

RESOLUTION NO. 10-524

**A RESOLUTION AUTHORIZING A GRANT OF \$250,000
FROM THE DOWNTOWN REVITALIZATION PROGRAM
FUNDS TOWARD THE CONSTRUCTION COSTS OF THE
PORT ARTHUR HOUSING AUTHORITY'S
ADMINISTRATION BUILDING**

WHEREAS, on June 16, 2009, the City Council of the City of Port Arthur approved Resolution 09-255 calling for a public hearing regarding the City filing a grant application to the Neighborhood Stabilization Program (NSP) – Part 2, as denoted in Exhibit “A”, for construction costs of the Port Arthur Housing Authority’s Administration Building; and

WHEREAS, on July 13, 2009, the Board of Directors of the City of Port Arthur Section 4A Economic Development Corporation (the “PAEDC”) approved a \$250,000 grant from the Downtown Revitalization Program funds for construction costs of the Port Arthur Housing Authority’s Administration Building to be used in conjunction with the Neighborhood Stabilization Program (NSP) Grant Part 2 funding through the City of Port Arthur as denoted in Exhibit “B”; and

WHEREAS, on November 15, 2010, the Board of Directors of the PAEDC modified their grant of \$250,000 from the Downtown Revitalization Program to the Port Arthur Housing Authority’s Administration Building without being subject to the receipt of Neighborhood Stabilization Program (NSP) Grant Part 2 funding through the City of Port Arthur; and

WHEREAS, the City Council authorizes the grant of \$250,000 from the Downtown Revitalization Program funds for construction costs of the Port Arthur Housing Authority’s Administration Building without being subject to the receipt of the Neighborhood Stabilization Program (NSP) Grant Part 2 funding through the City of Port Arthur.

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 of the City of Port Arthur approves the amendment by the Directors of the PAEDC of their action taken on July 13, 2009 and authorizes the grant of \$250,000 from the Downtown Revitalization Program to the Port Arthur Housing Authority for construction costs associated with its Administration Building without being subject to the receipt of Neighborhood Stabilization Program (NSP) Grant Part 2 funding through the City of Port Arthur, as denoted in Exhibit "B" attached hereto.

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

READ, ADOPTED AND APPROVED on this 30th day of Nov. A.D., 2010, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES:

Mayor Prince; Mayor Pro Tem Albright;

Councilmembers Segler, Hood, Williamson, Wise and Henderson.

NOES: None.

Deloris Prince
Deloris "Bobbie" Prince, Mayor

ATTEST Sherr Bellard
Sherr Bellard, Acting City Secretary

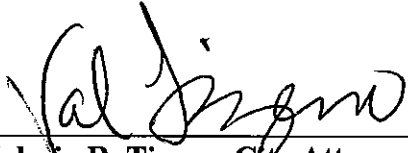
APPROVED: Floyd Batiste
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizeno, City Attorney

Exhibit “A”

RESOLUTION NO. 09-255

A RESOLUTION CALLING FOR A PUBLIC HEARING REGARDING THE CITY FILING FOR AN APPLICATION IN REGARDS TO THE NEIGHBORHOOD STABILIZATION PLAN-ROUND TWO (2). THIS AREA WILL BE BOUNDED BY HIGHWAY 347 (TWIN CITY/JEFFERSON DRIVE) TO THE EAST, HIGHWAY 87 (GULFWAY) NORTHBOUND, LAKESHORE DRIVE TO THE SOUTH AND ALL AREAS NOT COVERED BY ROUND ONE WEST THAT LIES BETWEEN DEQUEEN AND MARTIN LUTHER KING JUNIOR DRIVE WESTBOUND IN PORT ARTHUR, JEFFERSON COUNTY, TEXAS

WHEREAS, in keeping with the American Recovery and Reinvestment Act of 2009, and for the Department of Housing and Urban Development - the HERA (Housing and Economic Recovery Act); the City of Port Arthur , Texas is eligible for \$10,000,000 dollars of financial assistance for housing activities such as acquisition, demolition, rehabilitation and redevelopment in the areas as outlined in Exhibit "A."; and

WHEREAS, a public hearing is requested by HUD (Department of Housing and Urban Development) in order to obtain public participation.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR:

That the Planning Director or said designee is hereby authorized to file an electronic application as well as send documents to HUD in keeping with the request for funding following the outline for scoring set in the NOFA (Notice of Funding Availability) for Neighborhood Stabilization Plan -Round (2) (a copy of which is attached hereto as Exhibit "B").

That the City Manager or his designee hereby is authorized to be the lead contact person.

That the City recognizes that the grant is a reimbursement program and that 5% of the total allocation is eligible for administrative and activity delivery/soft costs. The City will comply with all the required standards set forth in the 24 CFR regarding design accessibility, energy systems and other cost saving and factors considered "green improvements."

That the deadline to file the application is July 17, 2009.

That the City Council authorizes a Public Hearing on June 30, 2009 and the City Secretary will publish a narrative of the proposed plan to be prepared by the City Manager or his designee on the website and newspaper with details on (1) the amount of money, (2) use of funds and (3) target geography.

That a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

READ, ADOPTED AND APPROVED this 16 day of June, A.D. 2009, at a Regular Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES: MAYOR Pierce,

COUNCILMEMBERS: Mayor Pro Tem, Segler, Chatham, Albright, Flood, Williamson, Wise & Henderson

NOES: None

Jelani Pierce
Mayor

ATTEST:

Luis Hanks
City Secretary

APPROVED AS TO FORM:

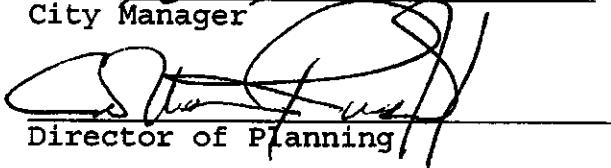


City Attorney

APPROVED FOR ADMINISTRATION:



City Manager



Director of Planning

Director of Finance

EXHIBIT "A"
(APPLICATION CRITERIA)

A. Criteria

1. Factor 1: Need/Extent of the Problem (40 points)

a. Target geography. (10 points; also a threshold factor)

You must identify the specific geography in which you will carry out your NSP2 program, by census tracts, showing each area's two neighborhood stabilization index scores. (This must be the same geography used under threshold factor II.B.8. above.) This list may be submitted as an appendix that will not count towards the page limit.

You must provide a narrative describing the nature and extent of need for neighborhood stabilization in your target geography, based on quality data. At a minimum, your narrative for

this factor must address local housing market, credit, and employment needs that are contributing to decline of the targeted geography, including a discussion of how these factors relate to each other.

b. Market conditions and demand factors (30 points)

You must identify using quality data from an identified source and address in your narrative:

(1) A reasonable projection of the extent to which the market(s) in your target geography is likely to absorb abandoned and foreclosed properties through increased housing demand during the next three years, if you do not receive this funding. This may be based, for example, on projected job growth and in-migration or the opposite. (For purposes of this notice, market absorption rate is the rate at which abandoned or foreclosed homes in a market will sell or be lawfully reoccupied in a given period of time. This rate is often expressed as sales or re-occupancy per month. Total inventory of abandoned and foreclosed homes divided by the absorption rate for such homes equals the total months of inventory.)

(2) The extent to which over-building of housing units, over-valuation of housing, or loss of employment is a critical factor, or the most critical factor, causing abandonment and foreclosure in the target geography.

(3) The income characteristics of households in your target geography and information on housing cost burden for households at the 50 percent, 80 percent, and 120 percent of area median income levels.

(4) Any relevant social, governmental, educational, or economic factors contributing to local market conditions and contributing to neighborhood decline or instability within the target geography.

(5) A narrative describing which NSP2 activity categories are most likely to stabilize the target geography and why, based on the information in the above paragraphs. For example, HUD would expect that a community with a very low projected absorption rate for foreclosed property over the next three years might identify demolition and clearance as an appropriate stabilization strategy. A neighborhood in a community with a higher absorption rate but a very large number of properties now might need to help first-time homebuyers to afford available units. A neighborhood with a large number of abandoned properties might identify code enforcement, acquisition, and rehabilitation as the most likely to stabilize the target geography.

2. Rating Factor 2: Demonstrated Capacity of the Applicant and Relevant Organizational Staff (40 points)

a. Past Experience of the applicant. (30 points)

Provide examples of recent experience (within the last 24 months) managing neighborhood stabilization activities similar to the ones covered under this notice. Examples should include a discussion of the tasks undertaken, actual results achieved, and the specific skills and resources applied to each task. Describe concisely your experience in the specific activity categories identified above as the most likely to achieve neighborhood stabilization in the target geography, including experience with, as applicable:

- (1) City and regional planning,
- (2) Acquisition and disposition of foreclosed real estate,
- (3) Rehabilitation of housing,
- (4) Redevelopment of vacant property,
- (5) Program marketing and management of waiting lists for potential residents,
- (6) Accessing operating and investment capital,

(7) Working productively with other organizations.

b. Management structure (10 points)

(1) You must provide a description of your management structure, including an organizational chart that identifies all key management positions and the names and positions of staff managing NSP2. You must also describe your key staff and their specific roles and responsibilities for the day-to-day management of your proposed activities. If you are a consortium or applying with a for-profit partner, provide this information for each organization and also describe the management structure of the consortium or partnership(s) and the role of each entity. Do not include individuals' Social Security Numbers in your application.

(2) References. You should include at least two references for recent work similar to the programs covered under this NOFA and undertaken by you. References should only include a contact name, address, phone number and email address so HUD may verify the information. Alternatively, a reference may include one brief newspaper or journal article, program evaluation, or a transcript from a reputable independent source other than you. No video or audio recordings may be submitted.

3. Rating Factor 3: Soundness of approach (45 points)

a. Proposed Activities (15 points)

(1) Briefly describe the overall neighborhood stabilization program you propose to undertake, including any coordinated components that will not be directly funded with NSP. Address specifically whether you are proposing to expand an existing effort, including the sources of funding for that existing effort. Address specifically how and when your program will result in stabilization of the housing market in the target geography and achieve long-term economic benefits.

(2) Uses of funds and firm commitments

(a) Indicate how you will use NSP2 funds by providing a list or table showing the amount of funds budgeted for each eligible use and CDBG eligible activity (see Appendix 1, paragraph H for these uses and activities). Indicate the responsible entity for each use and activity. These proposed activities must be among the activities described as most likely to stabilize the target geography in Rating Factor paragraph 1.b.5. above.

(b) Briefly describe the proposed activities in a narrative, including the range of interest rates (if any); duration or term of assistance; tenure of beneficiaries (e.g., rental or homeownership); and location or address information.

(c) Identify whether the other funds are firmly committed (legally obligated to a specific activity or under your control and budgeted for a specific activity) or not. See II.A.5 and Rating Factor 4.

(d) Demolition and preservation.

(i) Your narrative must address why, based on market conditions, you chose the proposed mix of demolition of housing units versus preservation of housing units.

(ii) If you are proposing to demolish or convert any low- and moderate-income dwelling units as a result of NSP2-assisted activities, you must identify all information required in Appendix 1, paragraph K.1. in an appendix to your application.

(iii) If you believe the market conditions in your target geography warrant an exception to the limitation that no more than 10 percent of NSP2 funds may assist demolition activities, request the exception and justify your choice. Such an exception request must be clearly labeled as such and is not subject to the application page limits.

b. Project completion schedule. (5 points)

Briefly describe the project completion schedule, including milestones in each month for the critical management actions for you, including each consortium member or partner, start and end dates of each NSP-assisted activity, and your expected metrics and results. The schedule must show how you will comply with the deadlines imposed by the Recovery Act and included in Appendix 1, paragraphs O and M.

c. Income targeting for 120 percent and 50 percent of median (5 points)

All NSP2 funds must provide benefit to persons whose income does not exceed 120 percent of area median income. Also, 25 percent of each grant must be used for the purchase and redevelopment of abandoned or foreclosed upon homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50 percent of area median income. Describe specifically how your proposed NSP2 activities will meet these requirements.

d. Continued affordability (5 points)

The minimum requirements for continued affordability are described in Appendix 1, paragraph B.2. Describe how you will ensure, to the maximum extent practicable and for the longest feasible term, that all NSP2-assisted properties will remain affordable to persons whose income do not exceed:

- (1) 120 percent of area median income, and
- (2) 50 percent of area median income, as applicable.

e. Consultation, outreach, communications (5 points)

Ensuring transparency is a requirement for all the Recovery Act programs.

- (1) Describe how you have consulted with units of local government and states with jurisdiction over your target geography, especially those that received NSP1 funding, in developing your proposal and how you will continue to consult during program implementation

if you are funded.

(2) Describe your proposed outreach and affirmative marketing actions and how you will ensure that you have qualified families available as NSP2-assisted units become available.

(3) Describe how you will continually communicate program design, progress, opportunities and results; process any complaints in a timely manner (respond within 15 working days, if feasible); and ensure that local citizens and other interested parties are informed about program policies.

f. Performance and monitoring (10 points)

CDBG grantees must have a plan for monitoring all program activities and ensuring performance. In addition to this, NSP2 recipients must also have an internal audit function. If you are a consortium, the internal auditor must be explicitly authorized in each consortium agreement to carry out internal audits of any NSP2-assisted activity. An internal audit function is not the same as the required annual Single Audit. An internal audit function will continually examine potentially risky areas of program operations and management and provide regular and valuable feedback to program managers and to those who hold them accountable. This feedback will include identification of risky management practices and missing or ineffective internal controls, areas that are not in compliance with program requirements, and ineffective implementation of established policies. To receive points for this factor, you must:

(1) Describe your monitoring plan.

(2) Describe how you will meet the internal audit requirement. Specifically identify the position(s) and agency responsible for internal audit.

4. Rating Factor 4: Leveraging other funds, or removal of substantial negative effects (10 points)

Provide measures of leveraged investments or removal of destabilizing influences that will result from use of your NSP2 award. This factor is quantitative; HUD will rank order applicant responses for subparagraph a separately from those for subparagraph b below. Those applications whose responses rate in the highest third of responders for either subparagraph will receive the maximum number of points. From the remaining applications, those whose responses rate in the second third for either subparagraph will receive 5 points. The remaining applications, those with scores in the lowest third for both subparagraphs, will not receive points for this factor.

a. **Leverage.** Leverage is expressed as the ratio of the value of firmly committed leveraged resources divided by the amount of NSP2 funds for which you are applying. Provide evidence of firm commitments of specific amounts of non-NSP, non-CDBG, and non-federal resources for investment in your NSP2 program (not including mortgages resulting from NSP2 down payment assistance to individual homebuyers) from state, local, private nonprofit, or private for-profit sources. A firm commitment means a written agreement under which you or another entity agree to perform services or provide resources for an activity specified in your application. Firm commitments in the form of cash funding (e.g., grants or loans), in-kind contributions, donated land and construction materials, and donated services will count as leverage. Leveraging does not include the dollar value of sweat equity and volunteer labor for your proposed activities. Leveraging does not include mortgage financing provided to homebuyers. Leveraged resources or services must be committed in writing and include your organization's name, the contributing organization's name (including designation as a federal, state, local, or private source), the proposed type of commitment, and the dollar value of the commitment as it relates to your proposed NSP2-assisted activities. Each letter of commitment

must be signed by an official of the organization legally able to make the commitment on behalf of the organization. Letters of commitment must be included as an appendix to your application, and do not count toward the page limitation; or

b. Calculate the value (using the HUD-provided rubric in Appendix 3 and providing documentation of your calculation, including citation of the data sources) of any destabilizing influences (such as blighted homes) you propose to remove as part of your NSP2 program.

**5. Rating Factor 5: Energy efficiency improvement and sustainable development factors
(10 points)**

Describe how you will incorporate specific energy efficient, environmentally friendly or other sustainable or green elements in some or all of your NSP2 activities.

- a. Transit accessibility. HUD will award up to 4 points for this factor for NSP target areas that are currently transit accessible or that you certify will be made transit accessible during the term of your NSP2 grant. Transit accessible is defined as being in a census tract with convenient bus service (local bus service every 20 minutes during rush hour or an express commuter bus); or being or bordering a census tract with a passenger rail stop or station (including, for example, commuter rail, subway, light rail, and streetcars). You will receive maximum points for clearly demonstrating both bus and rail service to all or most of your target geography. You may be awarded 1 or 2 points if you can demonstrate that all or most of your target geography has good access to transit or access to regional employment centers that does not require daily private automobile usage for commuting.
- b. Green building standards. HUD will award up to 3 points for applications that comply with the required NSP2 rehabilitation standards and also demonstrate that new construction and gut rehabilitation activities will be required to exceed the Energy Star for New Homes standard and

that moderate rehabilitation or energy retrofits will purchase only Energy Star products and appliances. If you will require NSP2 homes to achieve an established environmental or energy efficiency standard such as Green Communities or equivalent, you do not need to provide the entire standard in detail, but you must provide HUD enough information to locate and reference the standard.

c. Re-use of cleared sites. HUD will award one point if the application demonstrates that all demolition sites will be re-used within the term of your NSP2 grant as replacement housing, for use as a community resource, or to provide an environmental function. Examples include community gardens, pocket parks, or floodplain impoundment areas.

d. Deconstruction. HUD will award one point if you will use deconstruction techniques for your NSP2 demolition activities. Deconstruction means salvaging and re-using materials resulting from demolition activities.

e. HUD may award one point for other sustainable development practices you describe and propose to incorporate into your NSP2 activities. Green practices recommended by HUD as part of the HOME Investment Partnerships program are included in Appendix 2 as a reference.

6. Rating Factor 6: Neighborhood transformation and economic opportunity (5 points)

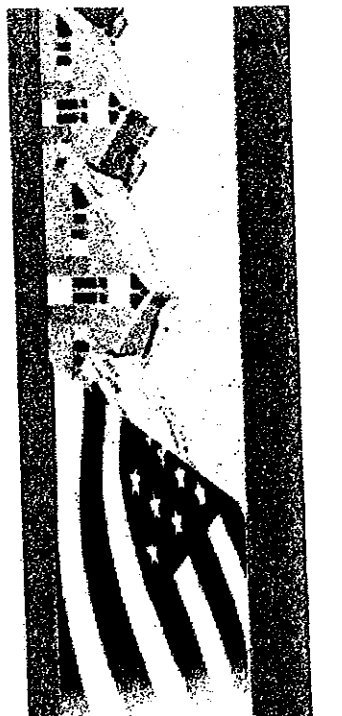
HUD will award the points under this factor if you:

(1) certify that your proposed NSP activities are part of or consistent with an established comprehensive, regional, or multi-jurisdiction plan, such as a transportation, sustainable development, economic revitalization, or floodplain management plan (you should not submit the plan, but provide a web address or sufficient information so that HUD may otherwise obtain a copy of the plan from the authoring agency), and

(2) describe how your proposed NSP2 activities relate to and increase the effectiveness of

EXHIBIT "B"

**(AREA SHOWING OUR HIGHEST RATE OF HOUSING
"VACANCY" AND "FORECLOSURE")**



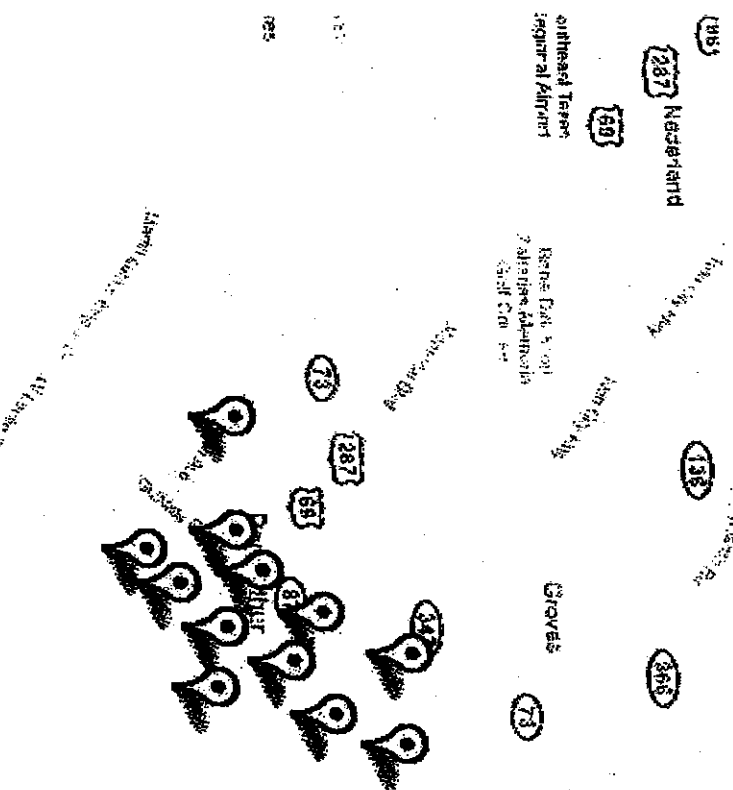
U.S. Department of Housing and Urban Development
 Office of Policy Development and Research
Neighborhood Stabilization Program

> City, State (or) Zip Port Arthur, Texas

We are experiencing heavy traffic volume. Please be patient after clicking on the tracks, while the web page is updated.

Search by address to view and select the desired census tracts

TRACT SELECTION



Census Tract	Foreclosure Score	Vacancy Score
X 0051.00	9	9
X 0053.00	17	20
X 0054.00	17	20
X 0055.00	15	20
X 0056.00	14	19
X 0061.00	17	20
X 0062.00	18	20
X 0063.00	14	20
X 0064.00	15	19
X 0065.00	14	17
X 0069.00	10	16
X 0101.00	12	17
Average		

> Qualified by Vacancy Score

Exhibit “B”

**MINUTES
CITY OF PORT ARTHUR SECTION 4A
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
4173 39th Street, Port Arthur, Texas
July 13, 2009**

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, July 13, 2009. The meeting was called to order at 6:00 p.m.

II. ROLL CALL, INVOCATION & PLEDGE

The following Board Members were present:

Carolyn Guillory, Doris Cruse-Green, Roosevelt Petry, Kaprina Frank, Richard Wycoff, Keith Daws, and Eli Roberts.

The invocation was given by Doris Cruse-Green.

The Pledge of Allegiance followed the invocation.

III. MINUTES

June 29, 2009

A motion was made by Keith Daws and seconded by Kaprina Frank to approve the minutes of June 29, 2009. The vote was unanimous. Motion carried.

IV. PETITIONS & COMMUNICATIONS

A. PRESENTATIONS

1. Abraham Manufacturing – Win Richard

Mr. Richard came before the board to express his gratitude for the Board's patience with his business in making payments toward his loan agreement. He explained that his business suffered a loss of \$500,000 due to Hurricane Ike. He states he should have 25 full time employees by this time next year.

2. Frank Fields Educational School – Gert Bernard-Frank & Dr. Sophia Davis-Fields

Ms. Frank and Dr. Fields came before the board to request assistance in the amount of \$70,000 for the training of 280 students. They state to be a fully accredited private school that provides a 24 credit curriculum in order to obtain high school diplomas for adults. Their program would be housed at the HOPE Center in Port Arthur.

C. SPEAKER

1. Commissioner Michael Sinegal

Commissioner Sinegal spoke in support of the Frank Fields Educational School

PRESENTATIONS (continued)

3. Cornerstone Media – Larry O'Keefe

Mr. O'Keefe presented an example of the previous tape made for the EDC in order to promote Port Arthur. The Board instructed staff to move forward with the updating of the promotional video.

4. Tide Wind Alliance – Lael Alexander & Ken Matthews

Mr. Alexander came before the Board to introduce his company and to request endorsement or support from the EDC for the creation of a 50 megawatt facility in Port Arthur that would create alternative energy. They are looking to possibly locate this facility at the former Port Drum Site, a once declared Brownfields site. Mr. Alexander states that the City would benefit from a 1.6 or 1.7 million dollar rebate if they would float a 56 billion dollar bond for the project. As another Build America Project, Tide Wind would like to also use alternative energy to power the entire Port Arthur Industrial Park. They are also interested in bringing a textile facility to the Business Park that would qualify for a New Market Tax Credit.

B. COMMUNICATIONS

1. Golden Triangle Minority Business Council, Inc. – "Buyer-Supplier-Fest" & Tabletop Exhibit

The Board decided not to participate as the date for the function was too close for preparations.

2. Lamar Institute of Technology – Salute to the Real American Heroes

The Advertising Committee will review this communication and bring their recommendations back to the Board.

3. Streeter Trucking – Letter of Intent

Board instructed staff to move forward with this application as a Grow Port Arthur Loan.

4. Amateur Sports Promotion – Memorial Titans Sports Calendar

This does not qualify for participation by the EDC as it is not a local company.

5. Memorial High School – Advertisement in Football Game Programs

The Advertising Committee will review this communication and bring their recommendations back to the Board.

V. UNFINISHED BUSINESS

1. To discuss and define goals and performance objectives for the CEO, for which the Board determines necessary in attainment of the Board's Policy Objectives.
This item was tabled.

2. To discuss and consider the possible awarding of a scholarship to a Port Arthur graduating senior.
A motion was made by Richard Wycoff and seconded by Doris Cruse-Green to approve the EDC awarding a scholarship to a Port Arthur Graduating Senior. The vote was unanimous. Motion carried.

3. To discuss and consider approving an amended Incentive Agreement between PAEDC and Reliable Polymer Services.
A motion was made by Keith Daws and seconded by Kaprina Frank to approve the amending of the Incentive Agreement with Reliable Polymer Services. The vote was unanimous. Motion carried.

4. To discuss and consider the transfer of property from Camellia Plaza to GW Innovations.
This item was removed.

VI. CONSENT AGENDA ITEMS

1. To discuss and consider approving invoices from Arceneaux & Gates Consulting Engineers, Inc.

Invoice #	Amount	Pertaining to:
12249	\$4,962.00	Design & Construction of New Roadways -- Business Park, Phase II
12450	\$810.00	Development of a 7.3 Acre Site on Hwy. 73
Total	\$5,772.00	

2. To discuss and consider approving an invoice in the amount of \$6,000 from the National Development Council for Technical Assistance rendered for the period: June 1- 30, 2009.

A motion was made by Keith Daws and seconded by Richard Wycoff to approve Consent Items 1 & 2. The vote was unanimous. Motion carried.

3. To discuss and consider approving an invoice in the amount of \$30,000 from the International Economic Development Council for the Port Arthur Downtown Revitalization Strategy.

A motion was made by Keith Daws and seconded by Richard Wycoff to approve Consent Item 3. The vote was unanimous. Motion carried.

VII. NON-CONSENT AGENDA ITEMS

1. To discuss and consider re-sponsoring the Regional Economic Development Initiative (REDI) in the amount of \$3,000 to the Southeast Texas Economic Development Foundation, Inc.
A motion was made by Richard Wycoff and seconded by Kaprina Frank to re-sponsor REDI in the amount of \$3,000. The vote was unanimous. Motion carried.

2. To discuss and accept the Final Report of the Downtown Revitalization and Implementation Strategy by the International Economic Development Corporation (IEDC).
A motion was made by Keith Daws and seconded by Doris Cruse-Green to accept the Final Report by IEDC on the Downtown Revitalization & Implementation Strategy. The vote was unanimous. Motion carried.

3. To discuss and make recommendations to City Council for the proposed members of the Downtown Revitalization Organization (DRO) as proposed by IEDC.
Two Board Member nominations were made; Kerry Thomas and Keith Daws.
A vote was taken for the final Board Member nomination.

<u>Kerry Thomas</u>	<u>Keith Daws</u>
Wycoff	Daws
Frank	Cruse-Green
Roberts	
Petry	

The final EDC nominations are as follows:
EDC Board Member – Kerry Thomas
Industry - Morris Carter, Verna Rutherford, Vicky Derese

4. To discuss and consider approving annual payment to Triangle Waste Properties, LP under the Economic Incentive & Loan Agreement entered into on April 7, 2006.
A motion was made by Richard Wycoff and seconded by Doris Cruse-Green to approve the 4th payment of \$100,000 to Triangle Waste. The vote was unanimous. Motion carried.

5. To discuss and consider approving the first of three draws to Orbital Insulation Corp. for work completed on improvements to the building.
A motion was made by Roosevelt Petry and seconded by Doris Cruse-Green to approve the first draw to Orbital Insulation. The vote was unanimous. Motion carried.

6. To discuss and authorize the awarding of a Landscape Maintenance Contract for the Spur 93 Business Park.
A motion was made by Kaprina Frank and seconded by Roosevelt Petry to award the Landscape Maintenance Contract for the Spur 93 Business Park to Lloyd Christian. The vote was unanimous. Motion carried.

7. To discuss and consider authorizing a grant of \$250,000 from the Downtown Revitalization Program Funds toward the construction costs of \$3,000,000 for new construction of the Port Arthur Housing Authority's Administration Building subject to Neighborhood Stabilization Program (NSP) Grant Part 2 funding through the City of Port Arthur.
A motion was made by Kaprina Frank and seconded by Roosevelt Petry to authorize a grant in the amount of \$250,000 to the Port Arthur Housing Authority subject to the NSP 2 Grant approval. The vote was unanimous. Motion carried.

8. To discuss and authorize the Board of Directors spending \$1,000,000 toward the purchase or renovation of a new EDC office building in the downtown revitalization target area subject to NSP 2 funding through the City of Port Arthur.

A motion was made by Richard Wycoff and seconded Roosevelt Petry to spend \$1,000,000 toward the purchase or renovation of an office building for the use of the EDC in the downtown area subject to the NSP 2 Grant approval. The vote was unanimous. Motion carried.

9. To discuss and authorize payment of \$100 to help pay for the NSP 2 Grant Application with the City of Port Arthur.

A motion was made by Keith Daws and seconded by Richard Wycoff to approve payment of \$100 to help pay for the application fee for the NSP 2 Grant application. The vote was unanimous. Motion carried.

VIII. REPORTS

1. CEO's Report

1. EDC Monthly Financial Update

Ms. Staley gave the Board an update as to the EDC Financials.

IX. CLOSED SESSION (EXECUTIVE SESSION)

1. **Section 551.071 Government Code** – To discuss with Attorney Guy Goodson pending and potential litigation.

- a. Service Zone/ Sitel
- b. Lange Brothers, Inc.

2. **Section 551.072 Government Code** – To discuss the value of land at the City of Port Arthur Section 4A Economic Development Corporation Spur 93 Business Park.

- a. Tide Wind Alliance Corp.
- b. Motiva

3. **Section 551.072 Government Code** – To discuss the value of land at the Hwy 73 Business Park.

4. Section 551.087 Government Code – To discuss incentives for EDC Prospects.

The Board retired to executive session at 8:02 p.m. to discuss the above mentioned items, and reconvened at 9:10 p.m.

The Board acted on the following items:

A motion was made by Kaprina Frank and seconded by Richard Wycoff to pull down the foreclosure notice on Abraham Manufacturing for now subject to Abraham meeting all covenants on the Loan Agreement and it is also required that Abraham must provide a 12 month paid up insurance policy. The vote was unanimous. Motion carried.

A motion was made by Kaprina Frank and seconded by Doris Cruse-Green to approve a request from Lange Brothers, Inc. to extend his time to build his building in the Spur 93 Business Park for an additional 18 months. The vote was unanimous. Motion carried.

X. FUTURE AGENDA ITEMS OR REQUESTED REPORTS
None

XI. ADJOURNMENT OF MEETING

A motion was made to adjourn the meeting by Richard Wycoff and seconded by Doris Cruse-Green. It was adopted unanimously. The meeting was adjourned at 9:18 p.m.

APPROVED BY THE BOARD OF DIRECTORS ON THE 27th DAY OF July, 2009.


SECRETARY OF THE CORPORATION