PA.

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

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

**Section 2.** That the City Council hereby acknowledges that the contractual obligations in the Economic Development Conditional Grant Agreement between BK PA, LTD. and PAEDC have been met and are complete, and therefore, approve the closing of the Agreement.

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

**READ, ADOPTED AND APPROVED** on this 23<sup>rd</sup> day of May A.D., 2017,  
at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

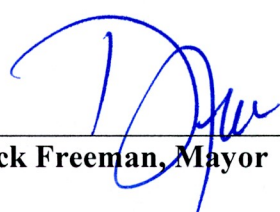
Mayor Freeman; Mayor Pro Tem Jones

Councilmembers Scott, Kinlan, Asuncet, Lewis

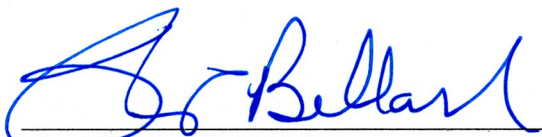
Swati, Moses and Frank.

NOES:

None.

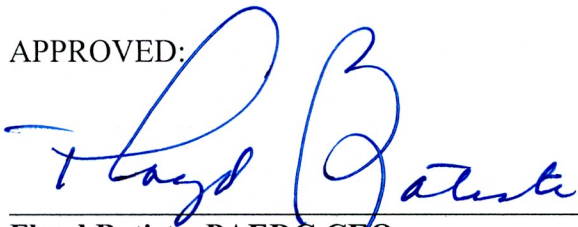
  
Derrick Freeman, Mayor

ATTEST:




Sherri Bellard, City Secretary

APPROVED:



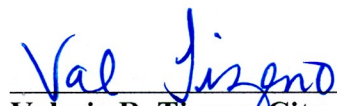
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizeno, City Attorney



# **EXHIBIT “A”**



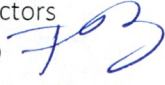
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# Port Arthur Economic Development Corporation

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## Memorandum

To: PAEDC Board of Directors

From: Floyd Batiste, CEO 

CC: Krystle Muller, ED Specialist

### **Re: Closing of the Economic Development Conditional Grant Agreement with *BK PA, Ltd.***

It is recommended that the Board close the Economic Development Conditional Grant Agreement with BK PA, Ltd. ("BK PA") as BK PA has fully satisfied the terms of the Agreement with the PAEDC.

In 2013 BK PA was awarded a conditional grant in the amount of \$402,103 to be reimbursed by the PAEDC once redevelopment of the former Sutherland Lumber Company property located at 2770 FM 365 in Port Arthur, TX and certain infrastructure improvements were complete.

BK PA has met the performance required by PAEDC and submitted certificates of occupancy for at least three separate businesses as a result of the redevelopment.

As a result of the redevelopment, a total of five separate businesses were opened and remain in operation on the redevelopment site.

kvm