

RESOLUTION NO. 13-499

A RESOLUTION AUTHORIZING THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION TO TERMINATE THE OPERATION DOWNTOWN CONTRACT WITH KILGORE CONSTRUCTION, L.L.C. FOR EXTERIOR RENOVATION TO THE PROPERTY LOCATED AT 1347 PROCTER STREET UNDER THE OPERATION DOWNTOWN SITE IMPROVEMENT GRANT PROGRAM

WHEREAS, on May 9, 2009, a ballot proposition was presented to and approved by the qualified voters in the City of Port Arthur, Texas (the "City") for the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") to utilize Section 4A sales and use tax funds for "the cost of demolition of dilapidated structures and infrastructure limited to streets and roads, rail spurs, water and sewer utilities, electric and gas utilities, drainage, site improvements and related improvements necessary to promote or develop new or expanded business enterprises within a project area from 7th Street to the Intracoastal Canal and from Martin Luther King, Jr. Drive to Lake Charles Avenue within the City"; said authority limited to the PAEDC's expenditure of not more than \$750,000 per year for said projects (the "Ballot Proposition"); and

WHEREAS, Kilgore Construction, L.L.C., submitted an application for funding of exterior renovations to a building located at 1347 Procter Street; and

WHEREAS, on January 25, 2012, the City Council approved funding the Application of Kilgore Construction, L.L.C. in the amount of \$34,400 for the purpose of exterior renovations as outlined in the Application per Resolution 12-042; and

WHEREAS, on January 22, 2013, the City Council approved extending Kilgore Construction, L.L.C.'s contract an additional 201 days from September 11, 2012 to March 31, 2013 due to construction delays per Resolution 13-035; and

WHEREAS, on October 14, 2013 at its regular Board Meeting, the PAEDC approved terminating the Operation Downtown Contract with Kilgore Construction, L.L.C. due to no progression on the incomplete project.

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 PAEDC is hereby authorized to terminate the Operation Downtown Contract with Kilgore Construction, L.L.C. due to no progression on the incomplete project.

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

READ, ADOPTED AND APPROVED on this 11th day of Oct, A.D., 2013, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor

Prince; Mayor Bob Sem Williamson
Councilmembers Scott, Segler, Lewis, and
Thomas.

NOES:

None.

Deloris Prince
Deloris "Bobbie" Prince, Mayor

ATTEST:

Sherri Bellard
Sherri Bellard, City Secretary

APPROVED:



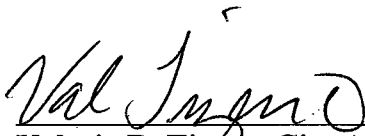
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizeno, City Attorney