

ORDINANCE NO. 14-25

**AN ORDINANCE AMENDING SECTION 7.04 OF THE CITY OF
PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT
CORPORATION'S BYLAWS (REQUESTED BY COUNCILMEMBER
MOSELY)**

WHEREAS, the City of Port Arthur Section 4A Economic Development Corporation ("PAEDC") was created per City Ordinance 96-08 as a public non-profit corporation and adopted its Bylaws; and

WHEREAS, §501.064, Local Government Code allows PAEDC to amend its Bylaws for the administration and regulation of the Corporation; and

WHEREAS, the PAEDC Board of Directors determined that limiting the number of terms a director may serve impedes the progress of the projects of the PAEDC; and

WHEREAS, the Office of the Attorney General and the Texas Economic Development Council both concur that directors may serve as many terms as the economic development corporation's bylaws provide as long as one term does not exceed six (6) years; and

WHEREAS, Section 7.03 of the Bylaws of PAEDC provides that the Directors shall be appointed by the respective Councilmember whose position corresponds to the position for which the appointment is made; and

WHEREAS, Section 7.04 states the term for Directors shall be for a term of three (3) years or until his or her successor is appointed to fill an unexpired term in which case the term of the Director shall expire on the expiration date of the term of the Director whose position he or she was appointed to fill. No director shall serve more than three (3) consecutive three (3) year terms as a Director; and

WHEREAS, Section 7.04 further states that any Director may be removed from office at any time, by majority vote of City Council; and

WHEREAS, at the PAEDC Board meeting on March 3, 2014 the Board of Directors voted to amend the last paragraph in Section 7.04 of the Bylaws to read as follows:

“Subsequent Directors shall be selected as provided for in Section 7.03, and each subsequent term for Director shall be for a term of three (3) years or until his or her successor is appointed to fill an unexpired term in which case the term of the Director shall expire on the expiration date of the term of the Director whose position he or she was appointed to fill. *Any Director may be removed from office at any time, by a majority vote of the City Council.*”

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 the amendment to Section 7.04 of the PAEDC Bylaws to read the term for Directors shall be for a term of three (3) years or until his or her successor is appointed to fill an unexpired term in which case the term of the Director shall expire on the expiration date of the term of the Director whose position he or she was appointed to fill and that the Directors are no longer limited to only serving three consecutive three year terms. *Any Director may be removed from office at any time, by a majority vote of the City Council.*

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 19th day of Aug A.D., 2014, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:
AYES:

Mayor: Prince

Councilmembers: Jostt, Hamilton, Mosely, Lewis
and Frank

NOES: Mayor Pro Tem Freeman; Councilmembers Albright
and Williamson.

Deloris Prince
Deloris "Bobbie" Prince, Mayor

ATTEST:

Sherri Bellard
Sherri Bellard, City Secretary

APPROVED:

Floyd Batiste
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:

Guy N. Goodson
Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

Valecia R. Tizeno
Valecia R. Tizeno, City Attorney