

RESOLUTION NO. 15-411

A RESOLUTION APPROVING THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION ENGAGING IN A \$1,000,000 CONDITIONAL GRANT/LOAN AND A \$1,000,000 LOAN AGREEMENT FOR THE PURPOSE OF STUDENT HOUSING IN CONJUNCTION WITH LAMAR STATE COLLEGE PORT ARTHUR PURSUANT TO H.B. 2473

WHEREAS, HB 2473 (501.163 of the Texas Local Government Code) is a legislative change to the Economic Development Act which allows the Port Arthur Economic Development Corporation to expend 4A funds to develop and construct student housing facilities on or adjacent to the public state college campuses; and

WHEREAS, Lamar State College intends to construct student housing facilities in an area which is located in the downtown reinvestment area; and

WHEREAS, the minutes of a joint meeting on March 20, 2014 between the City Council of the City of Port Arthur and the Directors of the Port Arthur Economic Development Corporation approved a motion to give its full support of a Grant/Loan in an amount not to exceed two million dollars for the purpose of student housing in conjunction with Lamar State College Port Arthur; and

WHEREAS, a copy of the minutes is attached hereto as Exhibit "A".

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 City Council of the City of Port Arthur supports the PAEDC in engaging in a conditional Grant/Loan to an authorized entity for the purpose of student housing

housing in an amount not to exceed two million dollars in conjunction with Lamar State College Port Arthur as delineated in HB 2473; and

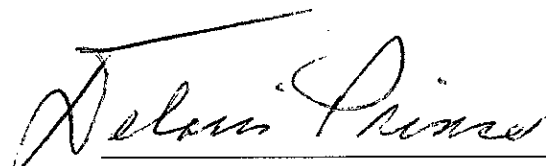
**Section 3.** That a copy of this Resolution shall be spread upon the Minutes of the City Council.

**READ, ADOPTED AND APPROVED** on this 17<sup>th</sup> day of November A.D., 2015, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

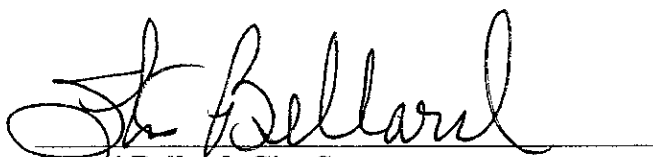
AYES:

Mayor Prince,  
Councilmembers Scott, Hamilton, Albright, Mosely,  
Leurs and Swati.

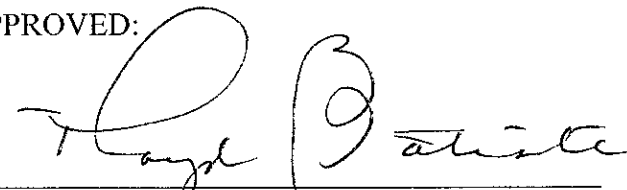
NOES: None.

  
Deloris "Bobbie" Prince, Mayor

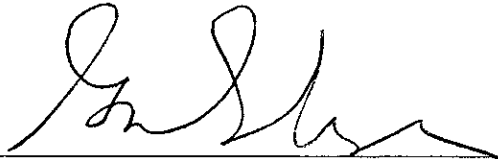
ATTEST:

  
Sherri Bellard, City Secretary

APPROVED:

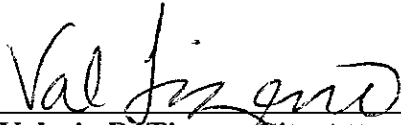
  
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



**Guy N. Goodson, PAEDC Attorney**

APPROVED AS TO FORM:



**Valecia R. Tizeno, City Attorney**

## Exhibit "A"

## **JOINT EDC SPECIAL MEETING – March 20, 2014**

### **I. INVOCATION, PLEDGE & ROLL CALL**

Reverend Ransom Howard gave the invocation followed with the pledge to the flag.

The City Council of the City of Port Arthur met in Special Session on Thursday, March 20, 2014 at 5:30 p.m. in the City Council Chamber, City Hall, with the following members present: Mayor Deloris "Bobbie" Prince; Councilmembers Raymond Scott, Jr., Elizabeth "Liz" Segler, Willie "Bae" Lewis, Jr. and Morris Albright, III.; Interim City Manager John A. Comeaux, P.E., City Secretary Sherri Bellard and City Attorney Valecia Tizeno.

Mayor Pro Tem Williamson was absent from the Special Meeting.  
Councilmembers Derrick Freeman and Kerry "Twin" Thomas were absent from the Special Meeting.

The following EDC Board members were present: Vice President Pat Holmes, Secretary Richard Wycoff, Ransom Howard, Aletha Kirkwood and Carol Womack; EDC Executive Director Floyd Batiste and EDC Attorney Guy Goodson.

EDC Board members Treasurer Christy DeRouen, Langston Adams and Shade Wise were absent from the Special Meeting.

### **II. DISCUSSION**

#### **(1) Discussion And Possible Action Regarding The Use Of Funds Pursuant To HB 2473 And Potential Agreement With Lamar State College, Port Arthur For Student Housing**

EDC Executive Director Floyd Batiste appeared before the City Council to answer inquiries regarding the above-mentioned student housing.

Lamar State College – Port Arthur President Dr. Sam Monroe appeared before the City Council to answer inquiries regarding the above-mentioned student housing.

EDC Attorney Guy Goodson appeared before the City Council to answer inquiries regarding the above-mentioned student housing.

#### **MOTION IN OPEN SESSION:**

**Motion To Approve The City Of Port Arthur To Give Its Full Support Of The Concept Of A Grant/Loan In An Amount Not To Exceed Two Million Dollars For The Purpose Of Student Housing In Conjunction With Lamar State College Port Arthur**

The motion was made by Councilmember Albright and seconded by Councilmember Scott that the above-mentioned motion be adopted.

The following roll call vote was taken on the above-mentioned motion:

<b>Councilmember Albright</b>	<b>"Yes"</b>
<b>Councilmember Lewis</b>	<b>"Yes"</b>
<b>Councilmember Scott</b>	<b>"Yes"</b>
<b>Councilmember Segler</b>	<b>"Yes"</b>
<b>Mayor Prince</b>	<b>"Yes"</b>

The above-mentioned motion was adopted.

H.B. No. 2473

## AN ACT

relating to use of sales and use tax proceeds by economic development corporations in connection with housing facilities for certain institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 501, Local Government Code, is amended by adding Section 501.163 to read as follows:

Sec. 501.163. USE OF TAX REVENUE FOR HOUSING FACILITIES FOR PUBLIC STATE COLLEGES. (a) In this section:

(1) "Housing facility" has the meaning assigned by Section 53.02, Education Code.

(2) "Public state college" has the meaning assigned by Section 61.003, Education Code.

(b) A corporation may spend tax revenue received under this subtitle for expenditures that are for the development or construction of housing facilities on or adjacent to the campus of a public state college.

(c) This section expires September 1, 2017.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2473 was passed by the House on May 4, 2013, by the following vote: Yeas 70, Nays 69, 3 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2473 on May 21, 2013, by the following vote: Yeas 112, Nays 34, 3 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2473 was passed by the Senate, with amendments, on May 17, 2013, by the following vote: Yeas 26, Nays 5.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor