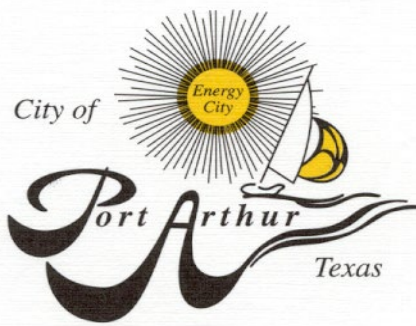


THURMAN BILL BARTIE, MAYOR  
TIFFANY HAMILTON, MAYOR PRO TEM

COUNCIL MEMBERS:  
WILLIE BAE LEWIS, JR.  
DONEANE BECKCOM  
HAROLD L. DOUCET, SR.  
THOMAS J. KINLAW, III  
DONALD FRANK, SR.



RON BURTON  
CITY MANAGER

SHERRI BELLARD, TRMC  
CITY SECRETARY

VAL TIZENO  
CITY ATTORNEY

# AGENDA

## City Council Regular Meeting

**Tuesday, September 26, 2023**

**5:30 P.M. CT**

**The City Council Of The City Of Port Arthur Will Conduct The Regular Meeting Scheduled For Tuesday, September 26, 2023 At 5:30 P.M. CT, By Telephonic And Videoconference In Addition To Allowing In Person Attendance. A Quorum Of The City Council Will Be Physically Present In The City Council Chamber, Fifth Floor, City Hall, 444 Fourth Street Port Arthur, Texas. The Public May Participate In The Meeting In Person Or By Dialing One Of The Following Toll-Free Numbers And Entering The Meeting ID: 824 3910 7281 And Passcode: 752873**

**(877) 853-5247 US Toll Free**

**(888) 788-0099 US Toll Free**

**In Compliance With The Americans With Disabilities Act, The City Of Port Arthur Will Provide For Reasonable Accommodations For Persons Attending City Council Meetings. To Better Serve You, Requests Should Be Received 24 Hours Prior To The Meeting. Please Contact The City Secretary's Office, At (409) 983-8115.**

**Website: <http://www.portarthurtx.gov>**

**City Council Regular Meeting  
City Hall Council Chamber  
City Of Port Arthur  
September 26, 2023  
5:30 PM**

***PLEASE TURN OFF OR MUTE ALL MOBILE DEVICES***

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

Mayor Bartie	_____
Mayor Pro Tem Hamilton	_____
Councilmember Lewis, Jr.	_____
Councilmember Beckcom	_____
Councilmember Doucet, Sr.	_____
Councilmember Kinlaw, III	_____
Councilmember Frank, Sr.	_____
City Manager Burton	_____
City Secretary Bellard, TRMC	_____
City Attorney Tizeno	_____
Police Chief Duriso Or Designee	_____

**II. PROCLAMATIONS**

Proclamations

**III. PETITIONS & COMMUNICATIONS**

A. Speakers

- (1) Van Shotwell, Jimmie Wheeler And Mark Sokolow Of Shine On Humanity Regarding The Progress Of The West Side Empowerment Zone

B. Presentations

- (1) A Presentation By Arceneaux Wilson & Cole LLC (AWC) Regarding A Status Update On The Master Drainage Plan (Requested By Councilmember Frank)

C. Employee Recognition

Alfred "Big Al" Gillen Retirement

**AGENDA  
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**III. PETITIONS & COMMUNICATIONS**

- D. Correspondence – None
- E. Discussions
  - (1) A Discussion Regarding Pleasure Island, Status Of Repairs To Piers, Other Ongoing And Future Projects, Potential To Restore The Golf Course, Public Use Of The Club Hours, Yacht Club, Etc. (Requested By Councilmember Beckcom)
  - (2) A Discussion Regarding An Update On The Progress Of Code Enforcement (Requested By Councilmember Beckcom)
  - (3) A Discussion Regarding The Transfer Of Neighborhood Stabilization Property (NSP) To A Nonprofit (Requested By Councilmember Lewis)
  - (4) A Discussion Regarding Solar Lighting On The Seawall (Requested By Councilmember Lewis)
  - (5) A Discussion Regarding The Parks And Recreation Master Plan (Requested By Councilmember Doucet)

**IV. PUBLIC HEARING – 6:00 P.M. – NONE**

**V. REPORTS / ITEMS OF COMMUNITY INTEREST  
(LIMITED TO A TOTAL OF TWO (2) MINUTES PER  
COUNCILMEMBER)**

Pursuant To 551.0415 Of The Texas Government Code, The Mayor And Council May Make Announcements Regarding Items Of Community Interest, Which Include The Following:

- (1) Expressions Of Thanks, Congratulations, Or Condolence;
- (2) Information Regarding Holiday Schedules;

**AGENDA  
SEPTEMBER 26, 2023**

**V. REPORTS / ITEMS OF COMMUNITY INTEREST  
(LIMITED TO A TOTAL OF TWO (2) MINUTES PER  
COUNCILMEMBER) – CONTINUED**

- (3) An Honorary Or Salutary Recognition Of A Public Official, Public Employee, Or Other Citizen, Except That A Discussion Regarding A Change In The Status Of A Person's Public Office Or Public Employment Is Not An Honorary Or Salutary Recognition For Purposes Of This Subdivision;
- (4) A Reminder About An Upcoming Event Organized Or Sponsored By The Governing Body;
- (5) Information Regarding A Social, Ceremonial, Or Community Event Organized Or Sponsored By An Entity Other Than The Governing Body That Was Attended Or Is Scheduled To Be Attended By A Member Of The Governing Body Or An Official Or Employee Of The Political Subdivision; And
- (6) Announcements Involving An Imminent Threat To The Public Health And Safety Of People In The Political Subdivision That Has Arisen After The Posting Of The Agenda

\*\*Possible Action **May Not** Be Discussed In Conjunction With The Information Provided In The Report

**VI. UNFINISHED BUSINESS**

- (1) P.R. No. 23273 – A Resolution Authorizing The City Manager To Negotiate A Contract Between The City Of Port Arthur And Biomethane Partners Of Irving, Texas For Engineering Services For The Study, Design, And Conversion Of Landfill Gas To Energy Project

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SEPTEMBER 26, 2023**

**VII. CONSENT AGENDA**

NOTICE TO THE PUBLIC: The Following Items Are Of A Routine Or Administrative Nature. The Council Has Been Furnished With Background And Support Material On Each Item, And/Or It Has Been Discussed At A Previous Meeting. All Items Will Be Acted Upon By One Vote Without Being Discussed Separately Unless Requested By A Council Member Or A Citizen, In Which Event The Item Or Items Will Immediately Be Withdrawn For Individual Consideration In Its Normal Sequence After The Items Not Requiring Separate Discussion Have Been Acted Upon.

A. Travel Expense Reports

- (A1) Councilmember Doneane Beckcom:  
Newly Elected Officials Orientation  
San Antonio, TX  
August 16-19, 2023 \$1,564.81

B. Minutes

May 23, 2023 Regular Meeting  
June 6, 2023 Regular Meeting

C. Resolutions

- (1) P.R. 23064 – A Resolution Calling For A Public Hearing To Consider A Proposed Abandonment For Approximately 1.988 Acres Of Land Consisting Of Dedicated Portions Of Street And Alley Rights-Of-Way, Located In The Downtown Area Of Port Arthur, Jefferson County, Texas  
A23-04 – Motiva Enterprises, LLC
- (2) P.R. 23167 – A Resolution Authorizing The City Manager To Enter Into A Contract With Impact Promotional Services LLC, Fort Worth, Texas, Under A BuyBoard Contract No. 670-22, For The Purchase Of Uniforms For The Fire Department, With A Projected Budgetary Impact Of \$50,000.00; Funding Will Be Available In FY23-24 Fire Department Uniforms Account No. 001-19-047-5251-00-30-000

**AGENDA  
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**VII. CONSENT AGENDA – CONTINUED**

- (3) P.R. 23192 – A Resolution Calling For A Public Hearing To Consider A Proposed Abandonment For An Approximately 1.026-Acre Portion Of The Dedicated And Improved Street Right-Of-Way, Port Arthur, Jefferson County, Texas

A23-05 – Motiva Enterprises, LLC

- (4) P.R. 23295 – A Resolution Awarding A Bid And Authorizing The City Manager To Execute A Contract With BDS Constructors, LLC DBA MK Constructors Of Vidor, Texas With A Projected Budgetary Impact Of \$1,382,509.00 For The Landfill Waterline Extension; Funding Is Available In Water Utilities Account No. 405-40-000-8516-00-00-000, Water System, Project No. WS0008

- (5) P.R. 23311 – A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement Between The City Of Port Arthur And Jefferson County Precinct 3 To Cut The Grass And Apply Herbicide Spray At The North And South Levee Roads On Pleasure Island In An Amount Not To Exceed \$26,809.36. Funding Is Available In The Other Contractual Account, Account Number 001-13-031-5470-00-10-000

- (6) P.R. 23312 – A Resolution Authorizing The City Manager To Accept Refunds For Lapsed Flood Insurance Policies For Various Locations On Pleasure Island From Wright National Flood Insurance

Fund Account No. 612-11-025-5410-00-00-000  
\$16,868.00 Liability Insurance Fund

- (7) P.R. 23313 – A Resolution Amending Resolution No. 23-288 As It Pertains To The Acceptance Of A Texas Municipal League Intergovernmental Risk Pool (TMLIRP) For Damages Sustained To Wastewater Treatment Lift Station Due To Flooding (2901 W Hwy 365)

**AGENDA  
SEPTEMBER 26, 2023**

**VII. CONSENT AGENDA – CONTINUED**

- (8) P.R. 23320 – A Resolution Authorizing The City Manager To Execute Two (2) Community Development Block Grant (CDBG) Interdepartmental Agreements With The Housing And Neighborhood Revitalization And Grants Management Divisions For Housing Assistance And Grant Administration Programs; And Further Authorizing The City Manager To Execute Seven (7) Sub-Recipient Agreements With Non-Profit Organizations For Public Service Activities That Benefit Low And Moderate-Income Residents For A Total Funding Allocation Of \$1,042,808.00 From The 2023 CDBG 2023 Program Year
- (9) P.R. 23323 – A Resolution Authorizing The City Manager To Enter Into A Contract With SCS Engineers Of Houston, Texas, To Plug, Abandon, And Relocate Gas Probe #6 At The Landfill For \$28,400.00. Funds Are Available In The Public Works Department Landfill Division – Professional Services Account, 403-50-320-5420-00-00-000
- (10) P.R. 23325 – A Resolution Authorizing The City Manager To Execute Change Order No. 4 To The Contract Between The City Of Port Arthur And Gulf Coast, A CRH Company Of Beaumont, Texas, For The Various Streets Roadway Improvement Project-District 2 & 3, For Additional Driveways And Stabilized Sand, Which Increases The Contract Amount By \$544,729.31 To The New Contract Amount Of \$8,974,541.93. Funding Is Available In The Capital Improvement Project Account 307-21-053-8517-00-10-000
- (11) P.R. 23330 – A Resolution Authorizing The City Manager To Execute Settlement Of A Physical Damage Claim In The Amount Of \$6,529.95 Made Against Texas Municipal League Intergovernmental Risk Pool (TMLIRP) As A Result Of Property Damage To Police Vehicle #2478
- (12) P.R. 23331 – A Resolution Authorizing The City Manager To Execute Settlement Of A Physical Damage Claim In The Amount Of \$6,621.51 Made Against Amerisure Mutual Insurance Company As A Result Of Property Damage To Public Works Unit #2393

**AGENDA  
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**VII. CONSENT AGENDA – CONTINUED**

- (13) P.R. 23333 – A Resolution Authorizing The City Manager To Enter Into A Professional Services Contract With RWL Group For Risk Management Consulting Services At The Not To Exceed Cost Of \$15,000.00 For The 2023-2024 Fiscal Year. Fund Number: 612-11-025-5410-00-00-000
- (14) P.R. 23334 – A Resolution Ratifying Change Order No. 1 To The Contract With Rise Up Refuse, LLC., (Group D). Removing 2249 19th Street, Decreasing The Contract Amount By \$3,000.00 To A New Total Of \$25,825.00; Account No. 001-13-035-5470-00-10-000 (General Fund-Other Contractual Service)
- (15) P.R. 23339 – A Resolution Setting Public Hearing Dates As It Pertains To The Proposed Disannexation Of 17.97 Acre Tract Of Land Located Along Viterbo Road And West Port Arthur Road Within The Corporate Limits Of Port Arthur, Texas And To Provide Notice Of Said Public Hearings To Property Owners, Agencies, Utilities, Railroads Pursuant To Section 43.062 Of The Texas Local Government Code
- (16) P.R. 23340 – A Resolution Authorizing The City Manager To Execute Change Order No. 3 Between The City Of Port Arthur And Allco, LLC, Of Beaumont, Texas, For The Addition Of 27th Street From Memorial Boulevard To 4th Avenue On The 2022-2023 Street Rehabilitation Project-District 1 For The Amount Of \$351,580.00 Increasing The Contract Amount Of \$4,932,221.30 To The New Contract Amount Of \$5,283,801.30. Funds Are Available In The Street Capital Fund Account No. 307-21-053-8517-00-10-000
- (17) P.R. 23342 – A Resolution Ratifying Emergency Repairs To Screw Pumps A & B And Installation Of A Standby Pump At The Main Wastewater Treatment Plant By Allco, LLC Of Beaumont, Texas, In The Total Not To Exceed Amount Of \$51,475.04; Funding Is Available In Water Utilities Account No. 410-40-225-5318-00-00-000, Equipment Maintenance



**AGENDA  
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**VII. CONSENT AGENDA – CONTINUED**

- (18) P.R. 23343 – A Resolution Authorizing The City Manager To Execute Mowing Contracts With Amelia Lawn Care And Landscaping Of Groves, Texas (Groups A, B, C, D, & E) And BST Solutions, LLC Of Port Arthur, Texas (Groups F, G, & H) For Ground Maintenance Of City Properties At The Water Utilities Department Facilities, With An Annual Projected Budgetary Impact Of \$263,610.20 For The Fiscal Year; Funding Is Available In Account No. 410-40-230-5470-00-00-000, Other Contractual Services
- (19) P.R. 23344 – A Resolution Approving Payment With A Projected Budgetary Amount Of \$62,000.00 For The Texas Commission On Environmental Quality (TCEQ) Annual Water System Permit Fee For The City Of Port Arthur, Water Utilities Department, Water Purification Division Account No. 410-40-210-5471-00-00-000, Regulatory Services
- (20) P.R. 23345 – A Resolution Approving Payment With A Projected Budgetary Amount Of \$101,000.00 For The Three (3) Texas Commission On Environmental Quality (TCEQ) Annual Wastewater System Permit Fees For The City Of Port Arthur Water Utilities Department Account No. 410-40-225-5471-00-00-000, Regulatory Fees
- (21) P.R. 23346 – A Resolution Authorizing The Second Year (First Renewal) To The Contract Between The City Of Port Arthur And W And W Construction Of Port Arthur, Texas For Utility Cut Repairs At Various Locations Throughout The City With A Projected Impact Of \$150,000.00. Funding Available In Public Works Street Maintenance – City Streets, Account No. 001-21-053-5316-00-70-000 And Water Utilities Water Distribution -Streets, Account No.410-40-215-5316-00-00-000
- (22) P.R. 23347 – A Resolution Authorizing The First And Final Renewal Of The Contract Between The City Of Port Arthur And Greenscapes Six Of Baytown, Texas For Installation Of Sidewalks & Concrete Work With A Projected Budgetary Impact Of \$200,000.00. Funding Available In Public Works Street Maintenance – City Streets, Account No. 307-21-053-8517-00-10-000

**AGENDA  
SEPTEMBER 26, 2023**

**VII. CONSENT AGENDA – CONTINUED**

- (23) P.R. 23348 – A Resolution Authorizing The City Manager To Enter Into A Memorandum Of Understanding Between The City Of Port Arthur And The Texas Artists Museum Society For The Use Of The Texas Artists Museum Society (TAMS) Building As The City Of Port Arthur Covid-19 Vaccination Site From October 01, 2023 Through January 31, 2024 With A Cost Not To Exceed \$2,000.00; Funding Available In Account Number COV102 105-13-033-5470-00-40-000
  
- (24) P.R. 23350 – A Resolution Authorizing The City Manager To Execute Change Order No. 1 To The Contract With American Process Group, LLC. Of Tacoma, Washington For The Sludge Removal Service For The Water Purification Plant Reservoir Project, Increasing The Contract Amount By \$2,859.34 And Accept The Project Completion To Release The Retainage. The Final Contract Total Is \$1,048,274.34, Account No. 405-40-000-8516-00-00-000, Project No. WS-0018-CON
  
- (25) P.R. 23351 – A Resolution Authorizing The City Manager To Execute Contracts Between Its Third-Party Administrator (Administrative Services Only) For The City Of Port Arthur Group Medical, Dental Insurance, Basic Life, Basic Accidental Death And Dismemberment, And Excess Loss Indemnity With Blue Cross And Blue Shield Of Texas, Inc.

Fund No: 614-11-025-5411-00-00-00 (Health Insurance)

- (26) P.R. 23352 – A Resolution Authorizing The City Manager To Execute Contracts Between Its Third-Party Administrator (Blue Cross And Blue Shield Of Texas, Inc.) For The City Of Port Arthur's Blue Cross Medicare Advantage PPO And Prescription Drug Plan For Its Medicare Eligible Retirees And/Or Medicare Eligible Dependent(s), And Authorizing The City Manager To Execute All Documents

Fund No: 614-11-025-5127-00-00-00 (Health Insurance Fund)

**AGENDA  
SEPTEMBER 26, 2023**

**VII. CONSENT AGENDA – CONTINUED**

- (27) P.R. 23353 – A Resolution Ratifying Change Order No. 1 To The Contract With Lark Group, Inc., (Group A). Removing 408 Hall Street, Decreasing The Contract Amount By \$4,700.00 To A New Total Of \$23,900.00; Account No. 001-13-035-5470-00-10-000 (General Fund-Other Contractual Service)

**VIII. ITEMS REQUIRING INDIVIDUAL ACTION – NON-CONSENT**

A. Resolutions – Non-Consent

- (1) P.R. 23243 – A Resolution Appointing And/Or Reappointing A Member Or Members To The Port Arthur Police Chief Advisory Committee (Requested By Councilmembers Lewis, Beckcom And Doucet)

B. Ordinances – Non-Consent

- (1) P.O. No. 7164 – An Ordinance Authorizing The Sale Of City-Owned Vacant Tracts Of Land Located On The City’s Westside Near Denbo And Grannis Avenue To The Port Of Port Arthur Navigation District In Accordance With Chapter 272 Of The Local Government Code And Execution Of A Special Warranty Deed
- (2) P.O. No. 7178 – An Ordinance Authorizing The Sale Of Surplus Vehicles, Heavy Equipment And Minor Equipment By A Public Online Auction Through Rene Bates Auctioneers, Inc.
- (3) P.O. No. 7180 – An Appropriation Ordinance Amending The City Of Port Arthur Budget For The Fiscal Year Beginning October 1, 2022 And Ending September 30, 2023, By Increasing The Human Resources Department Budget By \$50,000.00, Increasing The Civic Center Budget By \$110,000.00, Increasing The Fire Department Budget By \$800,000.00, Increasing Transfers Funding By \$75,000.00, Increasing The Hospitalization Fund By \$255,000.00, Increasing The General Liability Fund By \$750,000.00, And Increasing The Transit Fund Budget By \$75,000.00

**AGENDA  
SEPTEMBER 26, 2023**

**IX. ADJOURNMENT OF MEETING**

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NOTE: If The Meeting Extends Past 11:59 PM, The City Council May Elect To Recess The Meeting And Reconvene At 9:30 AM On September 27, 2023. During The Recess, No Action Will Be Taken On Any Item Of Remaining Business And No Executive Sessions Will Be Held To Discuss Any Matters, All In Accordance With The Open Meetings Law

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## **RULES OF DECORUM – PERSONS ADDRESSING COUNCIL & AUDIENCE MEMBERS**

1. *Recognition by Presiding Officer.* No person shall address the Council without first being recognized by the Presiding Officer.
2. *Speaking Procedure; Limitation on discussion and questioning.* Each person addressing the Council shall step up to the microphone provided for the use of the public and give his name and address in an audible tone of voice for the records, state that subject he wishes to discuss, state whom he is representing if he represents an organization or other person, and unless further time is granted by majority vote of the Council, shall limit his remarks to five (5) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, whether directly or through a member of the Council, without the permission of the Presiding Officer.
3. *Improper References, Disorderly Conduct By Person Addressing The Council;* Any person making, expressly or impliedly, personal, impertinent, slanderous, derogatory, discourteous, snide, or profane remarks or who willfully utters loud, threatening or abusive language, or engages, in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct, the order by the Presiding Officer, and if such conduct continues, may, at the discretion of the Presiding Officer, be ordered barred from further audience before the Council during that Meeting.
4. *Addresses After Motion Made or Public Hearing Closed.* After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by majority vote of the City Council.
5. *Campaign Speeches Prohibited.* No persons will be allowed to address the City Council by making campaign speeches for or against any candidate who has announced or does announce his intention to run, or issue already ordered on a ballot for election.
6. *Disorderly Conduct.* No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting.
7. *Limitations on Use of Supplemental Lighting.* Limitations on use of supplemental lighting for television and motion picture cameras to create the least amount of interference with or disturbance of Council proceedings and/or discomfort to the public.
8. *Persons Having Complaints, Allegations, or Charges Against Individual City Employees.* No person shall make any complaint, specific allegation, or charge against an individual City Employee by name in a public meeting unless he first shows that he has pursued appropriate administrative channels.

## **ENFORCEMENT OF DECORUM**

*Warning.* All persons shall at the request of the Presiding Officer, be silent.

*Removal.* If, after receiving a warning from the Presiding Officer, a person persists in disturbing the meeting, such Officer may order him to remove himself from the meeting. If he does not remove himself, the Presiding Officer may order the Sergeant-at-arms to remove him.

*Resisting Removal.* Any person who resists removal by the Sergeant-at-arms shall be charged with violating V.T.C.A, Penal Code 42.05.

*Motions To Enforce.* Any Councilmember may move to require the Presiding Officer to enforce this division, and the affirmative vote of a majority of the Council shall require him to do so.

## **RULES OF PROCEDURE**

The City Secretary shall make public, in accordance with the Texas Open Meetings Law, an agenda containing all business to be discussed at a meeting of the City Council.

*Persons Requesting To Be Heard On Agenda Items* (1) Residents. Any resident who wishes to address the Council on any matter may do so by notifying the City Secretary in accordance with the Texas Open Meetings Law. (2) Nonresidents. Any nonresident wishing to address the Council shall notify the City Secretary and specify his interest in the matter being considered. The City Secretary shall present such request to the Presiding Officer for approval before placing the name on the Agenda.

*Specific Agenda Items.* After a motion, second and discussion by the City Council on any specific agenda item, and before a vote is taken, the Presiding Officer shall recognize any citizen in the audience wishing to address the council on such item, who shall be permitted to address the Council thereon for a period of three (3) minutes. "Specific Agenda Items" are defined as any item specified on the Notice of Meeting posted for purposes of the Texas Open Meetings Law and which becomes the subject of a motion before the Council.