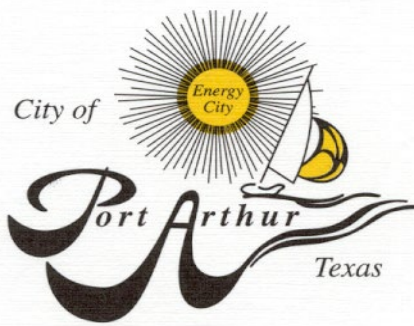


THURMAN BILL BARTIE, MAYOR  
TIFFANY HAMILTON, MAYOR PRO TEM

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, November 28, 2023  
5:30 P.M. CT**

**The City Council Of The City Of Port Arthur Will Conduct The Regular Meeting Scheduled For Tuesday, November 28, 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: 856 0674 0119 And Passcode: 693048**

**(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  
November 28, 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) David Jones Regarding Federal Racketeer Influenced And Corrupt Organizations (R.I.C.O.) Violations
- (2) Justin Bach Regarding Ambulance Service
- (3) A Representative Of Cascades At Port Arthur Facility Regarding Ambulance Service
- (4) The United Citizens Of Port Arthur Regarding Plurality Vote

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**III. PETITIONS & COMMUNICATIONS – CONTINUED**

B. Presentations

- (1) The Rotary Club Of Port Arthur Texas, Board Of Directors And The Rotary Foundation Regarding A Donation To The Port Arthur Health Department
- (2) A Presentation By The Police Department Regarding Activities At Prince Hall Including Number Of Calls And Arrest (Requested By Councilmember Lewis)
- (3) A Presentation By The Department of Housing and Urban Development (HUD) Regarding Residential Requirements And Penalties For Non-Compliance At Prince Hall (Requested By Councilmember Lewis)
- (4) A Presentation By The Economic Development Corporation (EDC) Regarding Update And Status Of 1st Source Program

C. Employee Recognition – None

D. Correspondence – None

E. Discussions

- (1) A Discussion Regarding Implementing A Community Beautification Department (Requested By Mayor Pro Tem Hamilton)

**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;

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

- (2) Information Regarding Holiday Schedules;
- (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. 23405 – A Resolution Appointing Members To The Port Arthur Youth Advisory Council (YAC) (Requested By Mayor Pro Tem Hamilton)
- (2) P.R. No. 23419 – A Resolution Appointing Members To The Port Arthur Housing Finance Corporation Board Of Directors

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**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. Travel Expense Reports

- |   |            |
|---|------------|
| (A1) Mayor Thurman Bartie:<br>Texas Municipal League (TML)<br>Annual Conference 2023<br>Dallas, TX<br>October 3 – 7, 2023           | \$2,190.54 |
| (A2) Mayor Pro Tem Tiffany Hamilton:<br>Texas Municipal League (TML)<br>Annual Conference 2023<br>Dallas, TX<br>October 3 – 6, 2023 | \$2,377.67 |
| (A3) Councilmember Willie Lewis:<br>Texas Municipal League (TML)<br>Annual Conference 2023<br>Dallas, TX<br>October 3 – 6, 2023     | \$2,444.71 |
| (A4) Councilmember Thomas Kinlaw:<br>Texas Municipal League (TML)<br>Annual Conference 2023<br>Dallas, TX<br>October 3 – 6, 2023    | \$1,985.39 |

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**VII. CONSENT AGENDA – CONTINUED**

- (A5) Councilmember Donald Frank:  
Texas Municipal League (TML)  
Annual Conference 2023  
Dallas, TX  
October 3 – 6, 2023 \$2,271.91
- B. Minutes – None
- C. Resolutions
- (1) P.R. No. 23257 – A Resolution Authorizing The City Manager To Ratify Change Order No. 6 And Accept The Project Completion Documents For The Lift Station Remediation And Mitigation Project With BDS Constructors, LLC DBA MK Constructors Of Vidor, Texas, And Release The Retainage In The Amount Of \$69,289.40; Funding For The Project Is Available In Account No. 405-40-000-8516-00-00-000, Project No. WS0005-CON
- (2) P.R. No. 23418 – A Resolution Authorizing The City Manager To Execute A Cooperative Agreement Between The City Of Port Arthur And The Texas Department Of Public Safety (DPS) For The Utilization And Maintenance Of The Texas Gang Intelligence Index (TXGANG)
- (3) P.R. No. 23434 – A Resolution Authorizing The City Manager To Execute The Second Year (Final Renewal) Of The City Of Port Arthur Fire Department's Contract With CAT5 Resources Of Nederland, Texas For The Generator Maintenance And/Or Repairs To All Fire Station Locations In The City Of Port Arthur In The Not To Exceed Amount Of \$25,000.00; Funding Is Available In The Fire Department's Building Maintenance Account No. 001-19-047-5312-00-30-000
- (4) P.R. No. 23435 – A Resolution Authorizing The Cleaning, Inspection, And Repair Of Fire Department Structural Firefighting Personal Protective Equipment By Delta Fire & Safety, Inc. Of Port Neches, Texas With A Projected Budgetary Impact Of \$35,000.00; Funding Is Available In Account No. 001-19-047-5420-00-30-000 Professional Services

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**VII. CONSENT AGENDA – CONTINUED**

- (5) P.R. No. 23439 – A Resolution Authorizing The City Manager To Purchase One (1) Case PT240D Pneumatic Tire Roller For The Streets Division From Associated Supply Company, Inc. (ASCO) Of Beaumont, Texas, Through The BuyBoard Cooperative Purchasing Program, Contract No. 685-22, With A Total Budgetary Impact Amount Of \$151,583.25. Funding Is Available In Account No. 625-21-000-8522-00-00-000
- (6) P.R. No. 23440 – A Resolution Authorizing The City Manager To Purchase One (1) Rosco Model RB50 Construction Broom Cabbed With Air Conditioning And Heat For The Streets Division From Associated Supply Company, Inc. Of Beaumont, Texas, Through The BuyBoard Cooperative Purchasing Program, Contract No. 685-22, With A Total Budgetary Impact Amount Of \$78,054.50. Funding Is Available From Account No. 625-21-000-8522-00-00-000
- (7) P.R. No. 23446 – A Resolution Approving The Contract Between The City Of Port Arthur And Dr. Darioush Kavouspour, M.D., P.A., To Serve As The Port Arthur Fire Department Medical Director To Oversee Emergency Medical Services, In The Annual Amount Of \$24,000.00. Funds Are Budgeted In The FY 2023/2024 Professional Service Fund Account 001-23-061-5470-00-50-000
- (8) P.R. No. 23447 – A Resolution Authorizing The Acceptance Of A Donation From The Bechtel Engineering Company, In The Form Of Two (2) Traffic Control Devices
- (9) P.R. No. 23454 – A Resolution Authorizing The City Manager Through The Pleasure Island Department To Renovate A Pavilion Through Preferred Facilities Group – USA Of Beaumont, Texas For The Renovation Of A Pavilion, Through Texas BuyBoard Cooperative Purchasing Contract No. 581-19, In The Total Amount Not To Exceed \$29,875.00; Funding Available In Account Number 307-60-000-8525-00-10-000 Project Number PI0003

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**VII. CONSENT AGENDA – CONTINUED**

- (10) P.R. No. 23456 – A Resolution Authorizing The City Manager To Accept The Engineer's Certificate Of Completion, Contractors Certificate Of Warranty, Contractor's Affidavit Of Payments Of Debts And Claims, And Final Payment Affidavit By Greenscapes Six, LLC. Of Baytown, Texas For Port Arthur Transit's Bus Pad Project Round 1 And Authorizing The City Manager To Release The Retainage In The Amount Of \$7,867.75; Funds Available In Account 401-70-530-8525-00-60-000, Project TR11316 CAP.OCO
- (11) P.R. No. 23457 – A Resolution Authorizing The City Manager To Enter Into An Agreement With Industrial And Commercial Mechanical (ICM) Of Beaumont, Texas, Through BuyBoard For The Cleaning Of The HVAC System In The City Hall Annex For The Not-To-Exceed Amount Of \$47,450.59. Funds Are Available In The Capital Improvement Fund Buildings Account Number 307-21-049-8512-00-10-000, Project Number BU0002-OTH
- (12) P.R. No. 23460 – A Resolution Authorizing The City Manager Through The Pleasure Island Department To Re-Roof The Pleasure Island Office Through Preferred Facilities Group – USA Of Beaumont, Texas, Through Texas BuyBoard Cooperative Purchasing Contract No. 581-19, In The Total Amount Not To Exceed \$39,531.33; Funding Available In Account Number 450-60-400-5312-00-00-000
- (13) P.R. No. 23461 – A Resolution Authorizing The City Manager To Enter Into A Professional Services Contract With Schaumburg & Polk, Inc. For The Lewis Drive Lift Station Improvement Project, With A Total Projected Budgetary Impact Of \$35,000.00; Funds Are Available In Account No. 405-40-000-8516-00-00-000, WS0021
- (14) P.R. No. 23463 – A Resolution Authorizing The City Manager To Accept The Jefferson County Tourism Grant For Improvements To The Beach/Park On The Waterway On Pleasure Island In The Amount Of \$25,000.00



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**VII. CONSENT AGENDA – CONTINUED**

- (15) P.R. No. 23464 – A Resolution Authorizing The City Manager To Enter Into A Contract With Kraftsman Commercial Playgrounds And Water Parks Of Spring, Texas For The Construction Of A Playground, Through Texas BuyBoard Cooperative Purchasing Contract No. 679-22, In The Total Amount Not To Exceed \$56,616.75; Funding Available In Account Number 307-60-000-8525-00-10-000 Project Number PI0003
- (16) P.R. No. 23465 – A Resolution Ratifying The City Manager's Decision To Authorize The Emergency Waterline Project By T. Johnson Industries Of Lumberton, Texas In The Total Amount Of \$55,120.00. Funding Available In Water System Maintenance Account No. 410-40-215-5315-00-00-000
- (17) P.R. No. 23466 – A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement (Cost Reimbursement Agreement) With The Port Of Port Arthur Navigation District For The Painting Of The Port's Logos On The Water Tower Located At Railroad Avenue And Thomas Boulevard
- (18) P.R. No. 23470 – A Resolution Calling For A Public Hearing To Consider A Zoning Map Amendment For 21.308-Acre Tract Or Parcel Of Land Being Out Of And Part Of The W. Kyle Survey, A-414, And Consisting Of All Of Lots 10-25, Block 27, A Portion Of Oleander, Violet, Gardenia, Camellia, Cox, & Daisy Streets, And A Portion Of Willow Drive, A Portion Of Blocks 25 & 26, And All Of Blocks 14, 15, & 16 Of The Palomar Addition, Section 1, An Unrecorded Subdivision Plat, Port Arthur, Jefferson County, Texas
- 223-10 – BDS Constructors, LLC D.B.A.  
MK Constructors
- (19) P.R. No. 23473 – A Resolution Authorizing The City Manager To Execute Amendment 3 To The Interlocal Cooperation Contract With Spindletop Center (MHMR) To Participate In The Mental Health Liaison Program

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

- (20) P.R. No. 23474 – A Resolution Authorizing The City Manager To Renew The Contract With Republic Industrial Environmental Solutions Of Nederland, Texas, For The Hauling Of Leachate From The City Of Port Arthur's Landfill For The Projected Amount Of \$191,360.00. Funds Are Available In Public Works Department Landfill Division – Other Contractual Services Account Number 403-50-320-5470-00-00-000
  
- (21) P.R. No. 23475 – A Resolution Calling For A Public Hearing To Consider A Zoning Map Amendment For 4.000-Acre Tract Or Parcel Of Land, Consisting Of TR 2, Lot 8, Block 12, Port Acres, Jefferson County, Texas

223-09 – E-Advantage Inc.

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

A. Resolutions – Non-Consent

- (1) P.R. No. 23449 – A Resolution Authorizing The City Manager To Execute An Agreement Between The City Of Port Arthur And Fitz And Shipman, Inc. Of Port Arthur, Texas, For The Construction Management Of The Mechanic Street Roadway Improvement Project From Dowling Street (Highway 87) To S. 1st Avenue In Sabine Pass, Texas, For The Amount Of \$131,935.00 Funding Is Available In Account Number 307-21-053-8517-00-10-000, Project No. ST1P90.ENG
  
- (2) P.R. No. 23479 – A Resolution Appointing And/Or Reappointing A Member Or Members To The Port Arthur Police Chief Advisory Committee (Requested By Mayor Bartie)

B. Ordinances – Non-Consent

- (1) P.O. No. 7184 – An Ordinance Amending Chapter 14, Article XXIII (Police Chief Advisory Committee), Section 14-691 (Created), Section 14-693 (Powers) And Section 14-694 (Administration) Of The Code Of Ordinances Of The City Of Port Arthur

**AGENDA  
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**IX. 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 29, 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.