

RESOLUTION NO. 15150

P. R. No. 18946

A RESOLUTION APPROVING A GRANT TO ANNIE MAE STEPHENSON FOR THE OPERATION OF A DINER, COST WILL BE ATTRIBUTED TO THE EXTERIOR RENOVATION AND ELECTRICAL IMPROVEMENTS TO THE PROPERTY LOCATED AT 520 HOUSTON AVENUE 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, Annie Mae Stephenson submitted an application for funding of exterior renovations and electrical work to a building located at 520 Houston Avenue in accordance with the application attached hereto as **Exhibit "A"** (the "Application") and made a part hereof for all purposes; and

WHEREAS, on April 6, 2015, the PAEDC Board of Directors considered and approved funding the Application of Annie Mae Stephenson in the amount of \$19,000.00 for the purpose of exterior renovations and electrical improvements to meet the City's code standard as outlined in the Application; and

WHEREAS, funds are available during fiscal year 2014-2015 from the funds allocated in the Ballot Proposition for improvements outlined in the Application.

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 allocate \$19,000.00 of funds from the Ballot Proposition for fiscal year 2014-2015 to fund the exterior renovations and electrical improvements as set forth in the Application submitted by Annie Mae Stephenson for the property located at 520 Houston Avenue, Port Arthur, Texas.

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

READ, ADOPTED AND APPROVED on this 14th day of April A.D., 2015, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Prince; Mayor Bob Lem Freeman,

Councilmembers Scott, Hamilton, Moseley
Lewis & Williamson.

NOES: None.

Deloris Prince
Deloris "Bobbie" Prince, Mayor

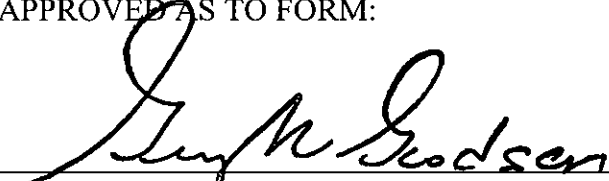
ATTEST:


Sherri Bellard, City Secretary

APPROVED:


Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:


Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

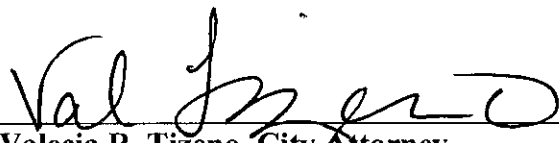

Valecia R. Tizeno, City Attorney

EXHIBIT “A”

OPERATION DOWNTOWN
Site Improvement Grant Program
Application

APPLICANT INFORMATION

Is the applicant a: Corporation Partnership Proprietorship Individual

Name of Applicant: d/b/a

1848 5 Street Port Arthur Texas 77640.

Mailing Address:

Contact Name: Annie Mae Stephens Title: Owner

Telephone: Work Home 983-3486 Email: -

Type of Business: Small Take-Out Rest

PROPERTY INFORMATION

The Port Arthur Downtown Revitalization Target Area:

Street address of property to be improved: 520 Houston Ave

Legal Description: Lot Block Tax Account No 053400-000-128100-00000

Does the applicant own or lease the property. Own property

If leasing, please include copy of lease agreement and letter of approval from owner.

Is the property currently: occupied _____ vacant _____ if vacant, when will property be occupied (date) _____

What is the current and proposed use of the property?

How many **full time** employees, if any, does the business currently employ? N/A

Do you anticipate hiring additional employees after the proposed improvements are complete? Yes ✓ No _____

If so, how many more? 5-10

PROJECT INFORMATION

Description of Site Improvements and related improvements including improvements to facade:

See Attach proposal.

Estimated total cost of project: \$ 47,800 (Attach Project Budget form)

Grant funds are available up to **\$250,000** per eligible property.

When does the project need to begin? 5-1-15 Estimated time to complete
(Date)

job? _____

(# of days)

NOTE: Work must not start prior to contract execution.

Attach:

1. Recent photos of the property **(required)**
2. Budget and supporting estimates broken out between Building Code Cost and Exterior Cost **(required)**
3. Copy of lease and/or letter from property owner granting approval or copy of warranty deed (if applicable)
4. Proof of funds for 50% of the total cost of the project **(required)**
5. Drawings or renderings that convey concept (if available)

I certify that work has not started nor have I entered into any contract with any contractor for work to be covered under this grant application. I also understand that I will have to sign an agreement with the City of Port Arthur Economic Development Corporation to be approved by the City of Port Arthur regarding this grant award; a maintenance covenant will be filed to insure that the improvements will be maintained.

Applicant signature Annie Mae Stephenson Date 4-1-15

Applicant printed name Annie Mae Stephenson

How did you hear about the Operation Downtown Project?

Word of Mouth.

ESTIMATED PROJECT COST

① **Exterior Project Description & Cost:**

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL EXTERIOR COST

\$ _____

Building Code Project Description & Cost:

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL BUILDING CODE COST

\$ _____

TOTAL PROJECT COST

\$ _____

Exterior Project Percent (Total Exterior Cost / Total Project Cost) _____ %

Building Code Project Percent (Total Bldg. Code Cost / Total Project Cost) _____ %

PAEDC Estimated Award (50% of Total Project not to exceed \$250K) \$ _____

Exterior Reimbursement (PAEDC Award x Exterior Project Percent) \$ _____

Building Code Reimbursement (PAEDC Award x Bldg. Code Project Percent) \$ _____

Grant/Conditional Loan Award Example

Exterior Project Description & Cost:

Landscaping	\$ 20,000
Façade Repair	\$ 35,000
Roof Repair	\$ 25,000
Windows	\$ 7,000
Signage	\$ 3,000
Security Cameras	\$ 9,000

TOTAL EXTERIOR COST **\$99,000**

Building Code Cost:

Electrical	\$ 9,000
Plumbing	\$ 12,000
Mechanical	\$350,000
Gas	\$ 10,000
Fire	\$ 15,000
Other	\$ 5,000

TOTAL BUILDING CODE COST **\$426,000**
TOTAL PROJECT COST **\$525,000**

Exterior Project Percent (Total Exterior Cost /Total Project Cost) **19%**

Building Code Project Percent (Total Bldg. Code Cost /Total Project Cost) **81%**

PAEDC Award (50% of Total Project not to exceed \$250K) **\$250,000**

Exterior Reimbursement (PAEDC Award x Exterior Project Percent) **\$ 47,500**

Building Code Reimbursement (PAEDC Award x Bldg. Code Project Percent) **\$202,500**

NOTE: This project total cost is over \$500,001; therefore, the PAEDC Board and City Council can approve awarding this applicant what they deem is necessary and/or appropriate.

Certificate of Ownership

The Faculty and Board of Directors of Graceland Rentals, LLC
Certify to all that

ANNIE MAE STEPHENSON

Has met all requirements to assume complete ownership of the property listed below
without any liens or encumbrances as of 12/31/14
DATE

Building Type: SIDE POSTED CABIN

Serial: 5-SPC-22385-1640-073010



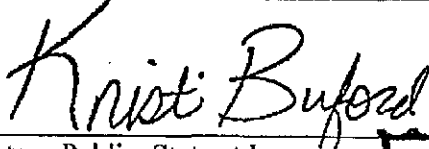
SIGNATURE (Authorized Releasing Agent)

R.D. HAYES
PRINT NAME

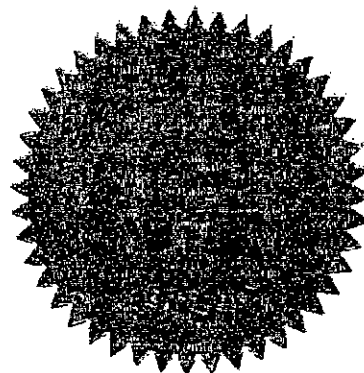
1/8/15
DATE

Duly sworn before me this 8 day of JANUARY, 20 15.

My commission expires October 07, 2015.



Notary Public, State at Large
Commonwealth of Kentucky



Account Number 615693

Proposal

Page # _____ of _____ pages

McZeal Construction
2280 Bayou
Port Arthur, TX 77640
(409) 963-8781

Proposal Submitted To: <u>ANNIE Mae STEVENSON</u>		Job Name	Job #
Address: <u>520 Houston Avenue</u>		Job Location	
<u>Port Arthur TX 77640</u>		Date	Date of Plans
Phone # <u>409-543-4645</u>	Fax #	Architect	

We hereby submit specifications and estimates for:

EXTERIOR Project Description & Cost	
Concrete Parking Lot 2,500 sq ft	\$ 12,500.00
Striping & Handicap Signs	\$ 3,000.00
landscape	\$ 1,500.00
INTERIOR Building	
Electrical	\$ 2,000.00
Plumbing Commercial Kitchen grease trap	\$ 6,500.00
Mechanical A/C	\$ 1,500.00
Sheet Rock Tape, Float, Texture	\$ 4,000.00
Kitchen Cabinets	\$ 5,000.00
Flooring	\$ 2,800.00
Appliances	\$ 7,500.00
Bathrooms	\$ 1,500.00
TOTAL	\$ 47,800.00

We propose hereby to furnish material and labor – complete in accordance with the above specifications for the sum of:

\$ Forty Seven Thousand Eight Hundred & 00/100 Dollars

with payments to be made as follows: 1/3 with final payment after walk thru

Any alteration or deviation from above specifications involving extra costs will be exacted only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted McZeal Construction / B. J. K. McZeal

Note – this proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Annie Mae Stephenson

1848 5th St.

Port Arthur ,Tx 77642

409 983 3488 home

409 724 5000 work

HiParkCentral@hotmail.com



Port Arthur Economic Development Corporation , CEO Floyd Batiste

Greetings:

I would like to cordially introduce myself, my name is Annie Mae Stephenson. I was born on West 15th St. by a midwife on 26 August 1960. I graduated from Thomas Jefferson High School in 1978 with honors at the top of my class. I later moved to Houston,Tx and married my late husband Dennis Stephenson of Houston,Tx.

I worked for the U.S. Space Center in Houston ,Tx for 8 year's. I also attended Houston Community College where I received a certificate of completion. I was also lucky enough to attend the Culinary Institute of Greystone and as a result , I am the executive chef for the Holiday Inn Park Central in Port Arthur @ 2929 Jimmy Johnson Blvd. for 6 years where I am currently employed.

I assume it is obvious that my passion is cooking. I have cooking and serving the public for more than 25 years; therefore, I decided to give back to the community and open a small diner on the Westside of Port Arthur where I was Born and raised.

My business location is 520 Houston Avenue , Port Arthur,Tx 77642.

I would like to thank you for taking the time to review my profile. I can only hope that you will find it in your heart to help me to become prosperous in my future endeavors.

Kind Regards,

Annie Mae Stephenson

OPERATION DOWNTOWN

A Downtown Improvement Program of the City of Port Arthur Economic Development Corporation for Site Improvements and Related Improvements necessary to promote or develop new or expanded business enterprises

A key element of a revitalization effort is the return of activity to a business corridor. These first few steps can be the spark to ignite interest and spur new business excitement. Operation Downtown provides a catalyst for these first steps. New site improvements and related improvements such as fresh paint, new awnings or complete façade rehabilitation all signal that something positive is happening. Operation Downtown is a conditional grant/loan program available for site improvements and related improvements to business buildings located in Port Arthur Downtown Revitalization target areas (see attached map for target area boundaries). Projects will be granted up to \$250,000 to be matched by private or other source funds. For every dollar of investment by private source funds into an Operation Downtown project Port Arthur Economic Development Corporation (PAEDC) will invest fifty cents, not to exceed \$250,000 of public dollar investment.

The purpose of Operation Downtown is to promote or develop new or expanded business enterprises in the designated downtown area as per the proposition approved by the voters in the May 2009 Special Election for site improvements and related improvements necessary to promote or develop new or expanded business enterprises which will also do the following:

- Reverse the deterioration of business structures in the targeted areas.
- Enhance efforts to market vacant space and attract new businesses.
- Stimulate new, private investment and economic growth.
- Promote consistency in design and create a fresh and aesthetically pleasing environment.
- Assist property owners with the appropriate exterior rehabilitation of their buildings and bring them up to code.
- Reduce the perception of crime.
- Invest in historic preservation and rehabilitation.

This package contains other documents detailing the application process and information to assist you in completing the application. The package includes:

- This cover letter
- Basic Procedures and list of eligible projects
- Blank Application
- Map

For more information, contact:
Port Arthur Downtown Revitalization Program
4173 39th Street
Port Arthur, TX 77642
409-963-0579

ELIGIBLE PROJECTS

Project Description

PAEDC may provide a conditional grant/loan forgivable over five (5) years to owners of public facilities or other eligible properties to undertake Eligible Improvements as herein after described on the property of the applicant or on adjacent public property and/or right-of-way and related improvements which can include bringing building up to code and exterior repairs or renovations and infrastructure improvements including sidewalk repairs and landscaping in and adjacent to the public right-of-way. The conditional grant/loan will be forgiven over a five (5) year period at a rate of 20% for each year that the property is occupied as approved by PAEDC. The conditional grant/ loan assistance shall be provided to the property owners on a reimbursement basis as projects progress or may be paid upon completion of renovations. All conditional grants/loans shall be secured by private sector matching investment of fifty percent (50%) from the property owner or a financial institution. Conditional grants/loans may be secured, as required by PAEDC, by a mortgage on the property to be improved or other approved collateral.

Grant/Conditional Loan Award

Grant or conditional loans are awarded based on total project cost. PAEDC will award projects fifty percent (50%) of the total cost of the project not to exceed \$250,000 for total projects equal to or below \$500,000. Projects with a total project cost equal to or above \$500,001 can be subject to changes in the reimbursement rate and/or award amount as approved by the PAEDC Board and City Council. In addition, the award amount will be reimbursed for bringing a building up to code and exterior eligible improvements based upon percentages of the total project cost (see attached example).

Eligible Properties

Applications may be submitted for public facilities or business properties, either by the owner or tenant within the Port Arthur Downtown Revitalization target areas. Owners of vacant buildings are encouraged to apply and improve property as a catalyst for future occupancy. Mixed use buildings with retail/commercial in the storefront are also encouraged.

Non Eligible Properties

Properties used primarily as residences are not eligible for Operation Downtown.

Eligible Applicants

Public entities or private property owners of commercial properties in eligible areas may apply for assistance. Tenants may apply for assistance if they provide an executed lease of terms of not less than five (5) years beyond the date of the requested completion of improvements joined in the application by the property owner. The City of Port Arthur and the PAEDC Board of Directors may each make a request for a grant for a new or existing project without the requirement for matching funds during the 4th quarter of each year of the Operation Downtown project if funds are available and with applications from private property owners or tenants having priority for such funds. Any approved project by public or private applicants must be completed within twelve (12) months from the effective date of the conditional grant/loan subject to the option of PAEDC to extend the completion period.

Exceptions

The Port Arthur City Council and the PAEDC Board of Directors are each allowed to submit grant applications as specified herein without matching funds within the three year period of the Program dependent on availability of funds. And projects with a total project cost equal to or above \$500,001 can be subject to changes in the reimbursement rate and/or award amount as approved by the PAEDC Board and City Council.

Eligible Improvements

Operation Downtown will fund site improvement and related improvement projects. All improvements must be permanent or fixed. Eligible exterior improvements may include, but are not limited to:

- complete facade and site rehabilitation;
- replacement of broken window panes, aluminum or wood windows and broken store front glass;
- scraping, priming, and painting of window frames, cornice and store front;
- painting of brick facade and sites where brick has been previously painted;
- repair or replace deteriorating signage and brackets when attached to the building;
- repair or replace missing or broken tile;
- repair or replace worn awnings or canopies;
- removal of metal slipcovers to expose original materials;
- certain types of security elements or security recommendations;
- rehabilitation of the upper facade and site and display areas or side walls of a building may also be eligible if street level improvements are approved;
- roof repair when incidental to overall facade and site improvements;
- Restore old historical facades;
- Streetscape including removal and/or relocation of utilities, landscaping, sidewalk improvements; and
- Other site improvements as authorized by the proposition approved by the voters in the May 2009 Special Election

Other minor repairs when incidental to overall façade improvements such as:

- ✓ exterior lighting;
- ✓ certain types of security elements or security recommendations;
- ✓ roof repair;
- ✓ repair of sidewalk, ADA accessibility;
- ✓ detached signage;
- ✓ new construction;
- ✓ parking lots;
- ✓ landscaping;
- ✓ other improvements as approved by the EDC

In addition, professional, architectural, and City permit fees may be included in the total improvement costs.

Eligible improvements to bring a building up to code may include, but are not limited to:

- Electrical
- Plumbing
- Gas
- Fire
- Mechanical (Heating, Ventilation & Refrigeration)
- Others improvements as approved by the EDC

Ineligible Improvements

The following improvements are not eligible for funding:

- burglar bars; and
- fencing.

BASIC PROCEDURE

Step 1 - Applicant Eligibility

- Public entities or property owners are eligible to apply for Operation Downtown funds if the business is 1) located within a Port Arthur Downtown Revitalization target area; and 2) utilized primarily for business purpose (this does NOT include residences or apartments) or for public facilities.
- For information for Port Arthur Downtown Revitalization target area boundaries see map included herein or contact the Operation Downtown Coordinator or Port Arthur Downtown Revitalization Coordinator or the EDC CEO.
- If needed, a meeting with the applicant, their contractor and Port Arthur Downtown Revitalization staff can be arranged to discuss the application process.

Step 2 – Complete The Application

- The application (enclosed herein) is to be completed by the applicant (business owner, property owner or tenant). A completed application must contain information for all three parts: applicant information, property information and project information. Incomplete applications may result in delays in processing.
- A completed application should be submitted to:
 Port Arthur Downtown Revitalization Program
 Port Arthur Economic Development Corporation
 ATTN: Floyd Batiste, CEO
 4173 39th Street, Port Arthur, TX 77642
- Once an application is received, the Operation Downtown Coordinator will confirm eligibility of the site and the proposed scope of work, notify the applicant that the application has been received and is under review, and arrange a Project Review meeting.
- Projects that are eligible for funding will be considered on a first come, first serve basis. There is no deadline; applications are accepted year round. However, projects may be limited due to budget constraints and funding availability. Any approved project by public or private applicants must be completed within twelve (12) months from the effective date of a grant and/or conditional loan subject to the option of PAEDC to extend the completion period.

Step 3 - Project Review & Contract Execution

- The Operation Downtown Committee will conduct a Project Review meeting with the applicant to review the application. A site visit may also be helpful but is not required.
- The Operation Downtown Committee will discuss the merits of the project and form a **recommendation** to either fund the project, require the applicant to make changes and re-submit or not fund the project.
- The Operation Downtown Committee's recommendation is presented to the PAEDC Board of Directors.
- If the recommendation is accepted by the EDC Board of Directors, the recommendation will be presented to the applicant to accept or withdraw.
- If approved, a Conditional Grant/Loan Agreement (the "Agreement") will be prepared by the EDC Attorney and/or by the City Attorney and then forwarded to the applicant, EDC Board of Directors and to the City Council for approval
- The applicant and the EDC will sign the Agreement. A fully executed Agreement will be returned to the applicant. **Start of the construction prior to the date of contract signing will void the grant.**

Step 4 – Construction

- Applicant shall construct the Eligible Improvements in accordance with the scope of work outlined in the Agreement and cannot undertake change orders or changes in the scope of work without the prior written consent of EDC as to any EDC funded Eligible Improvements.
- A Pre-Construction Meeting will be held to go over construction scope of work, change orders, as well as other procedures. This meeting will usually be held on

- site, prior to construction but after the contract is signed. It is helpful if the applicants as well as contractors are present.
- If the Eligible Improvements require a building permit or any approvals from state agencies including but not limited to the Texas Historic Design and Review Commission, the applicant must comply with any such local or state regulations. The EDC and/or staff of the City may monitor the progress of the construction and make periodic inspections during normal business operations. Neither EDC or City staff will direct or control the performance of any work done under the Agreement, but shall report any discrepancies in performances to respectively the EDC and/or City.
 - A Subcommittee from Board or City staff may monitor the progress and make periodic inspections during the project.
 - Applicant shall ensure that its general contractor and any subcontractor comply with all requirements of state or federal law including ensuring that undocumented workers are not performing services in the project funded by EDC. Applicant and/or its general contractor shall provide certified payrolls to EDC during the progress if the project providing identification information on workers sufficient to identify its workers including digits of their social security numbers.
 - Upon completion of the project, applicant shall be required to provide to EDC a certificate of substantial completion executed by the applicant and/or the general contractor constructing the Eligible Improvements in the project. Additionally, the applicant shall be required to execute along with the contractor and any subcontractors on the project a waiver of liens and claims prior to the release of any retainage by EDC.

Step 5 – Reimbursement

- Funds will be provided on a reimbursement basis or upon final completion of a project.
- Reimbursement will be processed no less often than monthly at a rate of 90% of work completed with a 10% retainage until project completion; however, upon the request of applicant, applicant may request funding upon receipt of the certificates and waivers set forth in the preceding section and receive full funding at the end of the project rather than requesting payment requests monthly.
- Applicant will contact the PAEDC or City staff to conduct a final inspection. If all parties are satisfied with the work, the PAEDC and applicant will sign off on completion of the improvement.
- The applicant will submit copies of invoices and canceled checks upon asking for final reimbursement of applicable costs.
- When **all** work and documentation is received, the PAEDC staff will request payment. A final check will be sent to the applicant.

10/10/1964



The boundaries of the Downtown Revitalization Target area are the Intracoastal Canal to the south, Martin Luther King, Jr. to the west, 7th Street to the north and Lake Charles Avenue to the East. Properties on both sides of the right-of-way of the boundary roads will be considered for Operation Downtown funding.