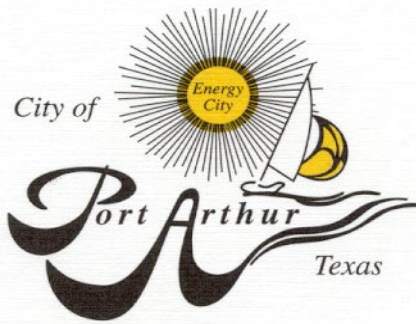


THURMAN BILL BARTIE, MAYOR
TIFFANY HAMILTON, MAYOR PRO TEM

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 Special Meeting

**Tuesday, November 21, 2023
10:00 A.M. CT**

The City Council Of The City Of Port Arthur Will Conduct The Special Meeting Scheduled For Tuesday, November 21, 2023 At 10:00 A.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: 895 9511 4544 And Passcode: 005165

**(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 Special Meeting
City Hall Council Chamber
City Of Port Arthur
November 21, 2023
10:00 AM**

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. UNFINISHED BUSINESS

- (1) P.R. No. 23445 – A Resolution Appointing And/Or Reappointing A Member Or Members To The Citizen’s Pipeline Advisory Committee

III. PUBLIC HEARING – 10:30 A.M.

- (1) A Public Hearing For The Purpose Of Receiving Public Comments Regarding A Zoning Map Amendment

Approximately 2.016-Acres Of Land Consisting Of A Portion Of Lots 1 & 8, TR 1, Block 13, Range K, Port Arthur Land Company Subdivision, T & N.O. RR CO. Survey No. 11, Abstract No. 243, (Property Is Located North Of Medical Center Boulevard And East Of F.M. Highway 365), City Of Port Arthur, Jefferson County, Texas

The Public Will Be Able To View The Public Hearing Via The City’s Website At www.portarthurtx.gov

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

IV. 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. Resolutions

- (1) P.R. 23400 – A Resolution Authorizing The City Manager To Report Nine (9) Homebuyers Qualified To Receive Down Payment Assistance As A Direct Benefit To Assist With Principal Buy Down, Gap Financing, And Closing Fees Which Allowed Them To Achieve The American Dream Of Homeownership And Purchase New Construction And Existing Homes
- (2) P.R. 23404 – A Resolution Authorizing The City Manager To Execute The Memorandum Of Understanding With The Port Arthur Independent School District As It Pertains To The Use Of Bob Bowers Civic Center As An Emergency Staging Area
- (3) P.R. 23443 – A Resolution Authorizing The City Manager To Purchase One (1) 2023 1500 Classic Quad, One (1) 2024 3500 Crew Cab 4X2 Dually, And Three (3) 2024 3500 Crew Cab 4X2 Single Trucks From Grapevine, Dodge Chrysler Jeep Of Grapevine, Texas Through BuyBoard Contract No. 601-19 For The Water Department In The Total Not To Exceed Amount Of \$280,274.00. Funds Are Available In Capital Equipment Account No. 625-40-000-8523-00-00-000

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

V. ITEMS REQUIRING INDIVIDUAL ACTION – NON-CONSENT

A. Resolutions – Non-Consent

- (1) P.R. 23382 – A Resolution Ratifying The City Manager’s Decision To Authorize The Emergency Water Leak Repairs By Allco LLC Of Beaumont, Texas In The Total Amount Of \$69,242.31. Funding Available In Water System Maintenance Account No. 410-40-215-5315-00-00-000

B. Ordinances – Non-Consent

- (1) P.O. No. 7191 – An Ordinance Of The City Council Of The City Of Port Arthur Disannexing A 17.97-Acre Tract Of Land Located Along West Port Arthur Road And Viterbo Road In The Corporate Boundaries Of Port Arthur, Jefferson County, Texas; Providing For The Following: Findings Of Fact, Effective Date, Filing, Severability, And Proper Notice & Meeting
- (2) P.O. No. 7192 – An Ordinance Repealing And Replacing Chapter 18, Article II – Building Code, Of The Code Of Ordinances Of The City Of Port Arthur, Thereby Adopting The 2021 Edition Of The International Building Code (IBC) Published By The International Code Council, Inc. (ICC); Providing Certain Amendments Thereto; Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith; Providing A Penalty For Violation By Fine Not Exceeding Two Thousand Dollars (\$2,000.00), As Provided In Section 18-43 Of The Code Or As Otherwise Imposed By State Law; And Providing For Publication And An Effective Date Immediately After Publication
- (3) P.O. No. 7193 – An Ordinance Repealing And Replacing Chapter 18, Article III – Electrical Code, Of The Code Of Ordinances Of The City Of Port Arthur, Thereby Adopting The 2020 Edition Of The National Electrical Code (NEC); Providing Certain Amendments Thereto; Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith; Providing A Penalty For Violation By Fine Not Exceeding Two Thousand Dollars (\$2,000.00), As Provided In Section 18-43 Of The Code Or As Otherwise Imposed By State Law; And Providing For Publication And An Effective Date Immediately After Publication

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

**V. ITEMS REQUIRING INDIVIDUAL ACTION – NON-CONSENT –
CONTINUED**

- (4) P.O. No. 7194 – An Ordinance Repealing And Replacing Chapter 18, Article IV – Fuel Gas Code, Of The Code Of Ordinances Of The City Of Port Arthur, Thereby Adopting The 2021 Edition Of The International Fuel Gas Code (IFGC) Published By The International Code Council, Inc. (ICC); Providing Certain Amendments Thereto; Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith; Providing A Penalty For Violation By Fine Not Exceeding Two Thousand Dollars (\$2,000.00), As Provided In Section 18-43 Of The Code Or As Otherwise Imposed By State Law; And Providing For Publication And An Effective Date Immediately After Publication

- (5) P.O. No. 7195 – An Ordinance Repealing And Replacing Chapter 18, Article V – Plumbing Code, Of The Code Of Ordinances Of The City Of Port Arthur, Thereby Adopting The 2021 Edition Of The International Plumbing Code (IPC) Published By The International Code Council, Inc. (ICC); Providing Certain Amendments Thereto; Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith; Providing A Penalty For Violation By Fine Not Exceeding Two Thousand Dollars (\$2,000.00), As Provided In Section 18-43 Of The Code Or As Otherwise Imposed By State Law; And Providing For Publication And An Effective Date Immediately After Publication

- (6) P.O. No. 7196 – An Ordinance Repealing And Replacing Chapter 18, Article VI – Mechanical Code, Of The Code Of Ordinances Of The City Of Port Arthur, Thereby Adopting The 2021 Edition Of The International Mechanical Code (IMC) Published By The International Code Council, Inc. (ICC); Providing Certain Amendments Thereto; Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith; Providing A Penalty For Violation By Fine Not Exceeding Two Thousand Dollars (\$2,000.00), As Provided In Section 18-43 Of The Code Or As Otherwise Imposed By State Law; And Providing For Publication And An Effective Date Immediately After Publication

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

**V. ITEMS REQUIRING INDIVIDUAL ACTION – NON-CONSENT –
CONTINUED**

- (7) P.O. No. 7209 – An Ordinance Amending The Zoning Ordinance Of The City Of Port Arthur By Amending Planned Development District – 1 To Allow For Zoning Use Type: Automobile Repair, Major On A 2.016-Acre Tract Of Land Out Of The Port Arthur Land Company Subdivision, T.&N.O.RR CO. Survey No. 11, Abstract No. 243, Port Arthur, Jefferson County, Texas (Violation Of This Ordinance Or The Zoning Ordinance Of The City Of Port Arthur Is Punishable As Provided In Chapter 1, Sections 1-13 Of The Code Of Ordinances As Amended By A Fine Not Exceeding Two Thousand [\$2,000.00] Dollars); And Providing For Publication In The Official Newspaper Of The City Of Port Arthur And Effective Immediately After Publication Date

Z23-07 (Warhorse Development Corp.)

- (8) P.O. No. 7210 – An Ordinance Amending Chapter 62 (Offenses), Article II (Weapons And Incendiary Items), Section 62-62 (Carrying Or Discharging Weapons On City Property) And Section 62-63 (Weapons) Of The Code Of Ordinances Of The City Of Port Arthur
- (9) P.O. No. 7211 – An Ordinance Of The City Of Port Arthur, Texas Authorizing The Suspension Of The Effective Date For An Additional Ninety (90) Days Beyond The Effective Date Proposed By Centerpoint In Connection With Its Statement Of Intent To Increase Rates In The Texas Division, Filed On October 30, 2023; Authorizing The Hiring Of Lawyers And Rate Experts; Authorizing The City's Participation To The Full Extent Permitted By Law At The Railroad Commission Of Texas; Requiring Reimbursement Of Municipal Rate Case Expenses; Finding That The Meeting Complies With The Open Meetings Act; Making Other Findings And Provisions Related To The Subject; And Declaring An Effective Date

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

VI. *CLOSED MEETING (EXECUTIVE SESSION)

In Order To Comply With The Requirements Of Section 551.101 Of Chapter 551 (Open Meetings Law) Of The Texas Government Code [Formerly Article 6252-17, Section 2(a)], Prior To Going Into Closed Meeting The Presiding Officer Of The City Should Make The Following Public Announcement:

"A Closed Meeting Or Executive Session Will Now Be Held Pursuant To The Following Sections Of Chapter 551 Texas Government Code":

Section 551.071 – Litigation And/Or Legal Advice

Section 551.072 – Land

Section 551.073 – Negotiated Contracts For Prospective Gifts To The City

Section 551.074 – Personnel

Section 551.076 – Security Personnel Or Devices

Section 551.087 – Deliberations Regarding Economic Development
Incentives

Closed Meeting:

- (1) Section 551.071 Government Code – To Discuss And Receive Legal Advice From The City Attorney Regarding Potential And/Or Pending Claims, Contracts, Litigation And Other Legal Matters
- (2) Section 551.072 Government Code – To Discuss Or Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property In the City's Extraterritorial Jurisdiction (ETJ)/Industrial District
- (3) Section 551.087 Government Code – To Discuss Economic Incentives For Commercial, Residential, And/Or Industrial Business Prospect

***The Items In Executive Session May Be Discussed And Acted On In Open Session**

**SPECIAL MEETING AGENDA
NOVEMBER 21, 2023**

VII. ADJOURNMENT OF MEETING

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 November 22, 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

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.