

RESOLUTION NO. 14-367

A RESOLUTION APPROVING A COMMUNITY PRE-EMPLOYMENT PROGRAM AGREEMENT BETWEEN THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION AND ARCENEUX & GATES ENGINEERS, INC., IN AN AMOUNT NOT TO EXCEED \$6,500.00 FOR ONE (1) PORT ARTHUR RESIDENT

WHEREAS, the Texas Legislature passed House Bill 1967 during the 83rd Legislative Session which amended Chapter 501 of the Local Government Code by adding §501.163; and

WHEREAS on December 2, 2013, the City of Port Arthur Section 4A Economic Development Corporation ("PAEDC") Board of Directors approved the program guidelines for the Community Pre-Employment Program as shown in **Exhibit "A"**; and

WHEREAS, on January 27, 2014, pursuant to Resolution No. 14-052, the City of Port Arthur City Council approved PAEDC implementing a Community Pre-Employment Program for residents of the City of Port Arthur; and

WHEREAS, the City Council approves PAEDC entering into a Community Pre-Employment Program Agreement with Arceneaux & Gates Engineers, Inc., in an amount not to exceed \$ 6,500 for one (1) Port Arthur resident as shown in **Exhibit "B"**.

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 PAEDC entering into a Community Pre-Employment Program Agreement with Arceneaux & Gates Engineers, Inc., in an amount not to exceed \$6,500 for one (1) Port Arthur resident as shown in **Exhibit "B"**.

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 19th day of Dec A.D., 2014,
at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor

Prince

Councilmembers

Jett, Hamilton, Mossely, Lewis
Williamson and Frank.

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:

Val Tizeno

Valecia R. Tizeno, City Attorney

EXHIBIT “A”

Port Arthur Economic Development Community Pre-Employment Program (CPEP)

Overview: The purpose of the Community Pre-Employment Program (CPEP) is to connect talented Port Arthur residents with existing and emerging petrochemical, advanced manufacturing, warehousing, recycling, and information technology companies in the Southeast Texas Region. The goal is to provide a substantial pre-employment experience in Southeast Texas targeted industries with an emphasis on small to mid-size companies.

Eligibility: Southeast Texas-based companies with fewer than 500 employees per location are eligible. The company must be engaged in one of the targeted industries of petrochemical, warehousing, recycling, advanced manufacturing or information technology as defined by the NAICS codes. *Companies engaged in retail sales or health services are ineligible.*

The applicant's pre-employment training may last a maximum of 12 weeks, not exceeding 40 hours per week. The fiscal year runs from October 1st – September 30th. Two pre-employment trainees will be granted to approved companies per fiscal year; however, a company may request additional pre-employment trainees after original pre-employment trainees have successfully completed the CPEP. *A company will select the total number of pre-employment trainees desired for the fiscal year on one application.*

Residents who are immediate family members of the company's management, employees or board members are not eligible.

Awards and Spending Guidelines: Awards are available up to \$6,500 for a single pre-employment trainee. Residents hired as pre-employment trainees will be paid up to fourteen dollars (\$14) per hour worked. Following approval of the application, PAEDC will issue an award letter and a contract to the company. The award is managed on a reimbursement basis. All expenditures under the award must be supported with payroll or other appropriate documentation. Funds can only be used for reimbursement of wages during the designated pre-employment period.

Reporting: PAEDC requires the approved company to write a final report about the pre-employment experience. The company will receive its last award disbursement upon receipt of this report.

Application submittal and selection: To apply for program funds, a company should submit an application for Community Pre-Employment Program to the Port Arthur Economic Development Corporation. The board may approve, defer or deny any application.

Applicants providing opportunities that conform to the following will receive preferred status:

1. An explanation of the company's anticipated workforce needs and of the pre-employment trainee's potential for prospective employment with the business following completion. 25 points
2. Pre-employment positions paying more than fourteen dollars (\$14) per training hour will receive preferred status; however the maximum reimbursement from the Port Arthur Economic Development Corporation will be capped at fourteen dollars (\$14) per hour. 25 points
3. An employer or a consortium of employers providing all or a portion of the pre-employment training in conjunction with a local state college will receive preferred status. 20 points
4. The extent to which the pre-employment duties requires independent judgment, creativity, and intelligence to complete and contribute to the business's goals or processes and advancement opportunities. 15 points
5. The pre-employment will have a positive impact on the trainee's skills, knowledge and abilities. 15 points

To be considered for funding, an application must receive a minimum score of 65 out of a possible 100 points and meet all other eligibility criteria.

APPLICATION FORM

PART 1: APPLICANT INFORMATION

Company Name: _____

Doing Business As (DBA): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

County: _____

Contact Person: _____

Telephone Number: _____ Email Address: _____

Federal ID Number: NAICS Code: (North American Industry Classification System)

Industry Sector: _____

Total Number of Local Employees: _____

Company Website: _____

Provide a brief history of the company (Maximum of 3 typed lines)

Has your company employed interns in the past? If yes, when (date) _____

How many years has the company been in business? _____

How did you hear about the program? _____

Certification & Release of Information: I understand that all information submitted to PAEDC related to this application is subject to Texas's Open Record Law.

I understand this application is subject to final approval by Board of Directors of the PAEDC and the Project may not be initiated until final approval is secured. I understand that PAEDC Board of Directors reserves the right to negotiate the financial assistance. Furthermore, I am aware that financial assistance is not available until an agreement is executed within a reasonable time period following approval.

I hereby certify that all representations, warranties or statements made or furnished to PAEDC in connection with this application are true and correct in all material respect. I understand that it is a criminal violation under Texas law to engage in deception and knowingly make, or cause to be made, directly or indirectly, a false statement in writing for the purpose of procuring economic development assistance from Port Arthur Economic Development Corporation.

For the Business:

Name: _____ Date: _____

Title: _____

PART 2: Pre-Employment Description

It is preferred that the trainee be involved in a substantive experience in one or more of the following areas: research and development; engineering; process management and production; product experimentation and analysis; product development; market research; business planning and administration. *If applying for two different pre-employment trainees, all questions must be answered on the same application for each pre-employment position.* The job description needs to be provided even if a pre-employment trainee has not been selected. If you have multiple trainees hired for the same position then mark Opportunity #2 as "same".

Pre-employment Opportunity #1: _____

Pre-employment Title: _____

Job Description: _____

Date of pre-employment (max 12 weeks / calendar year): from _____ through _____

How many weeks is the pre-employment? _____

The trainee can work a maximum of 12 weeks during the calendar year.

How many hours per week will the trainee work? _____

Location: _____

Name and email address of the company representative who will train and supervise the Pre-Employment Trainee: _____

Pre-employment Opportunity #2: _____

Pre-employment Title: _____

Job Description: _____

Date of pre-employment (max 12 weeks / calendar year): from _____ through _____

How many weeks is the Pre-employment? _____

The trainee can work a maximum of 12 weeks during the calendar year.

How many hours per week will the trainee work? _____

Location: _____

Name and email address of the company representative who will train and supervise the Pre-Employment Trainee: _____

EXHIBIT “B”

Pre-Employment Work Agreement

This agreement is intended to provide details and responsibilities for the parties involved in a Pre-Employment Work arrangement. The Site Employer will need to provide the workers compensation number to Port Arthur Economic Development Corporation (PAEDC) so that workers compensation coverage will be provided by the Site Employer.

The Site Employer will distribute funds to the PAEDC Pre-employment Employee in accordance with the Employer payroll schedule, maintain Worker's Compensation Insurance for the PAEDC Pre-Employment Employee, withhold all applicable taxes and deposit all taxes withheld to the appropriate taxing authority and will resolve paycheck issues that may arise with the PAEDC Pre-Employment Employee.

PAEDC Pre-Employment Employee Information

Legal Name: Kenneth Khuong Tuan Nguyen	Mailing Address: 4412 Sherylwood
City, State & Zip Code Port Arthur, TX 77642	Phone Number - 409-543-7139
Social Security Number 632-18-8369	Date of Birth - 10/12/1990

Site Employer Information

Site Employer Name Arceneaux & Gates Consulting Engineers, Inc.	Employee Supervisor Name - Calvin Prosen
Job Title - Engineering Intern	Industry - Engineering
Job Duties (Can Provide Job Description) Assist project engineer as required.	

Position Worker's Compensation Number: 8601	Site Employer Worker's Compensation Number: 8601/8810
Worksite Email - kenneth.nguyen@burrowglobal.com	Worksite Phone 409-724-7888
Worksite Address 2901 Turtle Creek Drive, Suite 320, Port Arthur TX 77642	Start Date 02/18/2014 End Date

	Total Hours Authorized
Hourly Rate of Pay: \$10/hr	Work Schedule(Example: M-F, 8 AM - 4 PM) Tu/Thu 11:30 - 5:00, Fri 7:30 -11:30

PAEDC Contact Information

PAEDC Contact Name	PAEDC Contact Phone (409) 963-0579
PAEDC Contact Email	PAEDC Purchase Order Number

By signing the agreement each party agrees to abide by the following rules and responsibilities.

Employee

- Will immediately notify the site employer if he/she has any medical emergency or illness.
- Will abide by workplace rules as specified in this agreement and any additional workplace rules as identified by the site employer.
- Will arrive on time and be ready for work.
- Will participate in work activities limited to the start/end date specified and the schedule included on this form.If a schedule change is made, PAEDC requires notice of the schedule change.
- Report earnings to any agency from which he/she receives economic assistance.
- Understands that this is not a permanent position and can be terminated by any party at any time.
- Written notice will be provided to the Site Employer if the PAEDC wishes to terminate this agreement prior to the end date. A minimum of 5 days notice is strongly suggested.

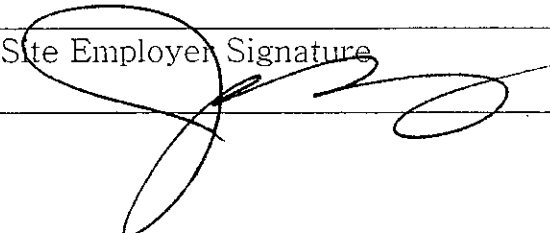
The Site Employer

- Will complete this agreement and provide related forms and documents to the employee.
- Will provide a written position description (if available) and is responsible for providing a training opportunity to the employee in a manner consistent with all employees.

- Will monitor the work site and insure workplace rules are followed.
- Will provide services and a monthly report to PAEDC meeting the technical specifications.
- Will notify PAEDC immediately of changes to the schedule, agreement, or worksite circumstances.
- Will verify wages are prevailing and commensurate wages/ benefits paid by the employer to other individuals performing the same or similar work.
- Will verify work hours on a weekly basis to PAEDC.
- Will provide work activity limited to the start/ end date specified and the schedule included on this form corresponding to the total hours authorized. If a schedule change is made, PAEDC requires notice of the schedule change.
- Internship/ Temporary Work arrangements cannot be used to replace current employees and cannot result in others having reduced hours.
- Understands that this is not a permanent position and can be terminated by any party at any time.

PAEDC Representative

- Will authorize Temporary Work Service, process referral.
- Will process agreement, documentation, authorize fees and wages for Employer of Record service.
- Will monitor worksite and respond to requests for changes as needed in agreement, schedule, wages or circumstances.

PAEDC Representative Signature	Date Signed
Pre-Employment Employee Signature	Date Signed
Site Employer Signature 	Date Signed 3-17-14