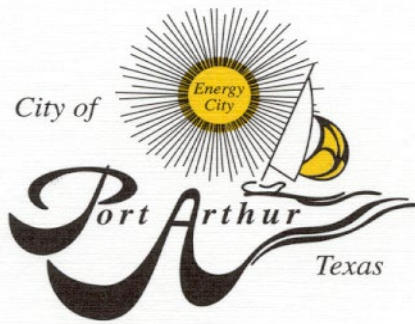


THURMAN BILL BARTIE, MAYOR
TIFFANY HAMILTON, MAYOR PRO TEM

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, December 19, 2023

5:30 P.M. CT

The City Council Of The City Of Port Arthur Will Conduct The Regular Meeting Scheduled For Tuesday, December 19, 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: 858 7000 3497 And Passcode: 891687

**(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
December 19, 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) Jake Johnson Jr. Regarding Reason For Being Held Back From Society As Black Me
- (2) Rebecca Gomez Regarding A Dog Park At Roosevelt Park

B. Presentations

- (1) A Presentation By Arceneaux, Wilson And Cole, LLC Providing An Update On The City Of Port Arthur Master Drainage Plan
- (2) Year End Report Presented By City Attorney

**AGENDA
DECEMBER 19, 2023**

III. PETITIONS & COMMUNICATIONS – CONTINUED

- C. Employee Recognition – None
- D. Correspondence – None
- E. Discussions
 - (1) A Discussion Regarding Councilmembers Following Rules Of Decorum (Requested By Councilmember Doucet)
 - (2) A Discussion Regarding Qualifications For District 2 Under Article II, Section 2 of the City Charter (Requested By Councilman Lewis)

IV. PUBLIC HEARING – 6:00 P.M.

- (1) A Public Hearing For The Purpose Of Receiving Public Comments To Consider Whether Or Not To Authorize A Major Pipeline Permit To Chevron Phillips Petroleum Company, LP For The Installation Of A Twelve Inch (12”) Carbon Steel Pipeline With The City Limits Of Port Arthur, Texas. A Map With The Proposed Route And Other Information Concerning The Pipeline Will Be Presented At The Public Hearing And Can Be Examined In The Public Works Department, City Hall, Port Arthur, Texas Prior To The Hearing

**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
DECEMBER 19, 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 – None

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.

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

A. Travel Expense Reports

- (A1) Councilmember Willie Lewis:
National League Of Cities (NLC)
Congressional Cities Conference 2023
Atlanta, GA
November 15 – November 18, 2023 \$2,218.21
- (A2) Councilmember Harold Doucet:
National League Of Cities (NLC)
Congressional Cities Conference 2023
Atlanta, GA
November 15 – November 18, 2023 \$2,289.39
- (A3) Councilmember Donald Frank:
National League Of Cities (NLC)
Congressional Cities Conference 2023
Atlanta, GA
November 15 – November 19, 2023 \$3,147.73

B. Minutes

August 23, 2023 Special Meeting
August 29, 2023 Special Executive Meeting
August 29, 2023 Regular Meeting
December 5, 2023 Regular Meeting
December 5, 2023 City Council & EDC Joint Special Meeting

C. Resolutions

- (1) P.R. No. 23221 – A Resolution Authorizing The City Manager To Execute Change Order No. 4 Between The City Of Port Arthur And Allco, LLC, Of Beaumont, Texas, For The Removal Of Nashville Avenue From 11th Street To Rev. Dr. Ransom Howard Street On The 2022-2023 Street Rehabilitation – District 1 Project, Decreasing The Contract Amount Of \$5,283,801.30 By \$230,961.10 To The New Contract Amount Of \$5,052,840.20. Funds Are Impacted In The Street Capital Fund Account No. 307-21-053-8517-00-10-000

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

- (2) P.R. No. 23403 – A Resolution Authorizing The City Manager To Execute An Agreement Between Tekoa Academy Charter School And The City Of Port Arthur For The Use Of The Amos Evans Building For Basketball Practices And Games For The Remainder Of The 2023/2024 School Year
- (3) P.R. No. 23436 – A Resolution Authorizing The City Manager To Accept Close Out Documents Submitted By Elite Contractors & Equipment, LTD, Of Kirbyville, Texas, And Approve The Release Of Retainage In The Amount Of \$107,129.70 For The Sabine Pass Boat Ramp Improvement Project. Funding Is Available In The Capital Improvements Project Account 152-60-415-8525-00-00-000; Project No. PR0007-CON; And American Rescue Plan Act (ARPA) Account 169-07-015-8525-00-40-000, Project No. ARP013
- (4) P.R. No. 23451 – A Resolution Authorizing The City Manager To Enter Into An Agreement With Brystar Contracting, LLC, Of Beaumont, Texas, For The Stonegate Drainage Improvement Project For The Amount Of \$18,672,548.00. Funds Are Available In The Hazard Mitigation Grant Account No. 154-00-000-8515-00-10-000 And The Community Development Block Grant DR Account No. 148-00-000-8515-00-10-000. Project No. DR1P04
- (5) P.R. No. 23482 – A Resolution Authorizing The City Manager To Execute A Contract With The Solco Group, LLC Of Port Arthur, Texas For Professional Planning Services For Port Arthur Transit And Other City Departments In The Total Not To Exceed Amount Of \$78,750.00; Funding Is Available In Transit Account No. 401-70-500-5420-00-60-000 (\$18,570.00), Project # TR19442 AND 001-13-031-5420-00-10-000 (\$60,180.00)
- (6) P.R. No. 23490 – A Resolution Ratifying The City Manager's Decision For Change Order No. 2 To The Contract For AAA Asphalt Paving, LLC. Of Pinehurst, Texas For Port Arthur Transit's Dallas And Fort Worth Avenues Road Reconstruction Project In The Amount Of \$41,119.14 For A New Contract Amount Of \$605,671.64; Funds Available In Account 401-70-530-8525-00-60-000, Project DR1P06

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

- (7) P.R. No. 23492 – A Resolution Authorizing The City Manager To Execute The Second Year (First Renewal) Of The Contract With Barricades Unlimited Of Beaumont, Texas, For The Annual Street Striping Of City Streets For The Not-To-Exceed Amount Of \$750,000.00. Funding Is Available In The Capital Improvement Fund's Streets Account, Account Number 307-21-053-8517-00-10-000, And In The Public Works – Traffic Division's Streets Maintenance Account, Account Number 001-21-057-5316-00-70-000
- (8) P.R. No. 23493 – A Resolution Authorizing The City Manager To Purchase A Bobcat L65 Compact Wheel Loader From Bobcat Of Beaumont, Texas, Through Buyboard Contract No. 685-22 For The Wastewater Division In The Total Amount Of \$72,309.36. Funds Are Available In Capital Equipment Account No. 625-40-000-8523-00-00-000, Equipment
- (9) P.R. No. 23494 – A Resolution Approving A Training Agreement Between The City Of Port Arthur Section 4A Economic Development Corporation And Lamar State College Port Arthur For Tuition Reimbursement For Five (5) Port Arthur Resident High School Graduates Attending A 2-Year Associate Degree Program Not To Exceed \$67,500.00; Funds Available In EDC Account No. 120-80-625-5475-00-00-000
- (10) P.R. No. 23495 – A Resolution Authorizing The City Of Port Arthur Section 4A Economic Development Corporation To Utilize Pre-Employment Workforce Training Funds To Implement A 2024 Youth Employment Program In An Amount Not To Exceed \$83,200.00; Funds Available In EDC Account No. 120-80-625-5475-00-00-000
- (11) P.R. No. 23500 – A Resolution Approving The City Of Port Arthur Section 4A Economic Development Corporation's Acceptance Of A Quote And Entering Into A Service Agreement With Panama Equipment Of Cleveland, Texas For The Preventative Maintenance Of Two (2) Generators Servicing The EDC Building Located At 501 Procter Street And 549 4th Street; In An Annual Amount Not To Exceed \$11,876.94. Funds Available In EDC Account No. 120-80-625-5318-00-00-000

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

- (12) P.R. No. 23501 – A Resolution Ratifying The City Manager's Decision To Authorize Change Order No. 1 With Global Drilling, Inc. Of Winnie, Texas, For The North Sewer Plant Waterline Project, Increasing The Contract Amount By \$14,250.00 To The New Total Contract Amount Of \$193,250.00 And A Time Extension Of Fifteen (15) Days. Funds Are Available In Account No. 405-40-000-8516-00-00-000, Project No. WS-0017 CON
- (13) P.R. No. 23502 – A Resolution Authorizing The Purchase Of Two (2) 2025 Mack MD7s With Palfinger M100L-72 For The Solid Waste – Trash Division From Vanguard Truck Center Of Houston, Texas, Through The Interlocal Purchasing System (TIPS) Cooperative Purchasing Program For The Not-To-Exceed Amount Of \$499,844.86. Funds Are Available In The Capital Reserve Fund Account, Account Number 307-50-000-8522-00-10-000
- (14) P.R. No. 23503 – A Resolution Authorizing The Purchase Of One (1) 2024 Mack Terrapro LR64R Steel Surcharge Automatic Side Load (ASL) For The Solid Waste – Garbage Division From Volvo And Mack Trucks Of Waco Of Robinson, Texas, Through The Interlocal Purchasing System (TIPS) Cooperative Purchasing Program For \$357,935.00. Funds Are Available In The Capital Reserve Fund Account, Account Number 307-50-000-8522-00-10-000
- (15) P.R. No. 23504 – A Resolution Authorizing The Fifth Year (Final Renewal) Contract With SirsiDynix Of Minneapolis, MN For The Integrated Library System (ILS) At The Port Arthur Public Library In The Total Amount Of \$18,167.03. Funds Are Available In Library Account No. 001-27-071-5470-00-20-000
- (16) P.R. No. 23507 – A Resolution Rescinding Resolution No. 23-066, In Its Entirety, As It Pertains To An Industrial District Agreement (IDA) With LG Chem, LTD
- (17) P.R. No. 23509 – A Resolution Adopting A Community Benefits Plan (CBP) Policy

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

- (18) P.R. No. 23510 – A Resolution Authorizing The City Manager To Accept A Grant From Motiva's First Responder Grant Program In The Amount Of \$10,000.00 To Be Deposited In The City Of Port Arthur Account Number 001-19-000-4730-00-00-000 For The Purchase Of Electric Positive Pressure Ventilation Fans
- (19) P.R. No. 23512 – A Resolution Authorizing The City Manager To Purchase A 2024 Chevrolet Express Cargo Van RWD 2500 From Caldwell Country Chevrolet Of Caldwell, Texas, Through BuyBoard Contract Number 601-19 For \$43,975.00. Funds Are Available In The Capital Reserve Fund Account Number 625-21-000-8522-00-00-000
- (20) P.R. No. 23513 – A Resolution Authorizing The City Manager To Execute An Agreement With J-Quad Planning Group Of Plano, Texas, For Consultant Services To Develop Two Neighborhood Revitalization Strategy Area (NRSA) Plans For The Not To Exceed Amount Of \$49,900.00. Funding Is Available In The Following Accounts: 001-13-031-5420-00-10-000 (\$26,900.00); 108-13-033-5420-00-40-000 Project #HE1903-GRE-PRO (\$11,500.00), 105-13-033-5420-00-40-000 Project # CD23144-GRE-PRO (\$8,500.00); And 001-13-033-5420-00-40-000 (\$3,000.00)
- (21) P.R. No. 23515 – A Resolution Renewing Coastal Lease Number CL950003 Between The City Of Port Arthur And The Texas General Land Office, Extending The Expiration Date To June 19, 2030
- (22) P.R. No. 23518 – A Resolution Authorizing The City Manager To Execute Change Order No. 3 For The Main Wastewater Treatment Plant Improvement Project With Allco, LLC Of Beaumont, Texas, Increasing The Contract Amount By \$114,851.00 To A New Total Contract Amount Of \$67,450,464.43 With Funding Available In Account No. 405-40-000-8516-00-00-000 Project No. WS0023
- (23) P.R. No. 23521 – A Resolution Authorizing The 2023-2024 Jefferson Central Appraisal District Funding Allocation In An Amount Of \$261,584.66 From Account No. 001-07-015-5420-00-10-000

**AGENDA
DECEMBER 19, 2023**

VII. CONSENT AGENDA – CONTINUED

- (24) P.R. No. 23524 – A Resolution Authorizing The Payment To Computer Information Systems, Inc. Of Skokie, Illinois For The Annual License Renewal Fee For Maintenance Of The Police And Fire Department Computer Aided Dispatch, Record Management System And MCS/AVL Server, In The Amount Of \$51,477.06; Funding Available In 001-17-045-5491-00-30-000
- (25) P.R. No. 23528 – A Resolution Authorizing The City Manager To Accept The Motiva 2023 First Responders Grant In The Amount Of \$5,000.00, With No Cash Match

VIII. ITEMS REQUIRING INDIVIDUAL ACTION – NON-CONSENT

A. Resolutions – Non-Consent

- (1) P.R. No. 23469 – A Resolution Approving The First Amended And Restated Agreement For Professional Services And Employment As Chief Executive Officer Of The Port Arthur 4A Economic Development Corporation
- (2) P.R. No. 23499 – A Resolution Authorizing The Execution Of Major Pipeline Permit 23-01 From The City Of Port Arthur To Chevron Phillips Petroleum Company, LP Of The Woodlands, Texas For The Installation Of A Twelve Inch (12") Carbon Steel Pipeline Within The City Limits Of Port Arthur, Texas
- (3) P.R. No. 23506 – A Resolution Appointing And/Or Reappointing A Director Or Directors To The City Of Port Arthur Section 4A Economic Development Corporation (Requested By Councilmembers Beckcom And Lewis)
- (4) P.R. No. 23511 – A Resolution Appointing And/Or Reappointing A Member Or Members To The Citizen’s Pipeline Advisory Committee
- (5) P.R. No. 23519 – A Resolution Authorizing Membership In The African American Mayors Association In The Amount Of \$5,000.00 Account No. 001-01-005-5470-00-10-000

**AGENDA
DECEMBER 19, 2023**

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

- (6) P.R. No. 23520 – A Resolution Authorizing The City Manager To Execute A Permanent Easement Agreement With Chevron Phillips Chemical Company LP For The Construction, Installation And Maintaining Of A Twelve (12") Inch Buried Carbon Steel Ethylene Pipeline Within The Corporate Limits Of Port Arthur, Jefferson County, Texas
- (7) P.R. No. 23523 – A Resolution Authorizing The January 2, 2024 Regularly Scheduled Council Meeting Date To Be Cancelled Or Rescheduled
- (8) P.R. No. 23526 – A Resolution Authorizing The City Manager To Execute Contract Amendment No. 3, For A Final Contract Completion Date Of March 01, 2024, Amending The Revised Contract Completion Date Of December 17th, 2023 For Arceneaux, Wilson & Cole, LLC Of Port Arthur, Texas To Complete Its Development Of A Citywide Master Drainage Plan For No Budgetary Impact
- (9) P.R. No. 23529 – A Resolution Amending The Governing Rules Of The City Of Port Arthur Youth Advisory Council (YAC) (Requested By Mayor Pro Tem Hamilton)

B. Ordinances – Non-Consent

- (1) P.O. No. 7219 – An Ordinance Authorizing The Sale Of Surplus Furniture And Minor Equipment Through Rene Bates Auctioneers And Global Assets
- (2) P.O. No. 7220 – An Ordinance Authorizing The Execution Of A Developer Participation Contract Between The City Of Port Arthur And D & T Interest, LLC For The Development Of 3.568 Acres Of Land Located On Jimmy Johnson Boulevard Near The Babe Zaharias Golf Course Pursuant To Sections 212.071 And 212.072 Of The Texas Local Government Code, V.T.C.A.
- (3) P.O. No. 7221 – An Ordinance As It Pertains To Providing For Holiday Pay For Fiscal Year 2023/2024

**AGENDA
DECEMBER 19, 2023**

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 December 20, 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.