

RESOLUTION NO. 11-470

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF PORT ARTHUR AS IT PERTAINS TO ADMINISTRATIVE CHARGES FOR THE FISCAL YEAR OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012

WHEREAS, the City provides administrative support to the Port Arthur Section 4A Economic Development Corporation; and

WHEREAS, the PAEDC has provided funds in the amount of \$168,000 in the proposed budget for 2011-2012 for administrative charges.

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 City Council herein approves the agreement in substantially the same form as attached hereto as Exhibit "A".

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 this 18<sup>th</sup> day of October, 2011, at a Regular Meeting of the City Council of the City of Port Arthur, Texas by the following vote: AYES:

Mayor

Prince; Mayor Pro Tem Duval;

City Council


Scott, Segler, Bearell  
Williamson, Freeman and Thomas.

NOES:

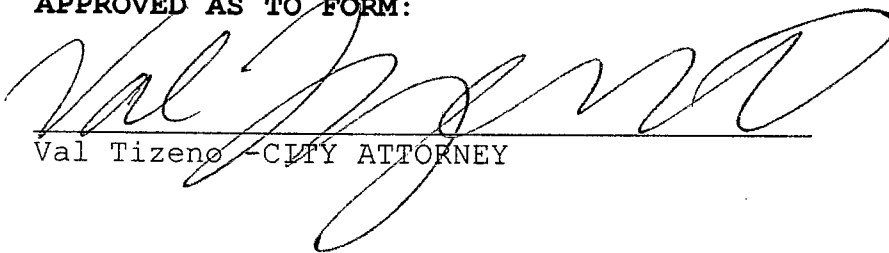
None.

  
Deloris Prince - MAYOR

ATTEST:

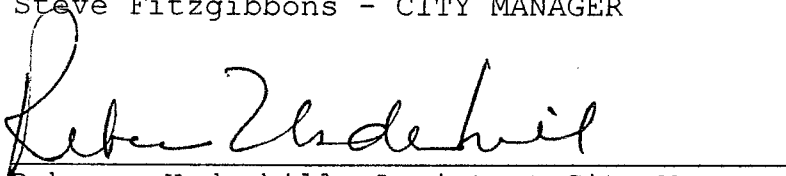
  
Sherri Bellard - ACTING CITY SECRETARY

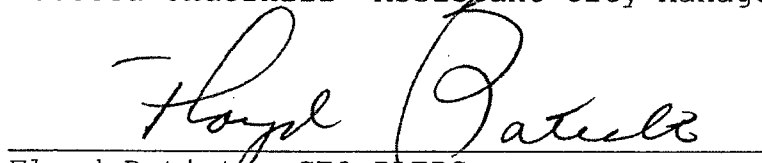
APPROVED AS TO FORM:

  
Val Tizeno - CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

  
Steve Fitzgibbons - CITY MANAGER

  
Rebecca Underhill - Assistant City Manager/Administration

  
Floyd Batiste, CEO PAEDC

# EXHIBIT “A”

STATE OF TEXAS                   §  
                                     §  
COUNTY OF JEFFERSON           §

### **AGREEMENT**

The City of Port Arthur and the City of Port Arthur Section 4A Economic Development Corporation herein agree as to the following:

#### **I.**

The City and the City of Port Arthur Section 4A Economic Development Corporation herein agree that for administrative charges and services for the fiscal year from October 1, 2011 to September 30, 2012, the City of Port Arthur Section 4A Economic Development Corporation shall pay to the City four percent of sales tax revenue received, estimated to be \$168,000. Said funds shall reimburse the City for such administrative, legal, and staff support that the City shall provide in facilitating EDC projects during this fiscal year. Said \$168,000 shall be paid by the City of Port Arthur Section 4A Economic Development Corporation to the City of Port Arthur beginning the month of October, 2011, and thereafter through September 2012 as the sales tax moneys are received from the Comptroller.

#### **II. CITY ASSISTANCE**

(a) The City will also continue to assist the EDC in its litigation. Nevertheless, the time and costs of the City Attorney will be requested to be reimbursed by the other litigants, if it is feasible.

(b) The EDC staff can call on and have reasonable access to city departments to address issues respecting projects for their comments.

(c) The EDC staff shall have access to non-confidential city records as to facilitate the EDC projects.

#### **III.**

The City and the EDC herein agree that the EDC shall also pay the City its proportionate share of the audit fees that can be allocated to the EDC.

SIGNED AND AGREED to on this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

**CITY OF PORT ARTHUR**

BY: \_\_\_\_\_  
City Manager

SIGNED AND AGREED to on this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

**CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION**

BY: \_\_\_\_\_  
President

BY: \_\_\_\_\_  
Secretary

## Rebecca Underhill

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**From:** Carmelia Staley [cstaley@paedc.org]  
**Sent:** Thursday, August 18, 2011 12:09 PM  
**To:** 'Rebecca Underhill'  
**Subject:** RE: City Administrative Payment for FY 2012

We budgeted \$84,000 (4,200,000\*2%). Can you please do the resolution? Thanks so much.

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**From:** Floyd Batiste [mailto:fbatiste@paedc.org]  
**Sent:** Thursday, August 18, 2011 12:04 PM  
**To:** 'Carmelia Staley'  
**Subject:** FW: City Administrative Payment for FY 2012

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**From:** Rebecca Underhill [mailto:rebecca@portarthur.net]  
**Sent:** Thursday, August 18, 2011 11:36 AM  
**To:** Floyd Batiste  
**Subject:** City Administrative Payment for FY 2012

What did the EDC propose in their budget for the admin charge for fiscal 2012?

Are you going to do the resolution? Or do you want me to?

Becky