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P. R. No. 13036

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ECONOMIC DEVELOPMENT CORP.  
BY: *[Signature]*RESOLUTION NO. 05-068

**A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ARTHUR TO EXECUTE A CERTIFICATE OF ACCEPTANCE FOR OWNERSHIP OPERATION, AND MAINTENANCE OF ALL STREET PAVEMENT AND INFRASTRUCTURE FOR JIMMY JOHNSON BOULEVARD AND PARK CENTRAL BOULEVARD (ALSO KNOWN AS MEDICAL CENTER BOULEVARD) EXCLUDING THE FIRST 600 FEET NORTH OF JIMMY JOHNSON BOULEVARD**

**WHEREAS,** the City of Port Arthur Economic Development Corporation Section 4A and the City of Port Arthur entered into an economic incentive agreement with IASIS, William & Rao and War Horse Development for the development of a Hospital and Medical Office Building; and

**WHEREAS,** the City of Port Arthur Economic Development Corporation Section 4A has contracted with LaGrone Services, Inc. (LSI), to construct public improvements along Park Central and Jimmy Johnson Boulevards as well as other public improvements to facilitate the IASIS Hospital and the Williams & Rao Medical Office Building; and

**WHEREAS,** with regard to Park Central (Medical Center) Boulevard, LSI has completed road construction (with the exception of the first 600 feet of Park Central Boulevard north of Jimmy Johnson Boulevard) and desires that the City of Port Arthur Economic Development Corporation Section 4A and the City of Port Arthur accept the portion of Park Central Boulevard from

Highway 365 to its south dead end, and which is adjacent to the IASIS facility; and

**WHEREAS**, with regard to Jimmy Johnson Boulevard, LSI has completed road construction on the portion of Jimmy Johnson Boulevard from Highway 69 to its west dead end and desires that the City of Port Arthur Economic Development Corporation Section 4A and the City of Port Arthur accept the portion of Park Central Boulevard from Highway 365 to its south dead end, and which is adjacent to the IASIS facility; and

**WHEREAS**, LSI has completed the installation of street lights on both streets; and,

**WHEREAS**, T. Craig Carney, P.E. has issued Certificates of Completion for improvements on Park Central Boulevard and Jimmy Johnson Boulevard detailed herein; and,

**WHEREAS**, d.p. Consulting Engineers has issued Certificates of Substantial Completion for the paving improvements on Park Central (Medical Center) Boulevard and Jimmy Johnson Boulevard; and,

**WHEREAS**, LSI has issued a Contractor's Certificate of Release and a Contractor's Certificate of Guarantee; and,

**WHEREAS**, the Director of Public Works has indicated that the roads are constructed so that they will be able to transport normal traffic, including construction traffic; and,

**WHEREAS**, it has been determined by the City Council that said improvements should be accepted; 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 Manager is hereby authorized to execute on behalf of the City of Port Arthur a Certificate of Acceptance for ownership, operation, and maintenance of the street pavement and infrastructure on a portion of Park Central Boulevard(Medical Center Boulevard) and Jimmy Johnson Boulevard as delineated in Exhibit "A".

**Section 3.** That unless the adjacent property owners request that the roads be opened sooner, Park Central Boulevard and Jimmy Johnson Boulevard will not be open to the public until the adjacent property owners request that the road be opened or until the Director of Public Works indicates that such streets are ready to be opened to the public.

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

**READ, ADOPTED AND APPROVED** on this 1<sup>st</sup> day of

March, A.D., 2005, at a Special Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES: Mayor Ortiz; Mayor Pro Tem Beard;  
Councilmembers Nannah, Baker, Henderson,  
Flood, Thompson, Prince & Sinegal.

NOES: None.

Oscar A. Ortiz  
OSCAR ORTIZ, MAYOR

ATTEST:

Evangeline Green  
EVANGELINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

Val Tizeno  
VAL TIZENO, ASSISTANT CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

Steve Fitzgibbons  
STEVE FITZGIBBONS, CITY MANAGER

John Comeaux  
JOHN COMEAUX, DIRECTOR OF PUBLIC WORKS