

RESOLUTION NO. 12-210

**A RESOLUTION APPROVING THE DOWNTOWN
RENAISSANCE DISTRICT AND THE PORT ARTHUR
SECTION 4A ECONOMIC DEVELOPMENT
CORPORATION ENTERING INTO A PROMOTION AND
DEVELOPMENT AGREEMENT AND APPROVING THE
DOWNTOWN RENAISSANCE DISTRICT BUDGET FOR
FY 2011-2012**

WHEREAS, both the Downtown Renaissance District Board (“**DRDB**”) and the Board of Directors of the Port Arthur Section 4A Economic Development Corporation (“**PAEDC**”) have approved entering into a Promotion and Development Agreement in the amount of \$98,000 to be funded by the PAEDC for certain promotional services to be provided by the DRDB as outlined in “**Exhibit A**”; and

WHEREAS, the DRDB has also concurrently established a proposed budget for the 2011 – 2012 Fiscal Year attached hereto as “**Exhibit B**”; and

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 DRDB and the PAEDC entering into a Promotional Agreement for an amount of \$98,000 to be funded by the PAEDC to the DRDB for certain promotional services.

Section 3. That the City Council also approves the DRDB proposed budget for FY 2011 – 2012.

Section 4. That a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

READ, ADOPTED AND APPROVED on this 1st day of May A.D., 2012,

at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Prince; Mayor Do Lem Duncat;

Councilmembers Scott, Segler, Albright,
Williamson, Freeman and
Thomas;

NOES: None.

Deloris Prince
Deloris "Bobbie" Prince, Mayor

ATTEST:

Sherri Bellard
Sherri Bellard, City Secretary

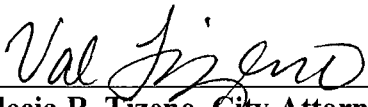
APPROVED:

Floyd Batiste
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:

Guy N. Goodson
Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizen, City Attorney

EXHIBIT “A”

DOWNTOWN REVITALIZATION PROMOTION AND DEVELOPMENT AGREEMENT

This Downtown Revitalization Promotion and Development Agreement (the "Agreement") is made and entered to and effective the ____ day of _____, 2012 by and between the **Downtown Renaissance District**, a Texas non-profit corporation organized and operating pursuant to the Texas Non-Profit Corporation Act (the "District") and the **City of Port Arthur Section 4A Economic Development Corporation** ("PAEDC"), an economic development corporation organized and existing pursuant to Chapters 501 and 504, Texas Local Government Code.

RECITALS

A. District has been organized for the purpose of revitalization of Downtown Port Arthur by engaging the public, private, and non-private sectors in redevelopment projects.

B. PAEDC through duly approved voter authorization has allocated certain 4A funds for the redevelopment and revitalization of designated areas within Downtown Port Arthur, Texas, referred to as the downtown revitalization target area (the "Target Area").

C. PAEDC has developed regulations for use of the funds in the Target Area and has developed grant applications for public and private sector entities seeking to provide site improvements and infrastructure improvements in the Target Area under its Operation Downtown Grant Program.

D. District and PAEDC acknowledge that their future collaboration will enhance the opportunities to promote revitalization of the Target Area.

E. District has agreed to undertake certain promotion and development services on behalf of PAEDC in consideration of the District continuing to engage public, private, and non-profit sectors in redevelopment projects.

F. District shall provide the services and shall request reimbursement through the City of Port Arthur, Texas (the "City") which manages the Promotion and Development Fund for PAEDC.

NOW, THEREFORE, the District and PAEDC agree as follows:

1. **DISTRICT AGREEMENTS**. The District shall undertake the following promotion and development services as consideration for the PAEDC commitments contained herein:

- a) Maintain a database of contacts with downtown businesses and property owners as developed by District and/or PAEDC.

- b) Collaborate with PAEDC and act as a liaison to the downtown business community for the utilization of funds to assist in development and revitalization of the Target Area which is defined as that area of downtown Port Arthur lying between 9th Street, the Intercoastal Waterway, Houston Avenue and Lake Charles Avenue.
- c) Coordinate special events, art, and related cultural activities to promote public, private, and non-profit business entities utilization of the Target Area.
- d) Establish and maintain working relationships with public officials and the public to ensure information is disseminated on the Operation Downtown Grant Program.
- e) Assist PAEDC in securing and processing Operation Downtown Grant Program Applications to ensure qualification for funding.
- f) Monitor and coordinate Operation Downtown Grants for site and/or infrastructure projects after grants have been executed.

2. PAEDC AGREEMENTS.

- (a) The District agrees to continue its mission of revitalization Downtown Port Arthur by engaging public, private, and non-profit sectors in redevelopment of projects and shall identify promotion and development opportunities to PAEDC to enable PAEDC to accomplish their promotion and development services as outlined in this Agreement.
- (b) District shall collaborate with PAEDC in the Operation Downtown Grant Program by assisting grant applicants in the presentation of appropriate applications for consideration by PAEDC and the City of Port Arthur for funding.

3. PAEDC PROMOTION FUND. PAEDC shall allocate in an amount not to exceed \$98,000 from its Promotion and Development Fund to (i) provide staffing necessary to meet any needs of the District hereunder as District does not maintain its own staff and will utilize PAEDC staff in certain administrative capacities; and (ii) reimburse or to pay on behalf of District approved expenditures during the term of this Agreement in the satisfaction of District Agreements in Paragraph 1 as set forth above.

4. TERM OF AGREEMENT. The term of this Agreement shall be for one (1) year, commencing on the ____ day of _____, 2012 and expiring on the ____ day of _____, 2012.

5. TERMINATION OF AGREEMENT. The District or PAEDC may terminate this Agreement with or without cause upon the giving of thirty (30) days prior written notice to the other party of this Agreement.

6. PERFORMANCE. This Agreement is performable in Port Arthur, Texas.

Downtown Revitalization District

By: _____
_____, Its President

Date: _____

**City Of Port Arthur Section 4A
Economic Development Corporation**

By _____
_____, Its President

Date: _____

EXHIBIT “B”

PREPARED 4/25/2012
PROGRAM: GM313UR

Preliminary Budget
Downtown Renaissance District
Fiscal Year Ended September 30, 2012

ACCOUNT NUMBER		Total FY 12	EDC SHARE	DRDB SHARE
DESCRIPTION 2		\$209,614.00	75.00%	25.00%
100 10/01/2010 BA2011	Salary	\$37,028.00	\$27,771.00	\$9,257.00
143-1406-551.11-00	Benefits			
200 10/01/2010 BA20/11	FICA	2,833	\$2,124.48	\$708.16
143-1406-551.18-01				
300 10/01/2010 BA2011	Retirement	5,446.82	\$4,085.11	\$1,361.70
143-1406-551.18-02				
400 10/01/2010 BA2011	Insurance	8,886.72	\$6,665.04	\$2,221.68
143-1406-551.18-03				
500 10/01/2010 BA2011	Workers Comp	70.00	46.66	23.34
143-1406-551.18-04				
143-1406-551.18-05	Terminating Pay	740.56	\$555.42	\$185.14
		\$55,004.74	\$41,247.72	\$13,757.02
600 10/01/2010 BA2011	Postage			500.00
143-1406-551.21-00	Office Supplies			3,000.00
400 10/01/2010 BA2011	Telephone			260.00
143-1406-551.61-03				
800 10/01/2010 BA2011	Travel			5,000.00
143-1406-551.56-00				
	Board Expenses			
900 10/01/2010 BA2011				
143-1406-551.55-00				
1000 10/01/2010 BA2011				
143-1406-551.54-03 (Advertising)				20,000.00
1100 10/01/2010 BA2011143				
1406-551.54-04 (Renaissance District -Signage)				10,000.00
1200 10/01/2010 BA2011				
143 143-1406-551.54-05(Website Development)				3,000.00
1300 10/01/2010 BA2011				
143-1406-551.54-00 (Professional Services)				10,000.00
1400 10/01/2010 BA2011	Development			80,000.00
143-1406-551.59-00				
1500 10/01/2010 BA2011				
143-1406-551.57-00				
Budget Total				\$145,517.02
Fund Balance				\$64,096.98