

RESOLUTION NO. 11-215

**A RESOLUTION GRANTING THE CITY OF PORT ARTHUR  
SECTION 4A ECONOMIC DEVELOPMENT CORPORATION  
RELIEF FROM SECTION 98-215, SUB-SECTION B OF THE  
CITY OF PORT ARTHUR CODE OF ORDINANCES  
PERTAINING TO THE REQUIREMENT FOR  
INSTALLATION OF UNDERGROUND UTILITIES**

**WHEREAS**, Section 98-215, Sub-Section B of the City of Port Arthur Code of Ordinances referring to the easements of subdivisions, states that all utilities and service lines shall be located underground except as follows:

- a. Electric utility lines may be located overhead in commercial developments where the majority of electric in the area is above ground. On-site service lines shall be located underground;
  - b. Cable and telephone may be located on poles where electric is above ground;
  - c. When possible, above ground electric lines shall be located at the rear of the property;
- and

**WHEREAS**, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") desires to install street lights along Jade Avenue south of the PAEDC Business Park (the "Park") located at 9555 West Port Arthur Road and as required by Chapter 98 "Subdivisions" of the Code of Ordinances; and

**WHEREAS**, the required street lights would be installed along the Jade Avenue Extension, which extends from Highway 365 to the utility road which borders the south side of the Park; and

**WHEREAS**, the street lights will be along a roadway outside the Park and the cost of installing underground utilities in this area is exceedingly high for the benefits received; and

WHEREAS, the PAEDC Board of Directors is requesting the Port Arthur City Council grant the PAEDC some relief from Section 98-215, Sub-Section B of the City of Port Arthur Code of Ordinances so that above ground electric lines can be installed for placement of the street lights along the Jade Ave Extension.

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 approves granting the PAEDC relief from Section 98-215, Sub-Section B of the City of Port Arthur Code of Ordinances so that above ground electric lines can be installed along the Jade Ave Extension.

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 9<sup>th</sup> day of May A.D., 2011, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following

vote: AYES: ✓

Mayor

Prince

Councilmembers

Scott, Degler, Beard,  
Williamson and Thomas.

NOES:

None.

Deloris Prince

Deloris "Bobbie" Prince, Mayor

ATTEST:

  
\_\_\_\_\_  
Sherri Bellard, Acting City Secretary

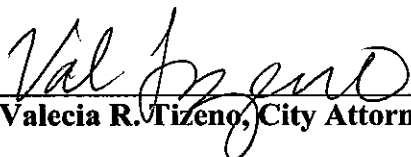
APPROVED:

  
\_\_\_\_\_  
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Valecia R. Tizeno, City Attorney