

ORDINANCE NO. 06-54

**AN ORDINANCE PERTAINING TO THE  
DEVELOPER PARTICIPATION CONTRACT  
BETWEEN THE CITY OF PORT ARTHUR AND  
PORT ARTHUR CAMELLIA ESTATE, L.P.**

**WHEREAS**, pursuant to Ordinance No. 06-04, the City entered into a Developer Participation Contract with Port Arthur Camellia Estate, L.P.; and,

**WHEREAS**, the agreement provided for the commencement of this project as to the construction of improvements by July 1, 2006; and,

**WHEREAS**, the agreement provided for the completion of the improvements by December 1, 2006; and,

**WHEREAS**, the City Manager is limited to granting delays of up to thirty (30) days; and,

**WHEREAS**, the City Manager has already authorized a delay in the commencement of the project as to the construction of improvements until July 15, 2006, attached hereto as Exhibit "A"; and,

**WHEREAS**, there is a need to grant a longer delay as to the commencement date as to the construction of the improvements.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF PORT ARTHUR, TEXAS:**

Section 1. That the facts in the preamble are true and correct.

Section 2. That the City Council approves a delay in the commencement of this project as to construction of improvements until September 1, 2006.

Section 3. That Port Arthur Camellia Estates, L.P. shall sign this Ordinance agreeing to the new commencement deadline.

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

READ, ADOPTED and APPROVED this the 18<sup>th</sup> day of July A.D., 2006, at a Regular Council Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES: Mayor Ortiz; Mayor Pro Tem Prince; Councilmembers Lewis, Henderson,  
Williamson and Sinegal,  
NOES: None

ATTEST:

Evangelina Green  
CITY SECRETARY

Rosario B. Ortiz  
MAYOR


APPROVED AS TO FORM:

Mark Sobole  
CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

  
STEVE FITZGIBBONS, CITY MANAGER

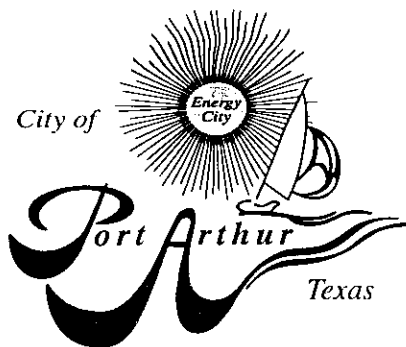
AGREED TO:

BY:  (project Director)  
PORT ARTHUR CAMELLIA ESTATES, L.P.

# **EXHIBIT "A"**

OSCAR G. ORTIZ, MAYOR  
*DELORIS PRINCE, MAYOR PRO-TEM*

COUNCIL MEMBERS:  
WILLIE LEWIS JR.  
FELIX A. BARKER  
THOMAS J. HENDERSON  
MARTIN FLOOD  
JOHN BEARD, JR.  
ROBERT E. WILLIAMSON  
MICHAEL "SHANE" SINEGAL



STEPHEN FITZGIBBONS  
CITY MANAGER  
EVANGELINE "VAN" GREEN  
CITY SECRETARY  
MARK T. SOKOLOW  
CITY ATTORNEY

June 26, 2006

Texas First National Bank  
9315 Bellaire  
Houston, Texas 77036

Gentlemen:

Re: Developer Participation Contract - Camellia Estate

Pursuant to Ordinance No. 06-04, the City entered into a developer participation contract with Port Arthur Camellia Estate, L.P. The engineers, Arceneaux & Gates, have indicated that the design plans have been filed and that they are coordinating the review of the plans with City Staff. Mr. Nguyen has indicated that they are in the process of contracting with Excavators & Constructors to do the construction. The construction needs to be completed by December 1, 2006. Pursuant to the City's agreement with Port Arthur Camellia Estate, L.P., I have the authority to approve delays up to thirty days. Based on the progress of this matter, I am approving a delay in the commencement of this project as to the construction of the improvements from July 1, 2006 to July 15, 2006.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Fitzgibbons".

Steve Fitzgibbons  
City Manager

MTS:gt

cc: Mark Sokolow, City Attorney