



**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS    MARCH 25, 2014    1:30 P.M.**

**CONSENT AGENDA**

- \* Approval of minutes – March 18, 2014
- \* Confirmation of committee appointments

Linda Cooper would be reappointed to the Library Commission. The current term would expire September 27, 2014. (Councilmember Mike Getz)

Marie Broussard would be reappointed to the Historic Landmark Commission. The current term would expire September 3, 2015. (Councilmember Mike Getz)

Connie Berry would be reappointed to the Community Development Advisory Committee. The current term would expire September 12, 2015. (Councilmember Mike Getz)

Arthur E. Berry would be reappointed to the Convention and Tourism Advisory Board. The current term would expire October 30, 2015. (Councilmember Mike Getz)

Carol Dixon would be reappointed to the Convention and Tourism Advisory Board. The current term would expire March 1, 2016. (Councilmember Jamie D. Smith)

- A) Approve a resolution authorizing the City Manager to submit an application to the Texas Department of Transportation for temporary use of State of Texas right-of-way for the Neches River Festival Parade
- B) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in West Chase Village, Section Ten-Phase II
- C) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in The Meadows Subdivision Phase II West

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF BEAUMONT:

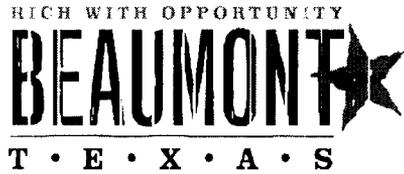
THAT the following reappointments be made:

<u>Reappointment</u>	<u>Commission</u>	<u>Beginning of Term</u>	<u>Expiration of Term</u>
Linda Cooper	Library Commission	03/25/14	09/27/14
Marie Broussard	Historic Landmark Commission	03/25/14	09/03/15
Connie Berry	Community Development Advisory Board	03/25/14	09/12/15
Arthur E. Berry	Convention and Tourism Advisory Board	03/25/14	10/30/15
Carol Dixson	Convention and Tourism Advisory Board	03/25/14	03/01/16

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of  
March, 2014.

---

- Mayor Becky Ames -



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** James Singletary, Chief of Police

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider a resolution authorizing the City Manager to submit an application to the Texas Department of Transportation for temporary use of State of Texas right-of-way for the Neches River Festival Parade.

### **BACKGROUND**

The Neches River Festival is planned for April 5, 2014 and will require full closure along much of the route. Portions of the event route are located within the Texas Department of Transportation's roadway system. If approved, the application will allow the City of Beaumont to close state roadways for the purpose of the event. The resolution will state that the roadways will be closed to serve public interest and deem the City of Beaumont responsible for any damages or accidents that may occur and hold harmless TxDOT and the State of Texas.

### **FUNDING SOURCE**

Not applicable.

### **RECOMMENDATION**

Approval of resolution

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Manager be and he is hereby authorized to submit an application to the Texas Department of Transportation for temporary use of State of Texas right-of-way for the Neches River Festival. The agreement is substantially in the form attached hereto as Exhibit "A."

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

STATE OF TEXAS  
COUNTY OF JEFFERSON

**AGREEMENT FOR THE TEMPORARY CLOSURE  
OF STATE RIGHT OF WAY**

**THIS AGREEMENT** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of BEAUMONT, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

**WITNESSETH**

**WHEREAS**, the State owns and operates a system of highways for public use and benefit, including Spur 380, in JEFFERSON County; and

**WHEREAS**, the local government has requested the temporary closure of Spur 380 for the purpose of NECHES RIVER FESTIVAL PARADE, from 4.5.2014 to 4.5.2014 as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

**WHEREAS**, the Event will be located within the local government's incorporated area; and

**WHEREAS**, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the \_\_\_\_\_ City Council passed Resolution / Ordinance No. \_\_\_\_\_, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

**WHEREAS**, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

**WHEREAS**, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

**AGREEMENT**

**Article 1. CONTRACT PERIOD**

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

**Article 2. EVENT DESCRIPTION**

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

**Article 3. OPERATIONS OF THE EVENT**

**A.** The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

**B.** The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

**C.** The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

**D.** The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

**E.** The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

**F.** The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

**G.** The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

**Article 4. OWNERSHIP OF DOCUMENTS**

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

**Article 5. TERMINATION**

A. This agreement may be terminated by any of the following conditions:

- (1) By mutual written agreement and consent of both parties.
- (2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
- (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
- (4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

**Article 6. DISPUTES**

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

**Article 7. RESPONSIBILITIES OF THE PARTIES**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

**Article 8. INSURANCE**

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period

that the local government and/or its contractors are encroaching upon the State right of way.  
17. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

**Article 9. AMENDMENTS**

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

**Article 10. COMPLIANCE WITH LAWS**

The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

**Article 11. LEGAL CONSTRUCTION**

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**Article 12. NOTICES**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	State:
_____	Texas Department of Transportation
_____	_____
_____	_____
_____	_____

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

**Article 13. SOLE AGREEMENT**

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

**IN TESTIMONY WHEREOF**, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF BEAUMONT

Executed on behalf of the local government by:

Agreement No. \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_  
City Official

Typed or Printed Name and Title \_\_\_\_\_  
\_\_\_\_\_

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By \_\_\_\_\_ Date \_\_\_\_\_  
District Engineer



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** Patrick Donart, <sup>PD</sup> Public Works Director

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in West Chase Village, Section Ten- Phase II

### **BACKGROUND**

On February 28, 2014, a final inspection from all entities was completed on the following:

- Village Drive approximately 185 feet east of existing Village Drive to and including the cul-de-sac.
- Little Drive approximately 48 feet north of Village Drive Cul-de-Sac to the 3-OM4-3 Dead End Roadway markers.

Recommended for approval are the storm sewer, water and sanitary sewer improvements for West Chase Village, Section Ten-Phase II right-of-way only.

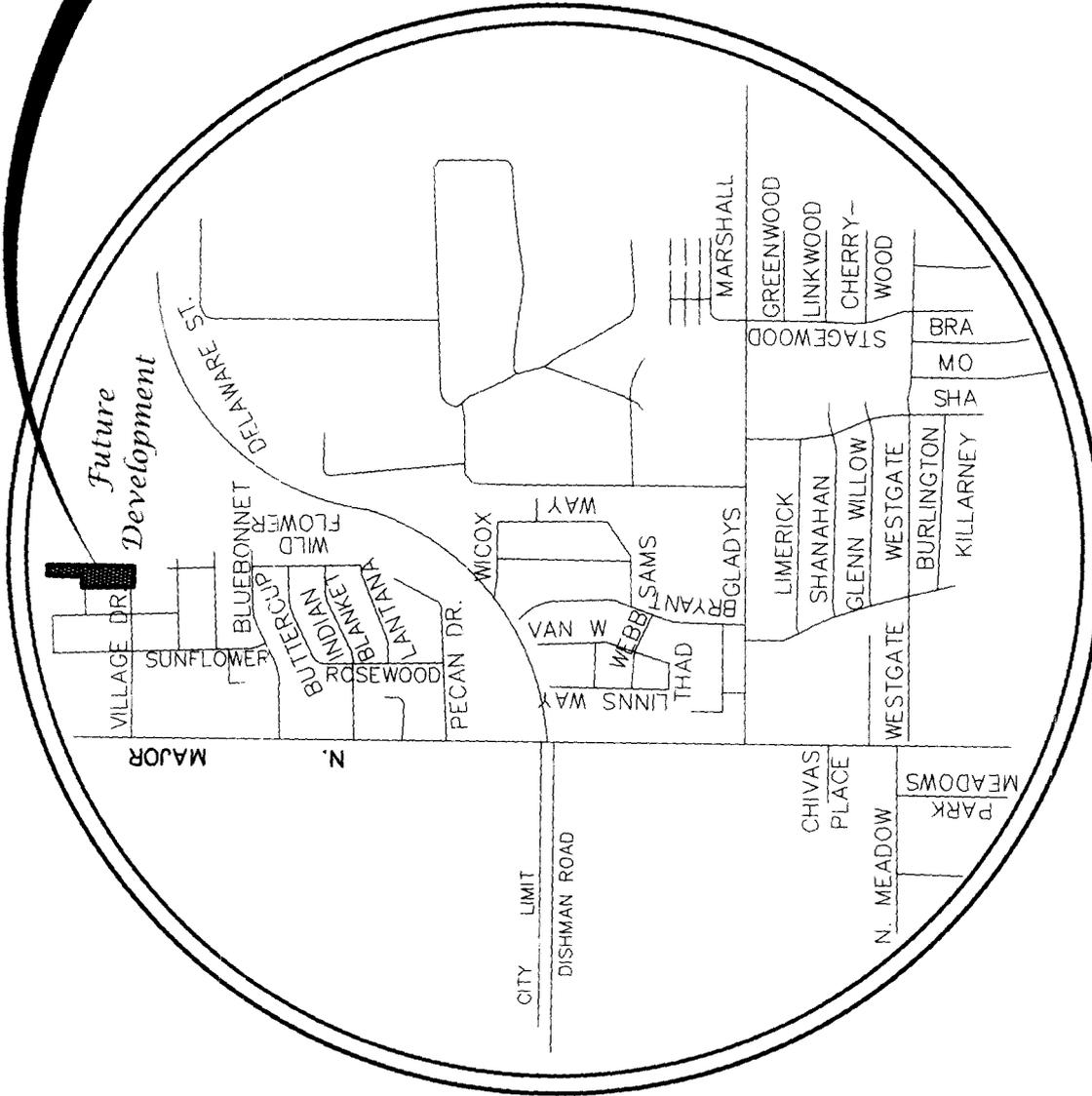
### **FUNDING SOURCE**

Nor applicable.

### **RECOMMENDATION**

Approval of resolution.

*Westchase  
Village  
Section Ten*



VICINITY MAP  
NTS

RESOLUTION NO.

WHEREAS, construction of the streets, storm sewer, water and sanitary sewer improvements constructed in West Chase Village, Section Ten-Phase II have been completed as follows:

**Streets**

- Village Drive approximately 185 feet east of existing Village Drive to and including the cul-de-sac.
- Little Drive approximately 48 feet north of Village Drive Cul-De-Sac to the 3-OM4-3 Dead End Roadway markers.

**Storm Sewer, Water and Sanitary Sewer Improvements**

- West Chase Village, Section Ten-Phase II, right-of-way only.

; and,

WHEREAS, the developers of said streets desire to have these improvements accepted and maintained by the City; and,

WHEREAS, the director of the Public Works and Engineering Department has determined that said improvements meet city standards and qualify for acceptance for permanent maintenance, and the City Council is of the opinion that said improvements should be accepted and maintained by the City of Beaumont;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the above-referenced street, storm sewer, water and sanitary sewer improvements in West Chase Village, Section Ten-Phase II, with the exception of streetlights, are hereby accepted by the City of Beaumont and shall be continuously

maintained by the City contingent upon filing of the final plat, complete with filings of dedication of all rights-of-way and easements required on the preliminary and final plats and installation of the streetlights.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** Patrick Donart, <sup>PD</sup> Public Works Director

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in The Meadows Subdivision Phase II West

### BACKGROUND

On January 28, 2014, a final inspection from all entities involved was completed on the following:

- West Sage approximately 565 feet south of existing West Sage to the 3-OM4-3 Dead End Roadway markers.
- Monarch approximately 143 feet east of West Sage to and including the Cul-de-Sac.
- Chicory Street approximately 188 feet east of West Sage to the 3-OM4-3 Dead End Roadway markers.

Recommended for approval are the storm sewer, water and sanitary sewer improvements for The Meadows Subdivision Phase II West right-of-way only.

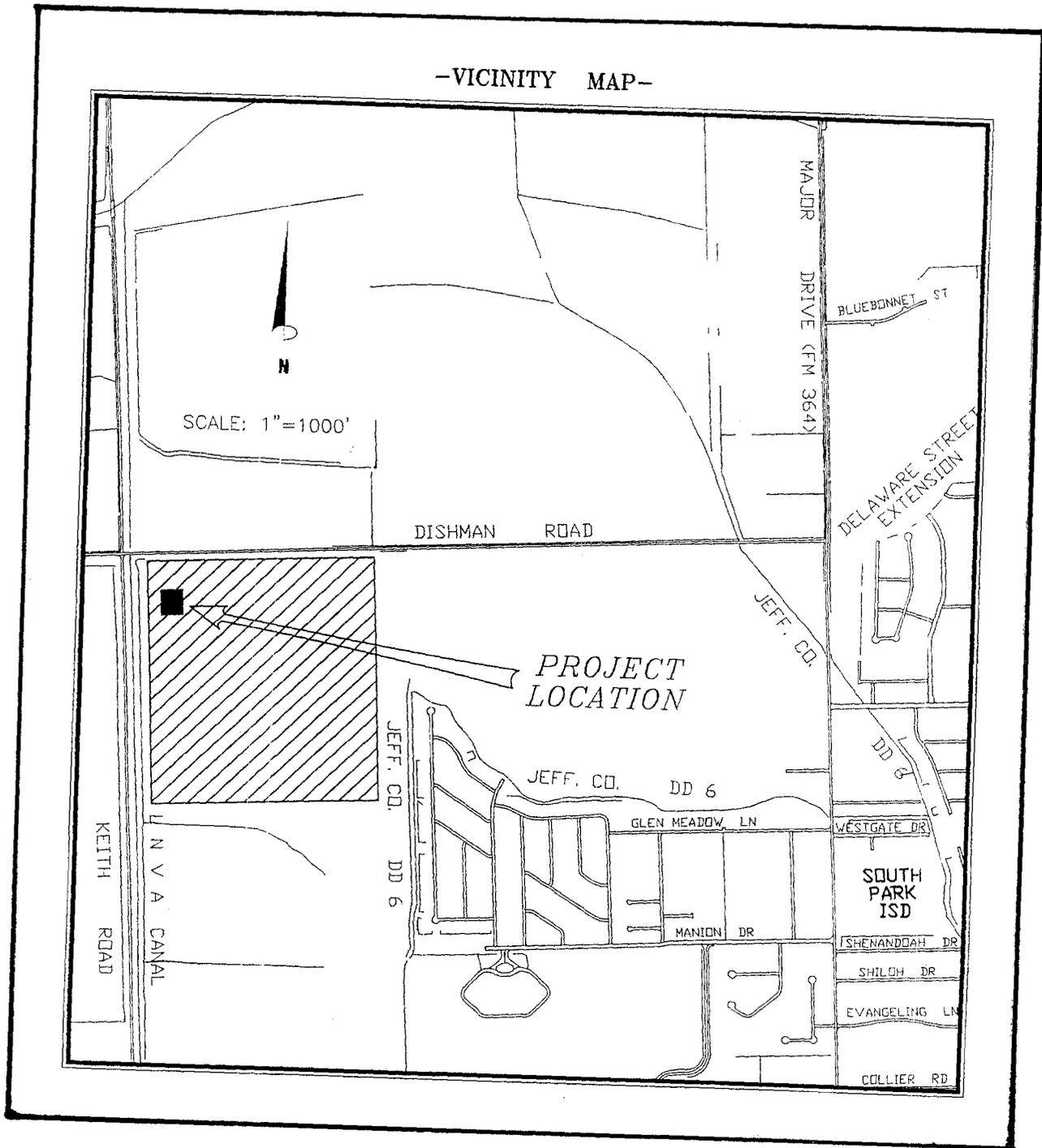
### FUNDING SOURCE

Not applicable.

### RECOMMENDTION

Approval of resolution.

-VICINITY MAP-



THE MEADOWS SUBDIVISION PHASE II  
WEST

RESOLUTION NO.

WHEREAS, construction of the streets, storm sewer, water and sanitary sewer improvements constructed in The Meadows Subdivision Phase II West have been completed as follows:

**Streets**

- West Sage approximately 565 feet south of existing West Sage to the 3-OM4-3 Dead End Roadway markers.
- Monarch approximately 143 feet east of West Sage to and including the cul-de-sac.
- Chicory Street approximately 188 feet east of West Sage to the 3-OM4-3 Dead End Roadway markers.

**Storm Sewer, Water and Sanitary Sewer Improvements**

- The Meadows Subdivision Phase II West, right-of-way only.

; and,

WHEREAS, the developers of said streets desire to have these improvements accepted and maintained by the City; and,

WHEREAS, the director of the Public Works and Engineering Department has determined that said improvements meet city standards and qualify for acceptance for permanent maintenance, and the City Council is of the opinion that said improvements should be accepted and maintained by the City of Beaumont;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

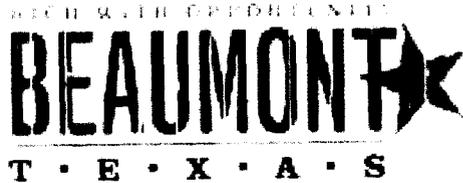
THAT the above-referenced street, storm sewer, water and sanitary sewer improvements in The Meadows Subdivision Phase II West, with the exception of

streetlights, are hereby accepted by the City of Beaumont and shall be continuously maintained by the City contingent upon filing of the final plat, complete with filings of dedication of all rights-of-way and easements required on the preliminary and final plats and installation of the streetlights.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -



**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS    MARCH 25, 2014    1:30 P.M.**

**AGENDA**

**CALL TO ORDER**

- \*    Invocation                      Pledge                      Roll Call
- \*    Presentations and Recognition
- \*    Public Comment: Persons may speak on scheduled agenda items 5 & 6/Consent Agenda
- \*    Consent Agenda

**GENERAL BUSINESS**

1.    Consider an ordinance approving a zone change from A-R (Agricultural-Residential) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility on property located on the east side of Major Drive, just north of Village Drive
2.    Consider an ordinance approving a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road
3.    Consider an ordinance approving a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street
4.    Consider an ordinance approving a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road
5.    Consider a resolution approving the award of a bid to Brystar Contracting, Inc. of Beaumont for the Washington Boulevard Pavement and Drainage Improvement Project Phase I (Amarillo to Martin Luther King Parkway)
6.    Consider an ordinance authorizing the participation by the City of Beaumont with other Entergy Texas service area cities in matters concerning Entergy before the Public Utility Commission of Texas and the Federal Energy Regulatory Commission in 2014

## **PUBLIC HEARING**

- \* Receive comments on the Public Services, Public Facilities and Improvements line items of the Consolidated Grant Program's 2014 Annual Action Plan

## **COMMENTS**

- \* Councilmembers/City Manager comment on various matters
- \* Public Comment (Persons are limited to 3 minutes)

## **EXECUTVE SESSION**

- \* Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

City of Beaumont v. Sunland Construction, Inc. and TransCanada  
Keystone Pipeline, LP

Robert Louis Patillo vs. The City of Beaumont; Case No. A-194,989

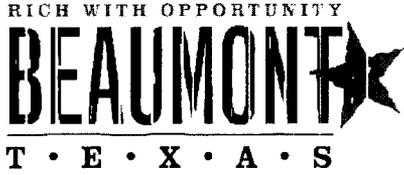
- \* As authorized by Section 551.087 of the Government Code, to discuss and deliberate economic development negotiations regarding a business entity proposing a Ford Park Convention Hotel and Water Park

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Mitchell Normand at 880-3777 three days prior to the meeting.

**March 25, 2014**

Consider an ordinance approving a zone change from A-R (Agricultural-Residential) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility on property located on the east side of Major Drive, just north of Village Drive

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** <sup>CB</sup> Chris Boone, Director of Planning and Community Development

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider an ordinance approving a zone change from A-R (Agricultural-Residential) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility on property located on the east side of Major Drive, just north of Village Drive.

### **BACKGROUND**

David Krukiel for Three Willows Land Development, LLC and representing Avalon Homes is requesting a zone change and specific use permit.

Avalon Homes would like to build a privately funded 30-bed non-medical assisted living facility that specializes in care for the memory impaired. The facility will consist of three single-story structures with different facades in order to create a “neighborhood” like environment. Each structure will be designed to appear as a single-family home including a yard, kitchen and living spaces.

Avalon specializes in care for patients with memory impairment diseases such as dementia and its most common form, Alzheimer’s. Staff is on site and residents are monitored 24-hours a day. Facilities have a high direct caregiver-to-resident ratio and have been designed to provide a highly secured environment.

Staff believes this facility would provide a much needed buffer to existing single family development to the east and future commercial development fronting on Major Drive.

At a Joint Public Hearing held March 17, 2014, the Planning Commission recommended 7:0:1 to approve a zone change from A-R (Agricultural-Residential) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility on property located on the east side of Major Drive, just north of Village Drive subject to the following conditions:

1. Must seek approval from TxDOT for driveway. (Transportation)
2. Parking shall be provided for staff and visitors only. (Transportation)
3. Must pass Environmental Health inspections. (Health)
4. Storm water and drainage system shall be designed for a 100 year flood frequency with final design being approved by the City and TxDOT.
5. The detention pond shall be maintained by the owner.
6. Provision for an 8' wooden privacy fence where the property abuts residentially zoned property.

**FUNDING SOURCE**

Not applicable.

**RECOMMENDATION**

Approval of ordinance subject to the following conditions:

1. Must seek approval from TxDOT for driveway. (Transportation)
2. Parking shall be provided for staff and visitors only. (Transportation)
3. Must pass Environmental Health inspections. (Health)
4. Storm water and drainage system shall be designed for a 100 year flood frequency with final design being approved by the City and TxDOT.
5. The detention pond shall be maintained by the owner.
6. Provision for an 8' wooden privacy fence where the property abuts residentially zoned property.

**LEGAL DESCRIPTION FOR ORDINANCE PURPOSES**

Being the east 250 feet out of Tract 82-A, SP-1, H. Williams Survey, Abstract 56, and a 50 foot wide driveway to Major Drive, Beaumont, Jefferson County, Texas, containing 4.51 acres, more or less.

# THREE WILLOWS LAND DEVELOPMENT, LLC

February 18, 2014

Planning Division, Room 205  
City of Beaumont  
City Hall, 801 Main Street  
Beaumont, TX 77701

**Re:     *Zoning Change -- Avalon Homes -- North Major Drive  
          City of Beaumont, Jefferson County, Texas***

To Whom it May Concern,

This letter is to request the zoning change of 4.5058 acres, out of and part of called 8.66 acres, owned by Mid-County Teachers Credit Union, City File Number 2001014809. Please see the attached survey for property description.

Currently the subject property is zoned Agricultural Residential (A-R). We are proposing a zoning change to General Commercial Multiple-Family Dwelling – 2 District Restriction (GC-MD-2). The reason for the request is to develop the above stated property with an Assisted Living complex that specializes in Memory Care.

It is our understanding that the property to the north has been rezoned to GC-MD with the rear one hundred (100) feet of the property zoned as GC-MD-2 to provide a buffer between the single-family residence. We wish to continue this pattern, but zone the entire subject property as GC-MD-2, which forces us or any proposed commercial development that wishes to develop the property to apply for a Specific Use Permit.

With the zoning to the north, it is our opinion that a commercial use will best suit this property in the future, being situated with frontage along North Major Drive. Our use is a great buffer between single-family residential and commercial tracts. Though our use is considered commercial in nature, it has a single-family “homey” feel. Our campuses consist of three (3) single story, 12,500 square foot buildings. These buildings are constructed of 100 percent masonry materials, topped with a pitched and gabled roof made of composite shingles. With the addition of extensive landscaping, necessary protective measures, and numerous amenities, the Avalon Memory Care campus is a perfect fit for this property.

Knowing that a Specific Use Permit will be required, the application for the permit will be submitted concurrently with the zoning change to better help demonstrate and display our intent and use.

Please utilize this letter as a request, along with the application and enclosed documents, to change the zoning of the above referenced site from Agricultural Residential to General Commercial Multiple-Family Dwelling – 2 District Restrictions.

Please feel free to contact us if you have any questions.

Sincerely,



David Krukziel

# THREE WILLOWS LAND DEVELOPMENT, LLC

February 18, 2014

Planning Division, Room 205  
City of Beaumont  
City Hall, 801 Main Street  
Beaumont, TX 77701

**Re:     *Specific Use Permit Request – Avalon Homes – North Major Drive  
          City of Beaumont, Jefferson County, Texas***

To Whom it May Concern,

This letter is to request a Specific Use Permit for 4.5058 acres, out of and part of called 8.66 acres, owned by Mid-County Teachers Credit Union, City File Number 2001014809. Please see the attached survey for property description.

Currently the subject property is zoned Agricultural Residential (A-R) and we are proposing a zoning change to General Commercial Multiple-Family Dwelling - 2 District Restriction (GC-MD-2). By rezoning the property to GC-MD-2, a specific use permit is required for any development located within that district. The reason for the request is to develop the above stated property with an Assisted Living complex that specializes in Memory Care. In a facility such as this, the use will be compatible with and not injurious to the use and enjoyment of other surrounding property owners. This use will not diminish or impair property values surrounding the site.

There is GC-MD2 Zoning to the north and this specific use of the property will not impede the normal and orderly development and improvements of surrounding properties.

As shown on the attached site plan, we are planning on developing the rear portion of the parent tract. To provide adequate access to the property, we are proposing a 24' drive that connects the property to North Major Drive. It is our intent for this drive to allow shared access to serve the other properties. Also, utilities (water and sanitary sewer) are located within the right of way of North Major Drive. We are planning to extend utilities, from North Major Drive to the proposed development.

The driveway that is to connect to North Major Drive will be designed and coordinated with the Texas Department of Transportation to meet all state requirements for location, arrangement and configuration. Parking spaces for the development will meet the requirements of the Code of Ordinances and will generally be located between the buildings to shield or screen them from possible view from North Major Drive.

There should be no concern regarding nuisance prevention or controlling of offensive odors, fumes, dust, noise and vibration as this Memory Care Center is designed as a residential development for those in need of care.

Any exterior directional lighting will be situated so as not to disturb or adversely affect neighboring properties. Additionally, there will be sufficient landscaping and screening as required by the City of Beaumont on this site.

With the zoning to the north, it is our opinion that a commercial use will best suit this property in the future, being situated with frontage along North Major Drive. Our use is a great buffer between single-family residential and commercial tracts. Though our use is considered commercial in nature, it has a single-family "homey" feel. Our campuses consist of three (3) single story, 12,500 square foot buildings. These buildings are constructed of 100 percent masonry materials and topped with a pitched and gabled roof made of composite shingles. Basically, each building is a very large single-family home. With the addition of extensive landscaping, necessary protective measures, and numerous amenities, the Avalon Memory Care campus is a perfect fit for this property. This assures the City that the proposed use is in accordance with the Comprehensive Plan.

Please see the attached Exhibit "A" for a detailed summary of the project, the use and the operations of the proposed project.

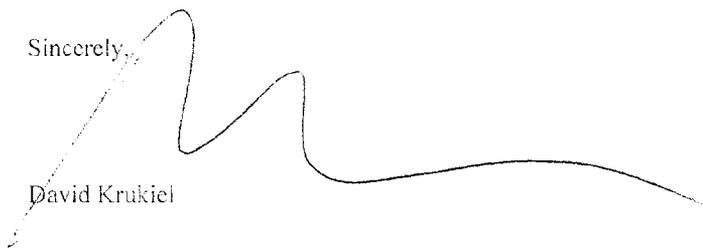
---

~~Please utilize this letter as a request, along with the application and enclosed documents, to request a Specific Use Permit for the above referenced site to allow for the development of the Avalon Homes Memory Care Development.~~

Please feel free to contact us if you have any questions.

Sincerely,

David Krukiel



ORDINANCE NO.

ENTITLED AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, AND IN PARTICULAR THE BOUNDARIES OF THE ZONING DISTRICTS, AS INDICATED UPON THE ZONING MAP OF BEAUMONT, TEXAS, BY CHANGING THE ZONING OF PROPERTY PRESENTLY ZONED A-R (AGRICULTURAL-RESIDENTIAL) DISTRICT TO GC-MD-2 (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING-2) DISTRICT OR MORE RESTRICTIVE DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF MAJOR DRIVE, JUST NORTH OF VILLAGE DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY OF BEAUMONT:

Section 1.

That Chapter 28 of the Code of Ordinances of Beaumont, Texas, and in particular the boundaries of the zoning districts, as indicated upon the Zoning Map of the City of Beaumont, referred to in Section 28.01.005(b) thereof, is hereby amended by changing the zoning of property presently zoned A-R (Agricultural-Residential) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District for property located on the East side of Major Drive, just North of Village Drive, being the east 250 feet out of Tract 82-A, SP-1, H. Williams Survey, Abstract 56, and a 50 foot wide driveway to Major Drive, City of Beaumont, Jefferson County, Texas, containing 4.51 acres, more or less, as shown on Exhibit "A," attached hereto, and the official zoning map of the City of Beaumont is hereby amended to reflect such changes.

Section 2.

That, in all other respects, the use of the property herein above described shall be subject to all of the applicable regulations of the underlying zoning district as well as those

regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended.

Section 3.

That if any section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this ordinance, and to such end, the various portions and provisions of this ordinance are declared to be severable.

Section 4.

That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5.

That any person who violates any provision of this ordinance shall, upon conviction, be punished, as provided in Section 1.01.009 of the Code of Ordinances of Beaumont, Texas.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

File 2196-Z/P: Request for a zone change from A-R (Agricultural-Residential) to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility.

Location: East side of North Major, just North of Village Drive

Applicant: David Krukiel, Three Willows Land Development, LLC

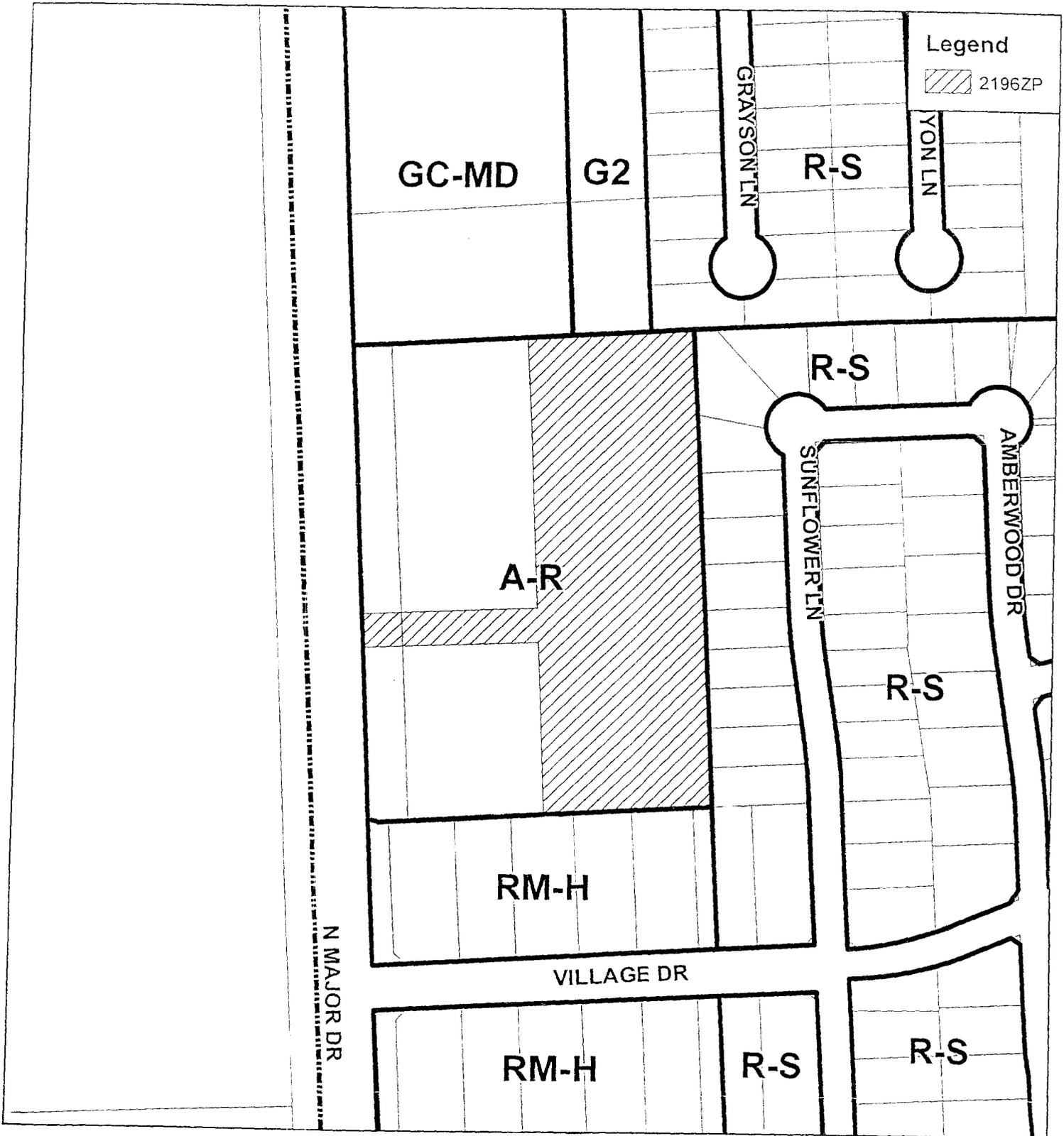
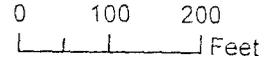
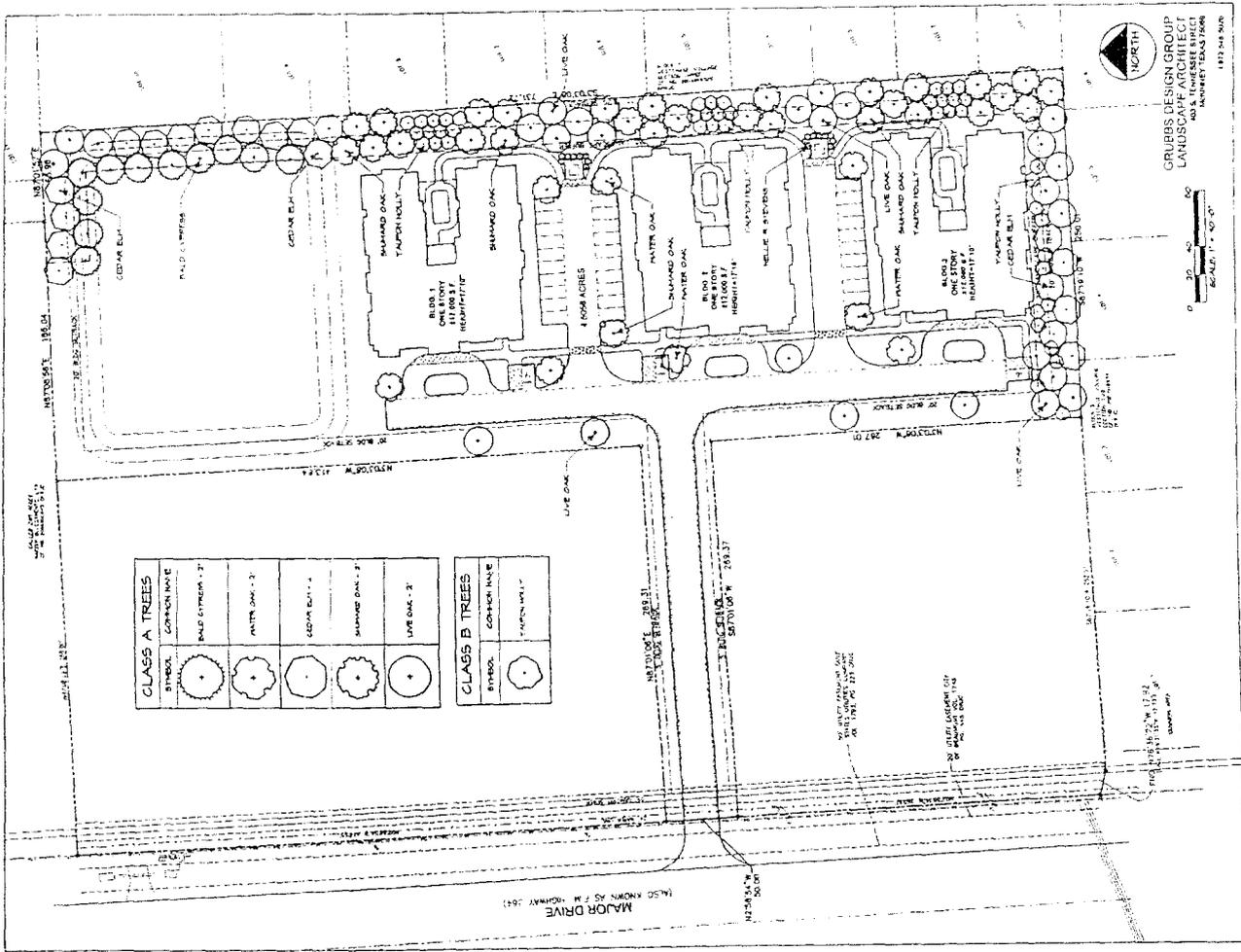


EXHIBIT "A"

DATE	DESCRIPTION



**LANDSCAPE CALCULATIONS**

**PERMETLANDSCAPE AND SCREENING REQUIREMENTS**

NORTH PROPERTY ADJACENT TO RESIDENTIAL  
 10 CLASS A TREES REQUIRED (64' / 10' = 6.4)  
 CLASS A TREES PROVIDED (64' / 10' = 6.4)  
 CLASS A TREES PROVIDED (2' CALL)

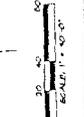
EAST PROPERTY ADJACENT TO RESIDENTIAL  
 18 TREES REQUIRED (180' / 10' = 18)  
 CLASS A TREES PROVIDED (18' CALL)  
 CLASS B TREES PROVIDED (1' CALL PER TRUNK)  
 TOTAL TREES PROVIDED

SOUTH PROPERTY ADJACENT TO RESIDENTIAL  
 22 TREES REQUIRED (220' / 10' = 22)  
 CLASS A TREES PROVIDED (22' CALL)  
 CLASS B TREES PROVIDED (1' CALL PER TRUNK)  
 CLASS B TREES = 3 CLASS A TREES  
 TOTAL TREES PROVIDED

\*Approval subject to the following conditions:

1. Must seek approval from TxDOT for driveway. (Transportation)
2. Parking shall be provided for staff and visitors only. (Transportation)
3. Must pass Environmental Health inspections. (Health)
4. Storm water and drainage system shall be designed for a 100 year flood frequency with final design being approved by the City and TxDOT.
5. The detention pond shall be maintained by the owner.
6. Provision for an 8' wooden privacy fence where the property abuts residentially zoned property.

GRUBBS DESIGN GROUP  
LANDSCAPE ARCHITECT  
405 S. TENNESSEE STREET  
MEMPHIS, TN 38104  
901.525.5000



ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW AN ASSISTED LIVING/MEMORY CARE FACILITY IN A GC-MD-2 (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING-2) DISTRICT ON PROPERTY LOCATED ON THE EAST SIDE OF MAJOR DRIVE, JUST NORTH OF VILLAGE DRIVE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Three Willows Land Development, LLC and Avalon Homes, have applied for a specific use permit to allow a living/memory care facility in a GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District on property located on the East side of Major Drive, just North of Village Drive, being the East 250 feet out of Tract 82-A, SP-1, H. Williams Survey, Abstract 56, and a 50 foot wide driveway to Major Drive, Beaumont, Jefferson County, Texas, containing 4.51 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow an assisted living/memory care facility in a GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District on property located on the East side of Major Drive, just North of Village Drive, subject to the following conditions:

- Must seek approval from TxDOT for driveway.
- Parking shall be provided for staff and visitors only.
- Must pass Environmental Health inspections.
- Storm water and drainage system shall be designed for a 100 year flood frequency with final design being approved by the City and TxDOT.
- The detention pond shall be maintained by the owner.
- Provision for an 8' wooden privacy fence where the property abuts residentially zoned property.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow an assisted living/memory care facility in a GC-MD-2 (General Commercial-Multiple Family Dwelling-2) for property located on the East side of Major Drive, just North of Village Drive, being the East 250 feet out of Tract 82-A, SP-1, H. Williams Survey, Abstract 56, and a 50 foot wide driveway to Major Drive, Beaumont, Jefferson County, Texas, containing 4.51 acres, more or less, as described in Exhibit "A," attached hereto, is hereby granted to Three Willows Land Development , LLC and Avalon Homes, their legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, subject to the following conditions:

- Must seek approval from TxDOT for driveway.
- Parking shall be provided for staff and visitors only.
- Must pass Environmental Health inspections.
- Storm water and drainage system shall be designed for a 100 year flood frequency with final design being approved by the City and TxDOT.
- The detention pond shall be maintained by the owner.
- Provision for an 8' wooden privacy fence where the property abuts residentially zoned property.

Section 2.

That the specific use permit herein granted is expressly issued for and in

accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

File 2196-Z/P: Request for a zone change from A-R (Agricultural-Residential) to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District with a specific use permit to allow an assisted living/memory care facility.

Location: East side of North Major, just North of Village Drive

Applicant: David Krukiel, Three Willows Land Development, LLC

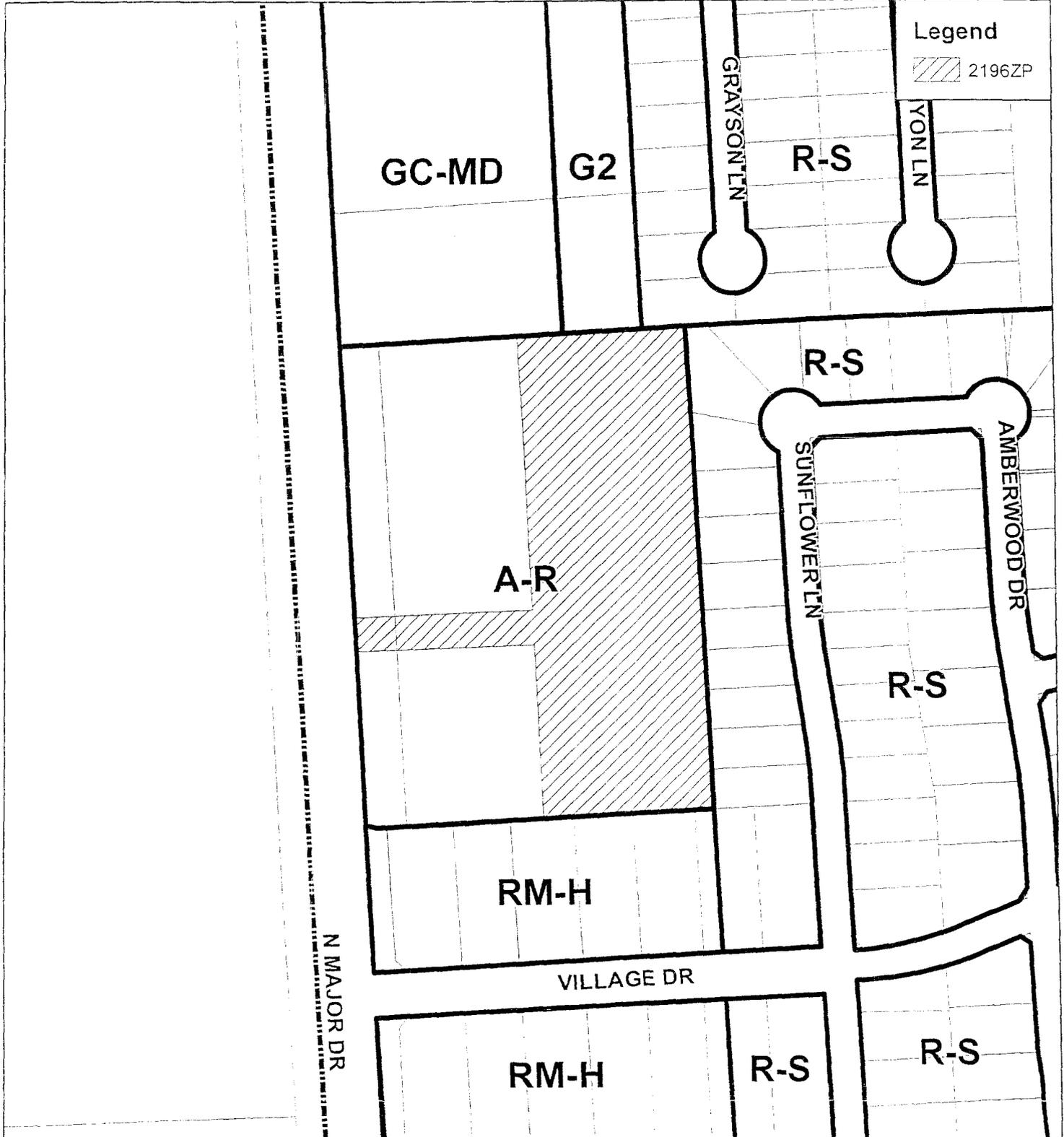
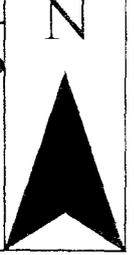
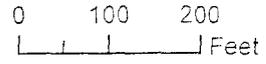


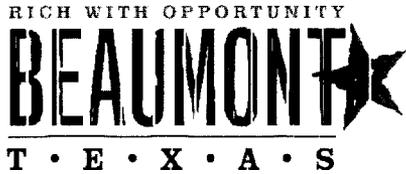
EXHIBIT "A"



**March 25, 2014**

Consider an ordinance approving a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** Chris Boone, <sup>617</sup> Director of Planning and Community Development

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider an ordinance approving a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road.

### BACKGROUND

Dr. Deiparine is requesting a specific use permit.

The applicant recently built a barn behind his residence located on his nine acre tract of property. The 4,500 sq. ft. building includes a storage area and a game room. Dr. Deiparine is requesting this specific use permit to also allow a living unit in this accessory structure for family members.

At a Joint Public Hearing held March 17, 2014, the Planning Commission recommended 8:0 to approve a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road with the following condition:

1. The second dwelling unit will not be leased.

### FUNDING SOURCE

Not applicable.

### RECOMMENDATION

Approval of ordinance with the following condition:

1. The second dwelling unit will not be leased.

### LEGAL DESCRIPTION FOR ORDINANCE PURPOSES

Being The East 544.9 feet of Lot 16 and the West 15 feet of Lot 17, Block 2, Pearl Acres, Beaumont, Jefferson County, Texas, containing 9.62 acres, more or less.



Mr CHRIS BOONE

Thank your assistance and help in reviewing this matter. The eight specific conditions required in your specific use permits should be addressed in the following response. Let me know if there is anything further we need to do to help you in your review of the project (Dr. Caesar's Deiparine, single family dwelling residential, barn & game room to barn in-law suite). Dr Deiparine's twin brother whom is also a Dr. has recently moved to Beaumont and joined Caesar's medical practice at SETMA. They are very family oriented and would like to be able to use the structure as living quarters so they may be close but also have some privacy. For this reason we are applying for a change in the use of the original permit to allow for a in-law suite in place of the original game room. Please find attached a copy of the site plan & survey, original floor plan, revised floor plan and elevations of the project.

1. The specific use will is compatible with and not injurious with the use and enjoyment of the other surrounding property or their values. The new building will house boats & lawn equipment as well as in-law quarters.
2. The establishment of the specific use will in no way impede the normal and orderly development and improvement of surrounding vacant property. The new structure will be in keeping with type and style of construction in the immediate area (metal building with brick wainscoting).
3. The existing water and sewer utilities are adequate service to barn.
4. The design, location and arrangement of widened entrance will improve access for vehicles and the ability to turn around and drive out with recreational trailers. The new structure will allow the client to store their lawn & recreational equipment out of weather and in a secure space.
5. Adequate nuisance preventions will be taken as to minimize any offensive odor, fumes, dust, noise and vibrations. Work will take place during normal business hours and in such a way as to make as little disruption to surrounding neighbors as possible.
6. Directional lighting will be provided as not to disturb or adversely effect neighboring properties. No parking lot lighting is planned and building lighting is in keeping with structures in surrounding area.
7. There is sufficient landscaping to insure harmony and compatibility with adjacent property. The total property is 9.16 acres and the new structure is well buffered from surrounding areas.
8. The proposed use is in accordance with the Comprehensive Plan which was previously submitted & and approved. The new proposal is simply to change the use of game room to in-law suite to better service client needs.

A handwritten signature in cursive script, appearing to read 'James Hoskinson', is written in black ink.

James Hoskinson  
MRT Contracting  
01/26/2014

**JAMIE HOSKINSON (OWNER) GENERAL CONTRACTOR**  
P.O. BOX 7707 BEAUMONT, TX 77726 jamie@mrtcontracting.com  
CELL (409) 790-9228 FAX (409) 924-7953

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A SECOND DWELLING UNIT ON PROPERTY ZONED RS (RESIDENTIAL SINGLE FAMILY DWELLING) DISTRICT AT 8520 SPURLOCK ROAD IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Dr. Ceasar Deiparine has applied for a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road, being the East 544.9 feet of Lot 16 and the West 15 feet of Lot 17, Block 2, Pearl Acres, Beaumont, Jefferson County, Texas, containing 9.62 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District at 8520 Spurlock Road, subject to the following condition:

- The second dwelling unit will not be leased.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a second dwelling unit on property zoned RS

(Residential Single Family Dwelling) District at 8520 Spurlock Road , being the East 544.9 feet of Lot 16 and the West 15 feet of Lot 17, Block 2, Pearl Acres, Beaumont, Jefferson County, Texas, containing 9.62 acres, more or less, as described in Exhibit "A," attached hereto, is hereby granted to Dr. Ceasar Deiparine, his legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, subject to the following condition:

- The second dwelling unit will not be leased.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

File 2199-P: Request for a specific use permit to allow a second dwelling unit on property zoned RS (Residential Single Family Dwelling) District.

Location: 8520 Spurlock Road

Applicant: Dr. Ceasar Deiparine

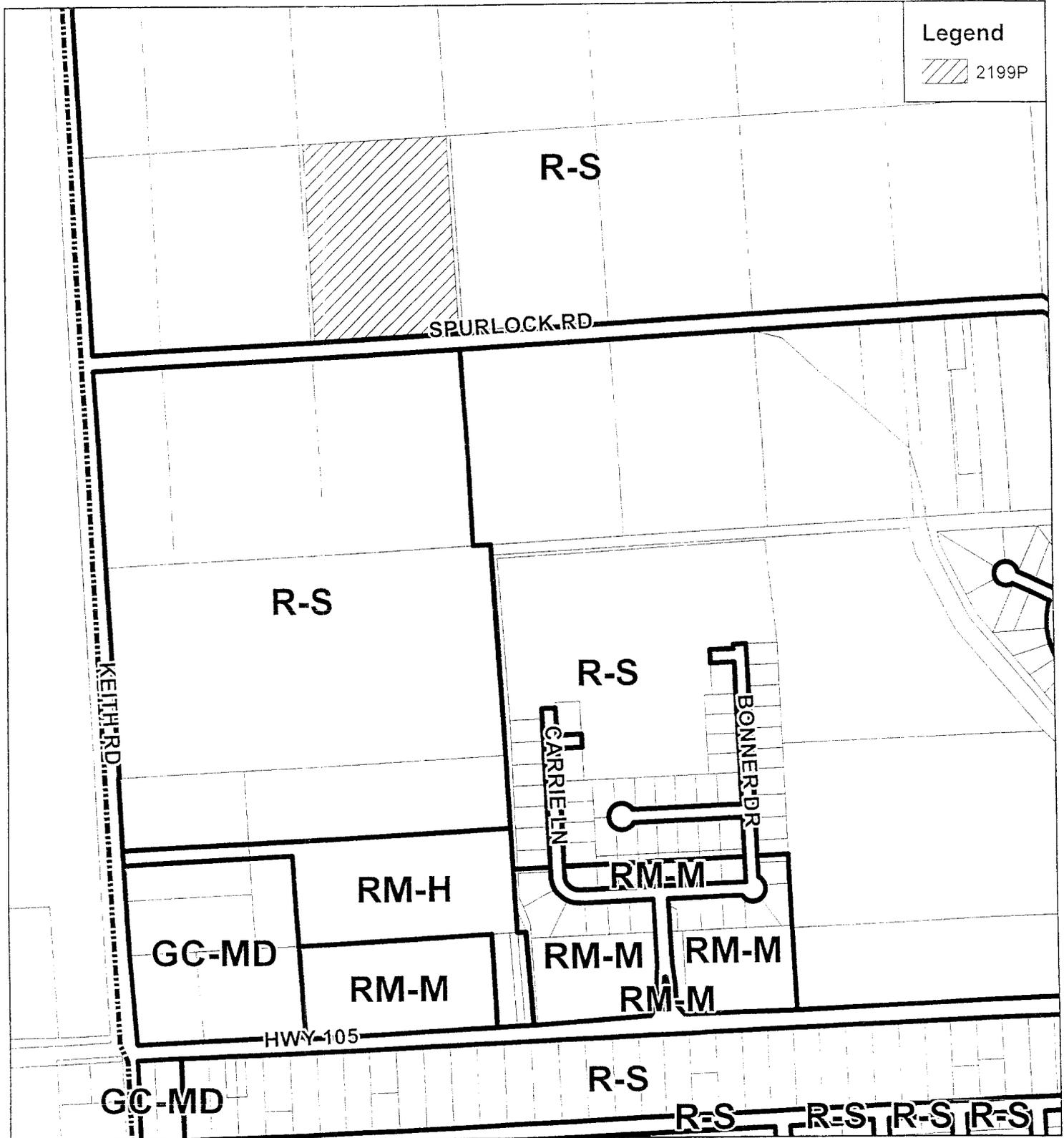
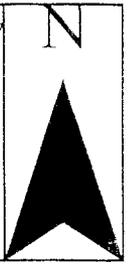
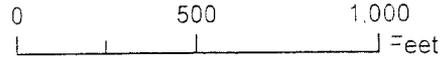
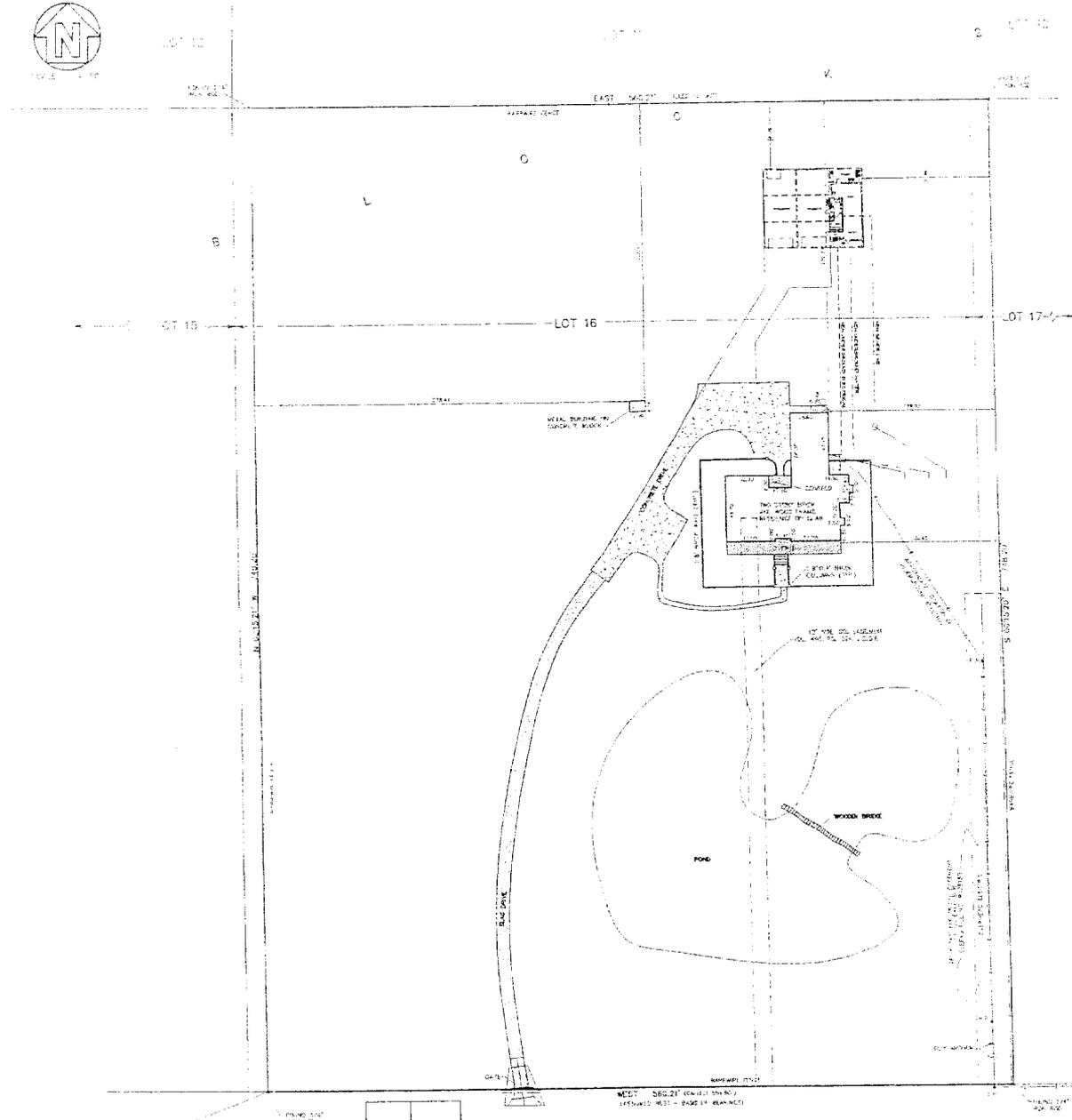
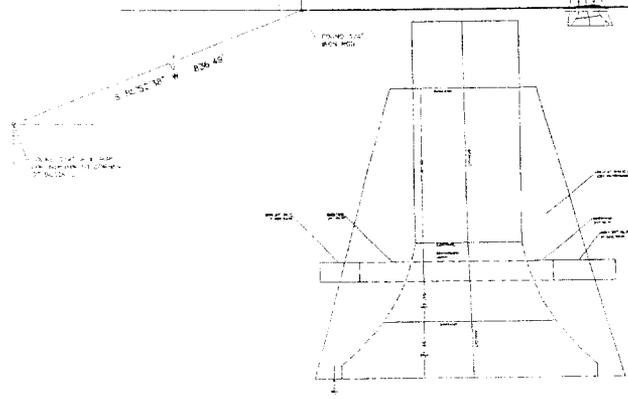


EXHIBIT "A"



8520 SPURLOCK ROAD  
160' x 120'



CLIENT: [Name] PROJECT: [Name] ADDRESS: [Address]

DESCRIPTION OF SERVICES RENDERED: [Text]

WARRANTY CERTIFICATION: [Text]

THESE PLANS HAVE BEEN PREPARED BY THE ENGINEER OR ARCHITECT AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY OTHER USE OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF PITTZ & SHIPMAN, INC. IS STRICTLY PROHIBITED.

DATE: [Date] DRAWN BY: [Name] CHECKED BY: [Name]

**PITTZ & SHIPMAN, INC.**  
CONSULTING ENGINEERS & LAND SURVEYORS  
400 18th Street, Suite 2, Beaumont, Texas 77705  
PH: 409-835-1111 FAX: 409-835-1112

\*Approval with the following condition:  
 1. The second dwelling unit will not be leased.

FOURDOLLARS  
**\$1.00**  
 SHEET 1

**DR. Deiparine**  
 CEZAR & QUEENIE DEIPARINE  
 8520 SPURLOCK RD. BEAUMONT  
 JOB #MRT201301

**EXHIBIT "B"**



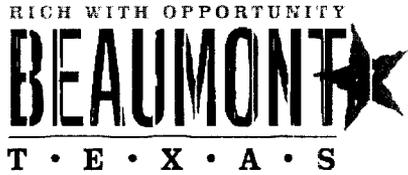
**COPYRIGHT**  
 THESE PLANS ARE THE PROPERTY OF THE ARCHITECT OR ENGINEER WHO PREPARED THEM. THEY MAY NOT BE USED IN WHOLE OR IN PART, REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT OR ENGINEER. ANY UNAUTHORIZED USE OF THESE PLANS IS STRICTLY PROHIBITED.

REVISIONS

**March 25, 2014**

Consider an ordinance approving a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** Chris Boone<sup>CSD</sup>, Director of Planning and Community Development

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider an ordinance approving a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street.

### BACKGROUND

Tanya Freeman with MW Clinical Research is requesting a specific use permit.

MW Clinical Research is a privately owned facility that provides clinical trials. Pharmaceutical companies rely on such centers to test new medications before applying to the FDA for permission to market the medication.

Activities to be conducted at this location may include completion of questionnaires, collection of vital signs and labs and dispensing of study medications. As this is an existing office building in Old Town and no construction is proposed, a waiver of the landscaping/screening requirements is recommended.

At a Joint Public Hearing held March 17, 2014, the Planning Commission recommended 8:0 to approve a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street with a modification to the landscaping/screening requirements (no additional landscaping or screening requirements along the south, east and west property lines).

### FUNDING SOURCE

Not applicable.

### RECOMMENDATION

Approval of ordinance with a modification to the landscaping/screening requirements (no additional landscaping or screening requirements along the south, east and west property lines).



February 21, 2014

City of Beaumont  
Planning Division  
801 Main Street, Room 201  
Beaumont, TX 77701

Subject: Specific Use Permit Application

MW Clinical Research Center is a privately owned, multi-therapeutic medical research facility fully dedicated to providing efficient and high quality Phase II-IV clinical trials. The company has been in business since August 2003 and currently employs 2 full-time Certified Clinical Research Coordinators and 1 contracted physician.

The company's goal is the advancing of medicine through the discovery of new therapies in a wide variety of therapeutic areas. Our commitment is to provide sponsoring pharmaceutical companies with high quality data by devoting attention to patient safety and clean data collection and management.

All research activities are conducted in strict accordance to FDA regulations and under review of appropriate Institutional Review Boards. All staff members are fully trained and experienced with human subject protection regulations (21 CFR Parts 50 and 56) as well as good clinical practice regulations (21 CFR Part 312) and standards for the conduct of clinical studies.

#### OVERVIEW OF CLINICAL RESEARCH ACTIVITIES:

Pharmaceutical companies must test new medications before applying to the FDA for permission to market the medication and make it available to the public. In clinical trials, or medical research studies, volunteers receive investigational medications or inactive placebo while researchers closely monitor their safety and progress.

Research studies are conducted in the following four phases:

- Phase I – tests the safety of the new medication in healthy people
- Phase II – tests the effectiveness of the new medication in people who have the medical condition

- Phase III – tests the safety and effectiveness of the new medication in a larger number of people with the condition
- Phase IV – tests the medication after it has received FDA approval and is available to the public

### Protecting Study Participants:

In remaining compliant with all FDA regulations, the research team must also be committed to conducting studies in compliance with Good Clinical Practices (GCP) which is the industry's quality standard designed to protect the rights, safety and wellbeing of the volunteers while they participate in the study. Good Clinical Practices are implemented in the designing, conducting, recording and reporting of all research activities.

To protect the safety of the study volunteers, the research team must do the following:

- Follow the study protocol which is a detailed plan or guidebook developed by the pharmaceutical company explaining all study procedures and the overall conduct of the trial
- Explain the study to the potential participants and completely answer all questions
- Have the study reviewed by an Institutional Review Board or Ethics Committee

### Rights of Study Participants:

All volunteer participants in research studies have the right to:

- A signed/dated copy of their Informed Consent Form, which is a document that provides all study-related details and is provided to the volunteer prior to study entry
- Adequate information about the study such as the reason the study is being conducted, the risks and benefits involved and details about the study treatments
- Understand the “pros” and “cons” of alternative treatment options, including standard medical treatment
- Carefully consider the decision to participate and take as much time as needed to make the decision to participate
- Decide not to participate, withdraw from the study at any time or stop participation for any reason

#### DAILY OPERATIONS AT SITE:

Hours of operation will be 9:00am – 5:00pm Monday through Friday, closed on Saturday and Sunday. Study visits are made by appointment only. Visit schedules for study participants vary depending on the study protocol and may be weekly visits, monthly visits or quarterly visits.

Procedures done at study visits include questionnaires, collection of vital signs and study specific labs, ECG recordings and dispensing of study medication. Participants are recruited from the community through physician referrals or advertisements (TV, radio, newspaper). All participants are pre-screened and must meet strict eligibility criteria outlined in the study protocol prior to enrolling in any research study.

#### SPECIFIC USE OF PROPERTY:

There will be no change to land or property use as a result of the establishment of this business. The external structure of the environment will remain unchanged except for a small business sign affixed to the front of the building to include the business name.

The following conditions will be met during use of the property:

- The specific proposed use of the property will remain compatible with the use and enjoyment of other property and will not diminish or impair property value in the immediate vicinity
- The proposed use of the property will not impede normal and orderly development/improvement of surrounding vacant property
- There are adequate utilities, access roads and drainage provided
- The design, location and arrangement of all driveways and the provision of 20 private parking spaces located behind the property provides for safe and easy movement of both vehicular and pedestrian traffic without any effect on neighboring properties
- There will be no nuisance due to the specified use of the property resulting in any odor, fumes, noise, etc.
- Any lighting used will not disturb or affect neighboring properties in any way
- The landscaping of the property will remain unchanged and is harmoniously compatible with neighboring properties

Sincerely,



Tanya Freeman, BS, CCRC, CCRP

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW HEALTH SCREENING SERVICES IN AN RCR-H (RESIDENTIAL CONSERVATION AND REVITALIZATION-HISTORIC) DISTRICT AT 2263 NORTH STREET IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Tanya Freeman, on behalf of MW Clinical Research, has applied for a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street, being all of Lot 10, the West ½ of Lot 9 and the East 10 feet of Lot 11, Block 5, Averill Addition, Beaumont, Jefferson County, Texas, containing 0.17 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street, with a modification to the landscaping/screening requirements (no additional landscaping or screening requirements along the south, east and west property lines); and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

### Section 1.

That a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District at 2263 North Street, being all of Lot 10, the West ½ of Lot 9 and the East 10 feet of Lot 11, Block 5, Averill Addition, Beaumont, Jefferson County, Texas, containing 0.17 acres, more or less, as shown on Exhibit "A," attached hereto, is hereby granted to MW Clinical Research, its legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, with a modification to the landscaping/screening requirements (no additional landscaping or screening requirements along the south, east and west property lines).

### Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B," attached hereto and made a part hereof for all purposes.

### Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

File 2198-P: Request for a specific use permit to allow health screening services in an RCR-H (Residential Conservation and Revitalization-Historic) District.

Location: 2263 North Street

Applicant: Tanya Freeman

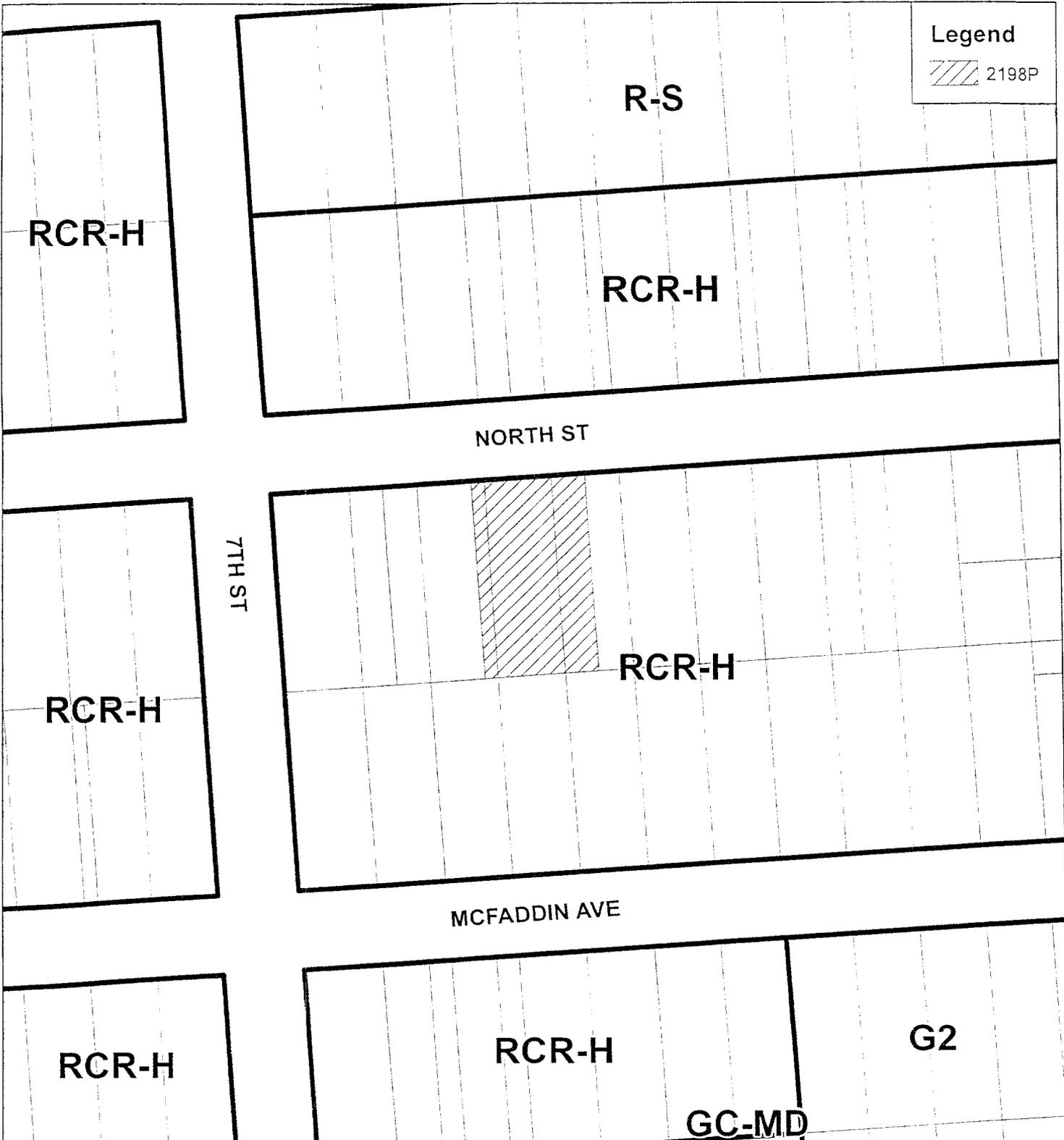
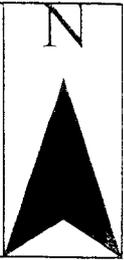
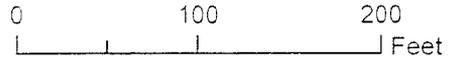
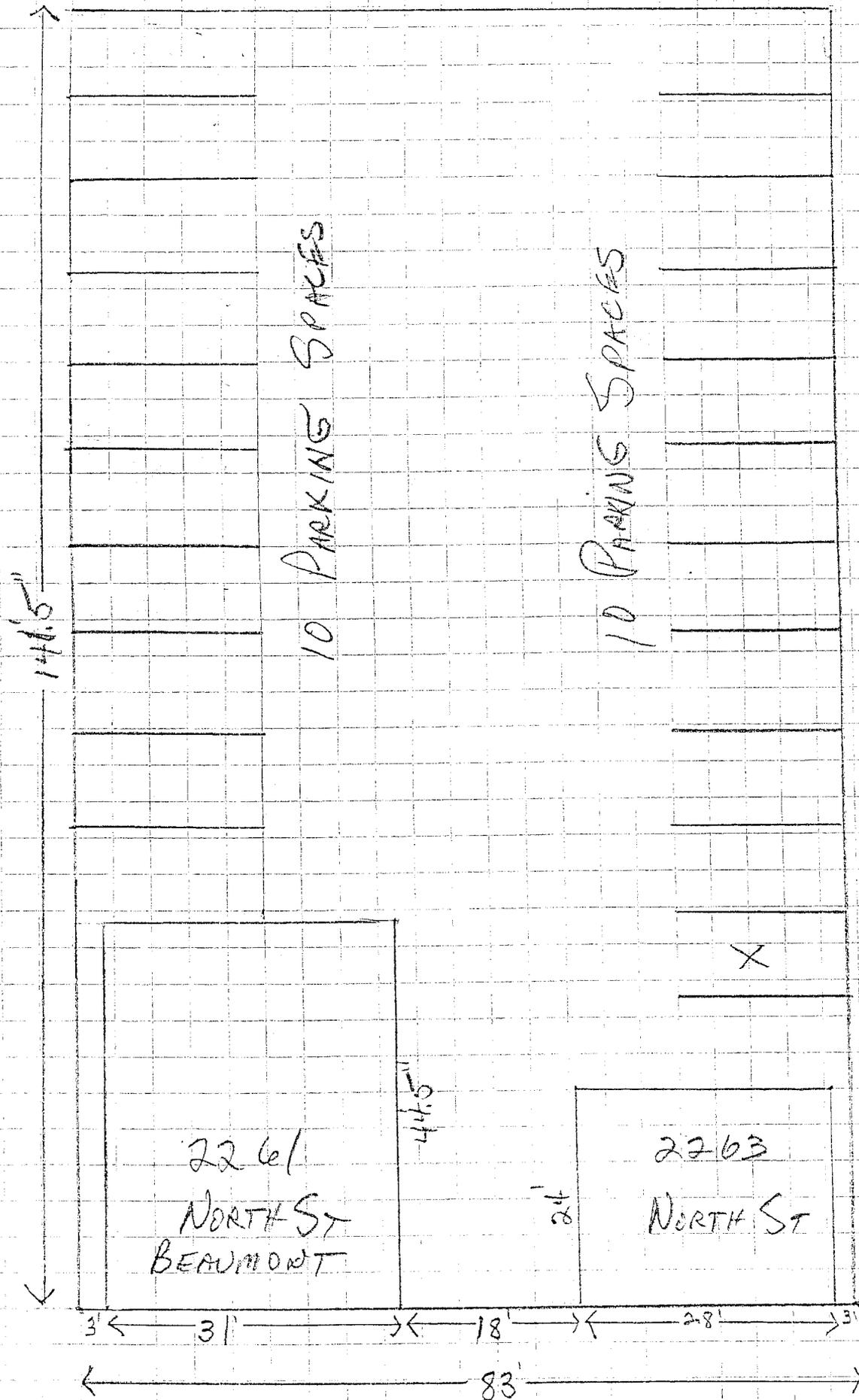


EXHIBIT "A"



\* Approval with a modification to the landscaping/screening requirements (no additional landscaping or screening requirements along the south, east and west property lines).

**March 25, 2014**

Consider an ordinance approving a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:**   
Chris Boone, Director of Planning and Community Development

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider an ordinance approving a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road.

### BACKGROUND

Jeannie Gurley with Proteus-Services on behalf of Banah Partners is requesting a specific use permit.

The applicant would like to construct a 180' monopole cellular tower on property that is owned by Banah Partners. Christus St. Elizabeth Medical Group currently has a facility located on the northeast portion of the property.

Ms. Gurley states that a new cell site location is necessary to provide coverage to their customers. The new tower will improve network coverage for Verizon Wireless customers in the Beaumont area. Due to customers depending on wireless more and more each day for calls and data service, Proteus is committed to providing a reliable wireless network.

At a Joint Public Hearing held March 17, 2014, the Planning Commission recommended 8:0 to approve a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road with the following condition:

1. Provide buffer landscaping/screening around the perimeter of the lease site.

### FUNDING SOURCE

Not applicable.

### RECOMMENDATION

Approval of ordinance subject to the following condition:

1. Provide buffer landscaping/screening around the perimeter of the lease site.



February 17, 2014

To: City of Beaumont Planning Commission and City Council  
Re: Proposed Verizon Wireless Cellular Tower SUP Application

Distinguished members of the Beaumont Planning Commission and City Council,

Verizon Wireless currently has a need for a wireless communications facility in the City of Beaumont. In our effort to provide the best wireless service in the area, Verizon Wireless, the nation's most reliable wireless network, is expanding their network in the Beaumont, TX, community. This new proposed cell site is necessary in order to ensure that Verizon Wireless' can continue to meet the growing demands for the company's popular voice and data services, including the new 4G LTE and more. The proposed tower would fill a coverage gap in this area and will resolve our customer's need for adequate and consistent coverage. The new tower facility will be integrated into the existing network so it can transmit, receive, and offload calls to and from other towers without interference.

**Why in Beaumont?** The new cell site location will help us provide coverage to our customers. Daily business commuters and residents will find improved network coverage in the Beaumont Area.

- The new cell site is part of Verizon Wireless' continued effort to increase capacity and enhance the quality of its wireless voice and data network in the area. The new cell site would also help strengthen reliability and boost capacity for wireless callers and data users across the area

- **Benefits:** Our customers are depending on Verizon Wireless more and more each day for regular wireless calls as well as advanced wireless data services, and this project is part of our overall commitment to providing customers with the most reliable and advanced wireless network. This includes e-mails, everyday corporate data, the internet and more at faster speeds, including file uploads up to five to six times faster than before.

**Property:** The subject property is located at 7510 Tolivar Rd; Beaumont, TX, 77713. The cell tower facility will be owned and operated by Verizon Wireless. The proposed monopole tower would be 180' with an overall height of 191' including the lightning rod, in a 40'x40' fenced compound. The proposed cell tower location has been designed to meet the required setback from residential properties and away from any major subdivisions. The property is zoned GC-MD.

**Supporting Documents Attached For Review:**

Specific Use Permit Application

Appraisal District Property Information

Final Survey

Architectural Drawings

Site Plan and Tower Elevation

Photos of the Proposed Tower Location Including: View from Proposed Compound Outward-North, South, East and West; Ingress and Egress; Telco, Power, and Aerial Photo

Zoning Ordinance Eight Conditions Requirements



- 1) **That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.**  
The proposed cell tower will be compatible with, and not injurious to, the use and improvement of other properties due to the fact it is located at the rear of a commercially zoned property fronting Hwy 105 between a doctor's office and an Exxon gas station. The proposed cell tower is located directly adjacent to the physical plant utilities enclosure (see attached photos) for the building on the parent parcel.
- 2) **That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.**  
The proposed Cell Tower will not prevent any further development of surrounding vacant properties. All surrounding and adjacent properties are commercially zoned. The proposed compound is small and would be limited to a small spot on the back rear of the parent parcel with no access or utility easements that encroach on surrounding properties.
- 3) **That adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided.**  
All utilities and other supportive facilities necessary for our proposed cell tower are already in place inside the existing utilities Right of Way along Tolivar Road adjacent to the proposed compound location. The proposed access driveway into the compound will utilize a culvert placed into the drainage ditch running along Tolivar Rd. The proposed compound will be constructed such that any ground water will drain into the existing drainage ditch on Tolivar Rd. via the existing drainage swale on the subject parcel (as noted on page 2 of the attached drawings).
- 4) **The design, location, and arrangement, of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.**  
There will be only one driveway going into the compound and will have minimal vehicular and pedestrian traffic at the proposed cell tower with the exception of construction.
- 5) **That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibrations.**  
There will be no offensive odor, fumes, dust, noise and vibrations at the proposed cell tower (excepting construction) with the exception of the generator which is engaged only when power is lost at the site and/or during very short self-start cycles periodically.
- 6) **That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.**  
The proposed cell tower will be 180' and the FAA does not require it to be lit as it is under 200'. There will be a small light placed on the equipment platform in order to facilitate nighttime maintenance of the site if needed.
- 7) **That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property.**  
There will be a fenced-in compound for the proposed cell tower. There were no landscaping-specific requirements noted in the city ordinance for cell towers.



8) **That the proposed use is in accordance with the Comprehensive Plan.**

As the City of Beaumont is a progressive, proactive, and pro-business community that prioritizes quality economic development, this state-of-the-art facility is specifically located to provide valuable and needed wireless and data coverage to both businesses and residents in this area. Additionally, this District Center would greatly benefit from Verizon Wireless building the proposed cell tower to add adequate emergency 911 services and more advanced wireless data services.

Please review the enclosed materials, and at your earliest convenience let me know if you need any further documents or information to place this application on the next available agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeannie Gurley". The signature is fluid and cursive, written over the typed name.

Jeannie Gurley  
Proteus-Services  
Site Acquisition Administrator  
P.O. Box 550241  
Houston, Texas 77225-0241  
713-818-6421 Direct  
832-202-2679 Fax



ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A CELLULAR TOWER IN A GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT AT 7510 TOLIVAR ROAD IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Banah Partners, on behalf of Verizon Wireless, has applied for a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road, as described in Exhibit "A" and shown on Exhibit "B," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road, subject to the following condition:

- Provide buffer landscaping/screening around the perimeter of the lease site.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District at 7510 Tolivar Road , as described in Exhibit

"A" and shown on Exhibit "B," attached hereto, is hereby granted to Banah Partners, on behalf of Verizon Wireless, its legal representatives, successors and assigns, as shown on Exhibit "C," attached hereto and made a part hereof for all purposes, subject to the following condition:

- Provide buffer landscaping/screening around the perimeter of the lease site.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "C" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky Ames -

## **LEGAL DESCRIPTION FOR ORDINANCE PURPOSES**

A METES & BOUNDS description of a certain 0.0367 acre tract of land situated in the D. Easley Survey, Abstract No. 20 in Jefferson County, Texas, being out of a called 4.402 acre tract of land conveyed to Banah Partners, Ltd. By Warranty Deed with Assumption recorded in Clerk's File No. 2003053290 of the Jefferson County Official Public Records, said 0.0367 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83;

COMMENCING at a found concrete monument in the west right-of-way line of N. Major Drive recorded in Clerk's File volume 1686 Page 215 of the Jefferson County Deed Records, and north occupied right-of-way line of Tolivar Road (no dedication found on record), from which a found concrete monument bears North 02°32'02" West, 233.39 feet;

THENCE, South 87°04'41" West, 354.15 feet along the north occupied right-of-way line of said Tolivar Road and south line of said 4.402 acre tract to a point, from which a found ½-inch iron rod (with cap stamped Cotton Surveying Company) bears South 87°04'41" West, 264.94 feet;

THENCE, North 02°51'54" West, 17.64 feet, to a set 5/8-inch iron rod ( with cap stamped cotton Surveying company) for the POINT OF BEGINNING of the herein described 0.0367 acre tract of land;

THENCE, North 02°51'54" West, 40.00 feet to a set 5/8-inch iron rod (with cap stamped cotton Surveying Company) for corner.

THENCE, North 87°08'06" East, 40.00 feet to a set 5/8-inch iron rod (with cap stamped Cotton Surveying Company) for corner;

THENCE, South 02°51'54" East, 40.00 feet to a set 5/8-inch iron rod (with cap stamped Cotton Surveying Company) for corner.

THENCE, South 87°04'41" West, 40.00 feet, to the POINT OF BEGINNING, CONTAINING 0.0367 acres of land in Jefferson County, Texas, as shown on Drawing No. 8107 in the office of Cotton Surveying in Houston, Texas.

File 2197-P: Request for a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) district.

Location: 7510 Tolivar Road

Applicant: Jeannie Gurley, with Proteus – Services on behalf of Banah Partners

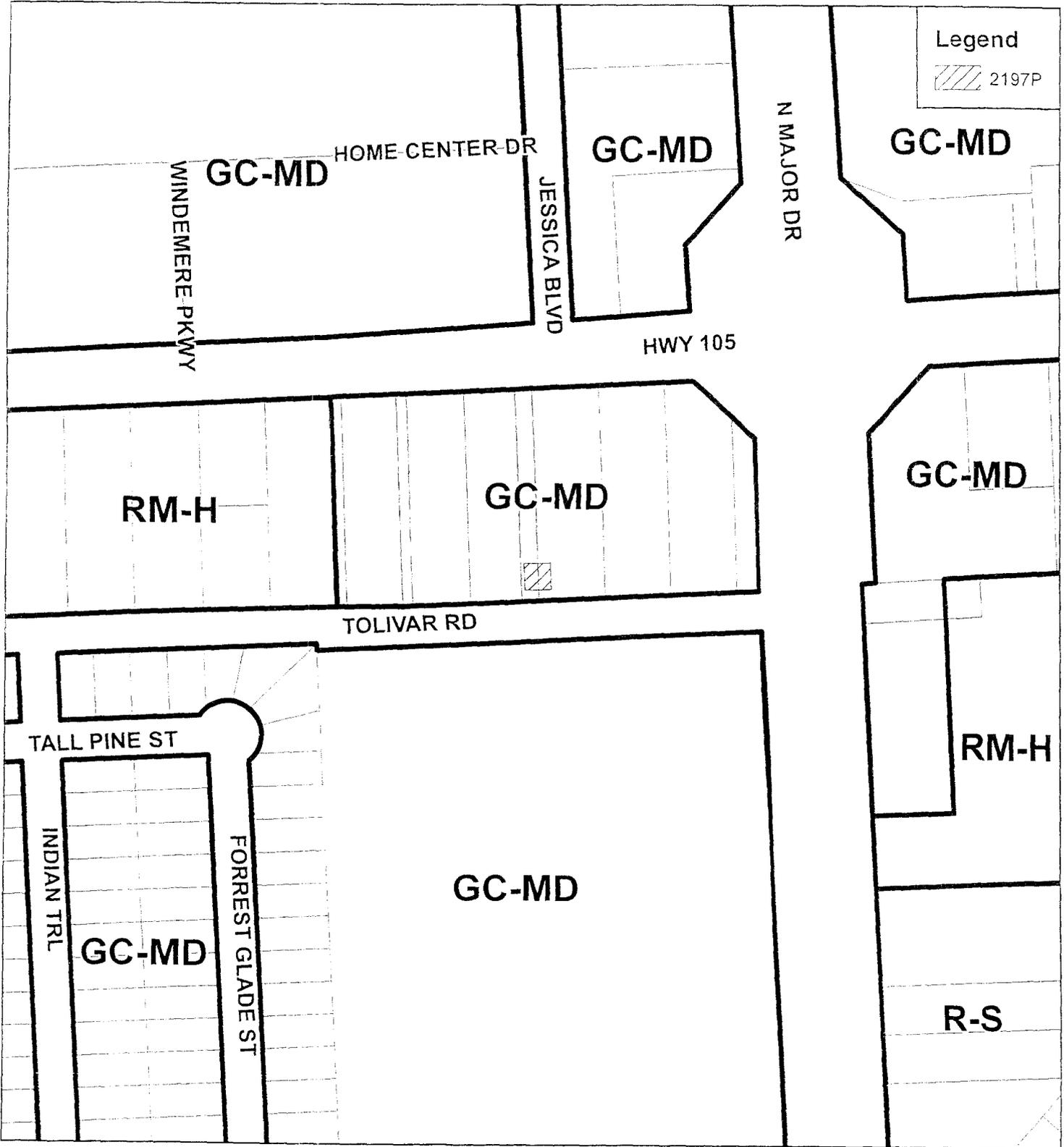
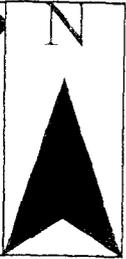
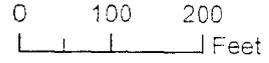


EXHIBIT "B"



**March 25, 2014**

Consider a resolution approving the award of a bid to Brystar Contracting, Inc. of Beaumont for the Washington Boulevard Pavement and Drainage Improvement Project Phase I (Amarillo to Martin Luther King Parkway)

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:**   
Patrick Donart, Public Works Director

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider a resolution approving the award of a bid to Brystar Contracting, Inc. of Beaumont in the amount of \$16,478,838.95 for the Washington Boulevard Pavement and Drainage Improvement Project Phase I (Amarillo to Martin Luther King Parkway).

### BACKGROUND

Four bids were received on March 13, 2014 for the Washington Boulevard Project from Amarillo to Martin Luther King Parkway (Phase I) project. Included in the project is the widening of the street to provide a continuous center left turn lane, replacement of water and sanitary sewer lines, upgrading storm water conveyances and five (5) foot sidewalks on both sides of the street.

The bid totals are shown below with the unit cost tabulation attached.

Contractor	Location	Bid
Brystar Contracting, Inc	Beaumont	\$16,478,838.95
ALLCO Ltd	Beaumont	\$17,216,002.54
APAC-Texas, Inc.	Beaumont	\$18,769,582.89
Reytec Construction Resources, Inc.	Houston	\$18,814,728.50

The contract time for completion of this project is 540 calendar days. Brystar plans to subcontract 11% of the project to certified MBE/HUB companies.

### FUNDING SOURCE

Beaumont Municipal Airport Oil and Gas Revenues.

### RECOMMENDATION

Approval of resolution.

CITY OF BEAUMONT  
 BID TAB

WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.			ALLOCO LTD			APAC INC.			REYTEC CONSTRUCTION RESOURCES, INC		
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
100	001		PREP RIGHT OF WAY ALONG WASHINGTON & SABINE - KENNETH	98.3	STA	\$3,200.00	\$314,560.00	\$1,062.00	\$104,394.80	\$1,420.00	\$139,586.00	\$2,000.00	\$196,600.00				
104	001		REMOVING CONCRETE (PAV) (4" - 12")	56,897	SY	\$7.20	\$410,378.40	\$8.20	\$467,375.40	\$8.00	\$455,976.00	\$3.50	\$198,489.50				
104	002		REMOVING CONCRETE (DRWY) (4" - 6")	9,727	SY	\$6.00	\$58,362.00	\$11.60	\$112,833.20	\$12.50	\$121,587.50	\$4.50	\$43,771.50				
104	004		REMOVING CONCRETE (SWLK) (4" - 6")	4,848	SY	\$6.00	\$29,088.00	\$9.34	\$45,280.32	\$5.00	\$24,240.00	\$2.50	\$12,120.00				
105	001		REMOVING CONCRETE (CURB & GUTTER COMB)	4,843	LF	\$4.60	\$22,278.80	\$4.60	\$22,278.80	\$2.10	\$10,170.30	\$3.00	\$14,528.00				
105	002		REMOVING ASPHALT (PAVEMENT & BASE)	4,100	SY	\$4.70	\$19,270.00	\$8.00	\$32,800.00	\$9.00	\$36,900.00	\$6.00	\$24,600.00				
105	002		REMOVING ASPHALT (DRIVEWAY)	36	SY	\$4.50	\$162.00	\$51.54	\$1,855.44	\$23.00	\$828.00	\$15.00	\$540.00				
110	001		EXCAVATION (ROADWAY)	23,320	CY	\$12.00	\$279,840.00	\$17.30	\$403,436.00	\$12.25	\$285,670.00	\$25.00	\$583,000.00				
132	001		EMBANKMENT (TY B) (FINAL) (ORD. COMP)	4,812	LY	\$7.00	\$33,684.00	\$13.95	\$67,037.40	\$26.00	\$125,912.00	\$5.00	\$24,060.00				
162	001		SODDING FOR EROSION CONTROL	22,372	SY	\$3.00	\$67,116.00	\$3.21	\$71,814.12	\$4.25	\$95,061.00	\$5.00	\$111,860.00				
168	001		VEGETATIVE WATERING	620	MG	\$50.00	\$31,000.00	\$101.10	\$62,682.00	\$17.00	\$10,540.00	\$45.00	\$27,900.00				
247	001		FLEX BASE (TY A) (GR 2) (6") (DC) (COMP. IN PLACE) ASPHALT TRANSITIONS	1,867	SY	\$28.00	\$52,296.00	\$23.41	\$43,706.47	\$22.00	\$41,074.00	\$22.00	\$41,074.00				
247	002		FLEX BASE (TY A) (GR 2) (6") (DC) (COMP. IN PLACE) (TEMP BASE AT MILE ST.1)	280	SY	\$25.00	\$7,000.00	\$27.21	\$7,618.80	\$17.00	\$4,760.00	\$20.00	\$5,600.00				
247	001		FLEX BASE (TY A) (GR 2) (6") (DC) (COMP. IN PLACE) (SUBGRADE)	79,720	SY	\$13.50	\$1,076,220.00	\$16.00	\$1,275,520.00	\$12.00	\$956,640.00	\$13.00	\$1,036,360.00				
276	001		OM TRT (PT MX) (CL N) (750 PS) (TY ANGR 2) (6")	79,720	SY	\$16.00	\$1,275,520.00	\$17.60	\$1,403,072.00	\$16.00	\$1,275,520.00	\$18.00	\$1,434,960.00				
340	001		DENSE GRADED HOT MIX ASPHALT (TY D) (PG 70-22)(TRANSITION)	113	TONS	\$200.00	\$22,600.00	\$197.90	\$22,362.70	\$170.00	\$19,210.00	\$230.00	\$25,990.00				
340	002		DENSE GRADED HOT MIX ASPHALT (TY D) (PG 70-22)(TEMP P/MT)	24	TONS	\$200.00	\$4,800.00	\$59.71	\$1,433.04	\$700.00	\$16,800.00	\$190.00	\$4,560.00				
354	001		PLAN & TEXT ASPH CONC PAV (2" - 4")	53,102	SY	\$2.80	\$148,685.60	\$4.50	\$238,959.00	\$3.20	\$169,926.40	\$2.00	\$106,204.00				
360	001		CONC PAV (10") (CL P)	63,563	SY	\$52.00	\$3,305,276.00	\$52.50	\$3,337,057.50	\$52.80	\$3,362,482.70	\$60.00	\$3,813,780.00				
360	002		CONC PAV (8") (CL P) (HOUSTON, EMILE & SABINE PASS-KENNETH)	10,435	SY	\$46.00	\$480,010.00	\$48.80	\$508,228.00	\$50.00	\$521,750.00	\$50.00	\$521,750.00				
400	001		EXCAVATION AND BACKFILL FOR STRUCTURES (PIPES)(BOX)	53,973	CY	\$7.80	\$420,989.40	\$0.10	\$5,397.30	\$10.15	\$547,825.95	\$9.00	\$485,757.00				
400	002		CEM STABIL B/WL (2 SICKY SAND)	32,423	CY	\$33.00	\$1,069,959.00	\$50.75	\$1,645,467.25	\$88.00	\$2,854,764.00	\$53.00	\$1,718,419.00				
402	001		TRENCH EXCAVATION PROTECTION	5,606	LF	\$1.00	\$5,606.00	\$1.00	\$5,606.00	\$10.15	\$56,900.90	\$8.00	\$44,848.00				
416	001		FOUNDATION FOR TRAFFIC SIGNAL (58 INCH DRILL SHAFT)	332	LF	\$200.00	\$66,400.00	\$230.00	\$76,360.00	\$161.14	\$53,498.48	\$250.00	\$83,000.00				
464	001		RCP 18" (CL III)	637	LF	\$50.00	\$31,850.00	\$93.55	\$59,581.35	\$52.50	\$33,442.50	\$83.00	\$52,871.00				
464	002		RCP 24" (CL III)	2,954	LF	\$53.00	\$156,582.00	\$96.05	\$283,731.70	\$55.50	\$163,947.00	\$87.00	\$256,988.00				
464	003		RCP 30" (CL III)	1,114	LF	\$77.00	\$85,778.00	\$122.00	\$135,908.00	\$78.00	\$86,892.00	\$84.00	\$93,576.00				
464	004		RCP 36" (CL III)	1,448	LF	\$92.00	\$133,216.00	\$136.00	\$196,928.00	\$94.00	\$136,112.00	\$105.00	\$152,040.00				
464	005		RCP 42" (CL III)	349	LF	\$115.00	\$40,135.00	\$169.20	\$58,950.80	\$126.00	\$43,974.00	\$137.00	\$47,813.00				
464	006		RCP 48" (CL III)	653	LF	\$140.00	\$91,420.00	\$184.20	\$120,282.60	\$146.00	\$95,338.00	\$140.00	\$91,420.00				
464	007		RCP 54" (CL III)	375	LF	\$180.00	\$67,500.00	\$221.35	\$83,006.25	\$216.00	\$81,000.00	\$167.00	\$62,625.00				
464	008		RCP 60" (CL III)	1,154	LF	\$210.00	\$242,340.00	\$260.80	\$300,538.80	\$262.00	\$302,348.00	\$196.00	\$226,184.00				
464	009		RCP 66" (CL III)	1,630	LF	\$246.00	\$400,980.00	\$284.90	\$464,387.00	\$300.00	\$489,000.00	\$224.00	\$365,120.00				

CITY OF BEAUMONT  
 BID TAB  
 WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.			ALLOCO LTD			APAC INC.			REYTEC CONSTRUCTION RESOURCES, INC		
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
464	010		4' x 4' RC BOX	1,030	LF	\$220.00	\$226,600.00	\$272.45	\$280,623.50	\$262.00	\$269,860.00	\$245.00	\$252,350.00				
464	011		5' x 4' RC BOX	726	LF	\$265.00	\$192,390.00	\$305.43	\$221,742.18	\$327.00	\$237,402.00	\$290.00	\$210,540.00				
464	011		7' x 4' RC BOX	728	LF	\$365.00	\$265,720.00	\$398.65	\$290,217.20	\$455.00	\$331,240.00	\$390.00	\$283,920.00				
465	001		MANHOLES (COMPLETE)	14	EA	\$8,700.00	\$121,800.00	\$9,970.00	\$138,740.00	\$8,000.00	\$112,000.00	\$10,000.00	\$140,000.00				
465	002		MANHOLES (TY J) (COMPLETE)	13	EA	\$9,000.00	\$117,000.00	\$9,570.00	\$124,410.00	\$14,000.00	\$182,000.00	\$14,000.00	\$182,000.00				
465	003		MANHOLES (TY B) (COMPLETE)	2	EA	\$3,160.00	\$6,320.00	\$3,970.00	\$7,940.00	\$1,800.00	\$3,600.00	\$2,800.00	\$5,600.00				
465	004		JUNCTION BOX (TY M) (COMPLETE)	10	EA	\$4,450.00	\$44,500.00	\$5,330.00	\$53,300.00	\$2,525.00	\$25,250.00	\$4,100.00	\$41,000.00				
465	005		CURB INLET TY A (COMPLETE)	60	EA	\$3,750.00	\$225,000.00	\$4,660.00	\$279,600.00	\$5,230.00	\$313,800.00	\$4,800.00	\$288,000.00				
465	006		CURB INLET TY M (COMPLETE)	11	EA	\$3,300.00	\$36,300.00	\$4,210.00	\$46,310.00	\$7,650.00	\$84,150.00	\$4,800.00	\$52,800.00				
465	007		CURB INLET EXTENSION TY E (COMPLETE)	31	EA	\$1,360.00	\$42,160.00	\$1,630.00	\$50,530.00	\$1,365.00	\$42,315.00	\$1,700.00	\$52,700.00				
465	008		GRATE INLET TY H (COMPLETE) (GRATE HEAVY DUTY)	5	EA	\$2,770.00	\$13,850.00	\$3,620.00	\$18,100.00	\$2,610.00	\$13,050.00	\$4,500.00	\$22,500.00				
465	009		CURB INLET TY B (COMPLETE)	11	EA	\$8,460.00	\$93,060.00	\$9,310.00	\$102,410.00	\$7,925.00	\$87,175.00	\$10,000.00	\$110,000.00				
465	010		CURB INLET EXTENSION TY B (COMPLETE)	7	EA	\$4,460.00	\$31,220.00	\$5,160.00	\$36,120.00	\$1,215.00	\$8,505.00	\$4,200.00	\$29,400.00				
479	001		ADJUST SAN SEWER MANHOLE TOP (COMPLETE)	1	EA	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$260.00	\$260.00	\$1,500.00	\$1,500.00				
479	002		ADJUST WATER METER BOX (COMPLETE)	38	EA	\$160.00	\$5,760.00	\$200.00	\$7,200.00	\$170.00	\$6,120.00	\$300.00	\$10,800.00				
479	003		ADJUST WATER VALVE BOX (COMPLETE)	3	EA	\$150.00	\$450.00	\$300.00	\$900.00	\$170.00	\$510.00	\$400.00	\$1,200.00				
486	001		REMOV STR (PIPE) 8" - 48" RCP	8,185	LF	\$10.00	\$81,850.00	\$5.00	\$40,925.00	\$18.20	\$148,967.00	\$12.00	\$98,220.00				
496	002		REMOV STR (GRATE INLET)	16	EA	\$800.00	\$12,800.00	\$315.00	\$5,040.00	\$121.00	\$1,936.00	\$360.00	\$5,760.00				
496	003		REMOV STR (CURB INLET)	24	EA	\$800.00	\$19,200.00	\$300.00	\$7,200.00	\$222.00	\$5,328.00	\$360.00	\$8,640.00				
496	004		REMOV STR (MH) (BOX)	33	EA	\$1,000.00	\$33,000.00	\$650.00	\$21,450.00	\$566.00	\$18,678.00	\$500.00	\$16,500.00				
496	005		REMOV STR (TRAFF. POLE FOUNDATION) (STONE STRUC)	16	EA	\$650.00	\$10,400.00	\$1,087.13	\$17,394.08	\$515.00	\$8,240.00	\$500.00	\$8,000.00				
500	001		MOBILIZATION	1	LS	\$1,350,000.00	\$1,350,000.00	\$413,684.00	\$413,684.00	\$1,259,318.00	\$1,259,318.00	\$1,000,000.00	\$1,000,000.00				
502	001		BARRICADES, SIGNS, AND TRAFFIC HANDLINGS	30	MO	\$2,400.00	\$72,000.00	\$5,950.00	\$178,500.00	\$3,000.00	\$90,000.00	\$3,000.00	\$90,000.00				
506	001		CONSTRUCTION EXITS (INSTALL) (TY 1)	1,066	SY	\$24.00	\$25,584.00	\$24.17	\$25,765.22	\$27.00	\$28,782.00	\$16.00	\$17,056.00				
506	002		CONSTRUCTION EXITS (REMOVE)	1,066	SY	\$6.00	\$6,396.00	\$12.10	\$12,898.80	\$5.50	\$5,863.00	\$5.00	\$5,330.00				
506	003		TEMPORARY SEDIMENT CONTROL FENCE (INSTALL & MAINTAIN)	5,230	LF	\$2.00	\$10,460.00	\$3.31	\$17,311.30	\$4.50	\$23,535.00	\$1.50	\$7,845.00				
506	004		TEMP SEDIMENT CONTROL FENCE (REMOVE)	5,230	LF	\$0.50	\$2,615.00	\$1.41	\$7,374.30	\$2.00	\$10,460.00	\$0.35	\$1,830.50				
529	001		CONC CURB (TY II) (MONO) (CL A) (6")	23,190	LF	\$3.20	\$74,208.00	\$5.00	\$115,950.00	\$8.00	\$185,520.00	\$3.75	\$86,962.50				
530	001		DRIVEWAYS (CONC) (4")	5,200	SY	\$43.00	\$223,600.00	\$49.18	\$255,736.00	\$59.00	\$306,800.00	\$56.00	\$291,200.00				
530	002		DRIVEWAYS (CONC) (6")	3,311	SY	\$46.00	\$152,306.00	\$59.05	\$195,514.55	\$63.00	\$208,593.00	\$64.00	\$211,904.00				
531	001		CONC SIDEWALKS (4")	8,514	SY	\$32.00	\$272,448.00	\$41.00	\$349,074.00	\$38.00	\$323,532.00	\$54.00	\$459,756.00				
531	002		CONC WHEELCHAIR RAMPS (4") TYPE 7	53	EA	\$1,120.00	\$59,360.00	\$1,992.10	\$105,581.30	\$1,100.00	\$61,480.00	\$920.00	\$48,760.00				

CITY OF BEAUMONT  
 BID TAB  
 WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.			ALLCO LTD			APAC INC.			REYTEC CONSTRUCTION RESOURCES, INC		
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
531	003		CONC WHEELCHAIR RAMPS (4") TYPE 9	18	EA	\$1,100.00	\$19,800.00	\$2,093.30	\$37,679.40	\$1,160.00	\$20,880.00	\$1,300.00	\$23,400.00				
531	004		CONC WHEELCHAIR RAMPS (4") TYPE 10	5	EA	\$1,150.00	\$5,750.00	\$1,989.75	\$9,948.75	\$1,325.00	\$6,625.00	\$1,000.00	\$5,000.00				
531	005		CONC WHEELCHAIR RAMPS (4") TYPE 22	4	EA	\$1,150.00	\$4,600.00	\$7,131.00	\$28,524.00	\$2,300.00	\$9,200.00	\$2,100.00	\$8,400.00				
536	001		CONCRETE MEDIANS & DIRECTIONAL ISLANDS (6")/CL A)	81	SY	\$70.00	\$5,670.00	\$81.90	\$6,633.90	\$125.00	\$10,125.00	\$70.00	\$5,670.00				
618	001		3" PVC SOHD 40 CONDUIT (INCL EXCAV & CEM STAB SAND BKFLX/TRENCHED OR BORED)	1,848	LF	\$18.00	\$33,264.00	\$18.00	\$33,264.00	\$15.50	\$28,644.00	\$19.00	\$35,112.00				
618	002		2" PVC SOHD 40 CONDUIT (INCL EXCAV & CEM STAB SAND BKFLX/TRENCHED OR BORED)	90	LF	\$23.00	\$2,070.00	\$22.00	\$1,980.00	\$21.00	\$1,890.00	\$22.00	\$1,980.00				
618	004		2" PVC SOHD 40 CONDUIT (BORED)	8,200	LF	\$8.00	\$65,600.00	\$15.50	\$127,100.00	\$8.25	\$67,650.00	\$16.00	\$131,200.00				
624	001		GROUND BOX TYPE A	44	EA	\$17.00	\$748.00	\$18.00	\$792.00	\$18.00	\$792.00	\$18.00	\$792.00				
624	1		GROUND BOX (TY C)	6	EA	\$730.00	\$4,380.00	\$470.00	\$2,820.00	\$720.00	\$4,320.00	\$470.00	\$2,820.00				
644	001		INS SM RD SN SUP & AM TY 10BWG (1) SA (P)	46	EA	\$1,060.00	\$48,680.00	\$610.00	\$28,060.00	\$975.00	\$44,850.00	\$600.00	\$27,600.00				
644	002		REMOVE SM RD SN SUP & AM	40	EA	\$420.00	\$16,800.00	\$385.00	\$15,400.00	\$390.00	\$15,600.00	\$490.00	\$19,600.00				
666	001		FDNS FOR TRAFFIC CONTROL DEVICES (TRAFFIC SIGNAL 4" (Y) (SLD) REMOVABLE	6	EA	\$2,000.00	\$12,000.00	\$2,300.00	\$13,800.00	\$525.00	\$3,150.00	\$2,100.00	\$12,600.00				
666	001		REFL PAV MRK TY (Y) 4" (SLD) (100MIL)	27,987	LF	\$0.70	\$19,590.90	\$0.65	\$18,191.55	\$0.66	\$18,471.42	\$1.00	\$27,987.00				
666	002		REFL PAV MRK TY (Y) 4" (BRK) (100MIL)	11,608	LF	\$0.70	\$8,125.60	\$0.65	\$7,545.20	\$0.66	\$7,661.28	\$1.00	\$11,608.00				
666	003		REFL PAV MRK TY (W) 4" (BRK) (100MIL)	2,686	LF	\$0.70	\$1,880.20	\$0.65	\$1,745.90	\$0.66	\$1,772.76	\$1.00	\$2,686.00				
666	004		REFL PAV MRK TY (W) 8" (SLD) (100MIL)	3,782	LF	\$0.70	\$2,647.40	\$0.65	\$2,458.30	\$0.66	\$2,496.12	\$1.00	\$3,782.00				
666	005		REFL PAV MRK TY (W) 12" (SLD) (100MIL)	900	LF	\$1.40	\$1,260.00	\$1.30	\$1,170.00	\$1.31	\$1,179.00	\$1.75	\$1,575.00				
666	006		REFL PAV MRK TY (W) (24") (SLD) (100MIL)	4,389	LF	\$2.40	\$10,485.60	\$2.25	\$9,830.25	\$2.28	\$9,861.32	\$2.75	\$12,014.75				
666	007		REFL PAV MRK TY (W) (ARROW) (100MIL)	705	LF	\$4.75	\$3,348.75	\$4.50	\$3,172.50	\$4.55	\$3,207.75	\$5.50	\$3,877.50				
666	008		REFL PAV MRK TY (W) (ARROW) (100MIL)	82	EA	\$100.00	\$8,200.00	\$95.00	\$7,790.00	\$96.00	\$7,872.00	\$110.00	\$9,020.00				
666	009		REFL PAV MRK TY (W) (RAILROAD SYM) (100MIL)	4	EA	\$370.00	\$1,480.00	\$350.00	\$1,400.00	\$355.00	\$1,420.00	\$320.00	\$1,280.00				
666	010		PAV SURF SEALER FOR MRK (4")	18,076	LF	\$0.25	\$4,519.00	\$0.25	\$4,519.00	\$0.26	\$4,699.76	\$0.30	\$5,422.80				
666	011		PAV SURF SEALER FOR MRK (8")	900	LF	\$0.54	\$486.00	\$0.50	\$450.00	\$0.52	\$468.00	\$0.55	\$495.00				
666	012		PAV SURF SEALER FOR MRK (12")	4,389	LF	\$1.00	\$4,389.00	\$1.00	\$4,389.00	\$1.00	\$4,389.00	\$0.85	\$3,713.65				
666	013		PAV SURF SEALER FOR MRK (24")	705	LF	\$2.10	\$1,480.50	\$2.00	\$1,410.00	\$2.05	\$1,445.25	\$1.65	\$1,163.25				
666	014		PAV SURF SEALER FOR RAILROAD	82	EA	\$26.00	\$2,132.00	\$25.00	\$2,050.00	\$25.50	\$2,091.00	\$55.00	\$4,510.00				
672	001		REFL PAV MRK (TY (LB BY FOR FH)	4	EA	\$105.00	\$420.00	\$100.00	\$400.00	\$101.00	\$404.00	\$160.00	\$640.00				
677	001		REMOVE PAVEMENT MARKINGS	11	EA	\$8.50	\$93.50	\$8.00	\$88.00	\$8.20	\$90.20	\$5.50	\$60.50				
678	001		PAV SURF PREP FOR MRK (4")	18,076	LF	\$0.30	\$5,422.80	\$0.30	\$5,422.80	\$0.31	\$5,603.56	\$0.55	\$9,941.80				
678	002		PAV SURF PREP FOR MRK (8")	18,076	LF	\$0.10	\$1,807.60	\$0.10	\$1,807.60	\$0.10	\$1,807.60	\$0.05	\$903.80				
678	003		PAV SURF PREP FOR MRK (12")	900	LF	\$0.20	\$180.00	\$0.20	\$180.00	\$0.21	\$189.00	\$0.05	\$45.00				
678	004		PAV SURF PREP FOR MRK (24")	4,389	LF	\$0.30	\$1,310.70	\$0.30	\$1,310.70	\$0.31	\$1,354.39	\$0.05	\$218.45				
678	004		PAV SURF PREP FOR MRK (RAILROAD SYMBOL)	4	EA	\$50.00	\$200.00	\$45.00	\$180.00	\$46.00	\$184.00	\$30.00	\$120.00				

CITY OF BEAUMONT  
 BID TAB  
 WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.			ALLOCO LTD			APAC INC.			REYTEC CONSTRUCTION RESOURCES, INC		
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
678	005		PAY SURF PREP FOR MKK (ARROW)	82	EA	\$27.00	\$2,214.00	\$25.00	\$2,050.00	\$25.50	\$2,091.00	\$5.00	\$410.00				
686	001		TRAFFIC SIGNAL POLE ASSEMBLIES	24	EA	\$9,200.00	\$220,800.00	\$6,800.00	\$163,200.00	\$14,008.00	\$336,192.00	\$6,400.00	\$153,600.00				
686	002		REMOV TRF SG PL AM (S)	24	EA	\$1,500.00	\$36,000.00	\$800.00	\$19,200.00	\$1,030.00	\$24,720.00	\$700.00	\$16,800.00				
6035	001		LED LIGHTED STREET SIGNS	24	EA	\$2,800.00	\$67,200.00	\$2,506.67	\$60,160.08	\$5,150.00	\$123,600.00	\$2,300.00	\$55,200.00				
9002	001		TUBE FILTER	91	EA	\$70.00	\$6,370.00	\$198.86	\$18,096.26	\$26.00	\$2,366.00	\$100.00	\$9,100.00				
9003	001		REMOVE TUBE FILTER	91	EA	\$14.00	\$1,274.00	\$61.01	\$5,551.91	\$10.00	\$910.00	\$8.00	\$728.00				
			<b>SUBTOTAL - ROADWAY AND DRAINAGE</b>				\$14,907,142.95		\$15,745,147.07		\$17,167,796.14		\$16,668,177.50				
			<b>WATER AND SANITARY SEWER UTILITIES</b>														
712	001		Trench Safety System, complete in place	12,555	LF	\$1.00	\$12,555.00	\$1.00	\$12,555.00	\$2.05	\$25,737.75	\$1.00	\$12,555.00				
801	001		Furnish & Install 8" MJ Tee, complete in place	14	EA	\$460.00	\$6,440.00	\$400.00	\$5,600.00	\$328.00	\$4,592.00	\$410.00	\$5,740.00				
801	002		Furnish & Install 18" MJ Tee, complete in place	2	EA	\$2,500.00	\$5,000.00	\$1,975.00	\$3,950.00	\$2,320.00	\$4,640.00	\$2,100.00	\$4,200.00				
801	003		Furnish & Install 6"x6" MJ Tee, complete in place	3	EA	\$350.00	\$1,050.00	\$275.00	\$825.00	\$378.00	\$1,134.00	\$310.00	\$930.00				
801	004		Furnish & Install 8"x6" MJ Tee, complete in place	2	EA	\$400.00	\$800.00	\$375.00	\$750.00	\$405.00	\$810.00	\$380.00	\$760.00				
801	005		Furnish & Install 2" MJ with 45 degree bend,	2	EA	\$135.00	\$270.00	\$150.00	\$300.00	\$430.00	\$860.00	\$105.00	\$210.00				
801	006		Furnish & Install 6" MJ with 22-1/2 Bend, complete in place,	3	EA	\$230.00	\$690.00	\$165.00	\$495.00	\$288.00	\$864.00	\$210.00	\$630.00				
801	007		Furnish & Install 6" MJ with 45 degree bend, complete in place	10	EA	\$230.00	\$2,300.00	\$165.00	\$1,650.00	\$274.00	\$2,740.00	\$210.00	\$2,100.00				
801	008		Furnish & Install 6" MJ with 90 degree bend, complete in place	8	EA	\$250.00	\$2,000.00	\$190.00	\$1,520.00	\$354.00	\$2,832.00	\$235.00	\$1,880.00				
801	009		Furnish & Install 8" MJ with 45 degree bend, complete in place	12	EA	\$290.00	\$3,480.00	\$235.00	\$2,820.00	\$354.00	\$4,248.00	\$280.00	\$3,360.00				
801	010		Furnish & Install 8" MJ with 90 degree bend, complete in place	2	EA	\$310.00	\$620.00	\$260.00	\$520.00	\$358.00	\$716.00	\$310.00	\$620.00				
801	011		Furnish & Install 12" MJ with 45 degree bend, complete in place	4	EA	\$610.00	\$2,440.00	\$500.00	\$2,000.00	\$645.00	\$2,580.00	\$510.00	\$2,040.00				
801	012		Furnish & Install 12" MJ with 90 degree bend, complete in place	3	EA	\$650.00	\$1,950.00	\$575.00	\$1,725.00	\$645.00	\$1,935.00	\$560.00	\$1,680.00				
801	013		Furnish & Install 18" MJ with 90 degree bend, complete in place	2	EA	\$1,700.00	\$3,400.00	\$1,425.00	\$2,850.00	\$1,090.00	\$2,180.00	\$1,400.00	\$2,800.00				
801	014		Furnish & Install 6"x6" Wye, complete in place	1	EA	\$430.00	\$430.00	\$475.00	\$475.00	\$505.00	\$505.00	\$410.00	\$410.00				
801	015		Furnish & Install 8"x2" reducer, complete in place	2	EA	\$380.00	\$760.00	\$185.00	\$370.00	\$243.00	\$486.00	\$170.00	\$340.00				
801	016		Furnish & Install 8"x3" reducer, complete in place	1	EA	\$250.00	\$250.00	\$210.00	\$210.00	\$278.00	\$278.00	\$210.00	\$210.00				
801	017		Furnish & Install 8"x6" reducer, complete in place	11	EA	\$260.00	\$2,860.00	\$210.00	\$2,310.00	\$303.00	\$3,333.00	\$220.00	\$2,420.00				
801	018		Furnish & Install 12"x8" reducer, complete in place	2	EA	\$420.00	\$840.00	\$350.00	\$700.00	\$464.00	\$928.00	\$350.00	\$700.00				
801	019		Furnish & Install 18"x8" reducer, complete in place	2	EA	\$1,100.00	\$2,200.00	\$725.00	\$1,450.00	\$1,110.00	\$2,220.00	\$830.00	\$1,660.00				
801	020		Furnish & Install 12" MJ Cross, complete in place	1	EA	\$1,500.00	\$1,500.00	\$1,075.00	\$1,075.00	\$1,238.00	\$1,238.00	\$1,100.00	\$1,100.00				
801	021		Furnish & Install 2" Tap, complete in place	2	EA	\$1,000.00	\$2,000.00	\$700.00	\$1,400.00	\$2,040.00	\$4,080.00	\$300.00	\$600.00				
801	022		Furnish & Install 6" MJ Cross, complete in place	1	EA	\$760.00	\$760.00	\$360.00	\$360.00	\$505.00	\$505.00	\$430.00	\$430.00				
801	023		Furnish & Install 8" MJ Cross, complete in place	1	EA	\$850.00	\$850.00	\$520.00	\$520.00	\$555.00	\$555.00	\$515.00	\$515.00				
801	024		Furnish & Install 8" Tap, complete in place	1	EA	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$4,250.00	\$4,250.00	\$230.00	\$230.00				
801	025		Furnish & Install 2" Tap Cap, complete in place	1	EA	\$360.00	\$360.00	\$150.00	\$150.00	\$455.00	\$455.00	\$30.00	\$30.00				

CITY OF BEAUMONT  
 BID TAB  
 WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.			ALLCO LTD			APAC INC.			REYTEC CONSTRUCTION RESOURCES, INC		
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
808	001		Furnish & install Fire Hydrant Assembly, complete in place	11	EA	\$4,100.00	\$45,100.00	\$4,115.00	\$45,265.00	\$5,150.00	\$56,650.00	\$5,600.00	\$61,600.00	\$5,600.00	\$61,600.00	\$5,600.00	\$61,600.00
808	002		Salvage Fire Hydrant Assembly	1	EA	\$600.00	\$600.00	\$425.00	\$425.00	\$505.00	\$505.00	\$505.00	\$505.00	\$505.00	\$505.00	\$505.00	\$505.00
810	001		Furnish & install 2" vc class 150-C-900 PVC waterline, complete in place	360	LF	\$26.00	\$9,360.00	\$9.50	\$3,420.00	\$15.70	\$5,652.00	\$15.70	\$5,652.00	\$70.00	\$25,200.00	\$70.00	\$25,200.00
810	002		Furnish & install 6" vc class 150-C-900 PVC waterline, complete in place	2,410	LF	\$32.00	\$77,120.00	\$54.96	\$132,453.80	\$27.00	\$65,070.00	\$27.00	\$65,070.00	\$88.00	\$212,088.00	\$88.00	\$212,088.00
810	003		Furnish & install 8" vc class 150-C-900 PVC waterline, complete in place	8,828	LF	\$34.00	\$300,152.00	\$59.96	\$528,326.88	\$35.00	\$308,980.00	\$35.00	\$308,980.00	\$70.00	\$617,980.00	\$70.00	\$617,980.00
810	004		Furnish & install 12" vc class 150-C-900 PVC waterline, complete in place	902	LF	\$52.00	\$46,904.00	\$76.70	\$68,183.40	\$46.50	\$41,041.00	\$46.50	\$41,041.00	\$114.00	\$102,828.00	\$114.00	\$102,828.00
810	005		Furnish & install 18" vc class 160-C-905 PVC waterline, complete in place	146	LF	\$160.00	\$23,360.00	\$94.07	\$13,734.22	\$67.00	\$9,782.00	\$67.00	\$9,782.00	\$260.00	\$37,960.00	\$260.00	\$37,960.00
810	006		Furnish & install Temporary Fire Protection, complete in place	1	LS	\$5,600.00	\$5,600.00	\$10,000.00	\$10,000.00	\$3,550.00	\$3,550.00	\$3,550.00	\$3,550.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00
810	007		Furnish & install Temporary Fire Protection, complete in place	500	LF	\$30.00	\$15,000.00	\$40.00	\$20,000.00	\$30.50	\$15,250.00	\$30.50	\$15,250.00	\$30.00	\$15,000.00	\$30.00	\$15,000.00
811	001		Furnish & install 6" Resilient Wedge Gate Valve & Valve Box as per Sections 805 and 811 of the specifications, complete in place	14	EA	\$820.00	\$11,480.00	\$991.00	\$13,874.00	\$890.00	\$12,460.00	\$890.00	\$12,460.00	\$1,100.00	\$15,400.00	\$1,100.00	\$15,400.00
811	002		Furnish & install 8" Resilient Wedge Gate Valve & Valve Box as per Sections 805 and 811 of the specifications, complete in place	26	EA	\$1,200.00	\$31,200.00	\$1,372.00	\$35,672.00	\$1,275.00	\$33,150.00	\$1,275.00	\$33,150.00	\$1,600.00	\$41,600.00	\$1,600.00	\$41,600.00
811	003		Furnish & install 12" Resilient Wedge Gate Valve & Valve Box as per Sections 805 and 811 of the specifications, complete in place	2	EA	\$2,400.00	\$4,800.00	\$2,468.00	\$4,936.00	\$2,370.00	\$4,740.00	\$2,370.00	\$4,740.00	\$2,700.00	\$5,400.00	\$2,700.00	\$5,400.00
811	004		Furnish & install 18" Resilient Wedge Gate Valve & Valve Box as per Sections 805 and 811 of the specifications, complete in place	2	EA	\$11,000.00	\$22,000.00	\$10,883.00	\$21,766.00	\$12,250.00	\$24,500.00	\$12,250.00	\$24,500.00	\$13,000.00	\$26,000.00	\$13,000.00	\$26,000.00
2505	001		Furnish & install 2" HDPE PE3408 SDR-9, 200 psi short side service connections	10	EA	\$1,200.00	\$12,000.00	\$1,097.00	\$10,970.00	\$710.00	\$7,100.00	\$710.00	\$7,100.00	\$900.00	\$9,000.00	\$900.00	\$9,000.00
2505	002		Furnish & install 1" HDPE PE3408 SDR-9, 200 psi short side service connections	187	EA	\$620.00	\$115,940.00	\$478.00	\$89,386.00	\$478.00	\$89,386.00	\$478.00	\$89,386.00	\$690.00	\$129,600.00	\$690.00	\$129,600.00
2505	003		Furnish & install 1" HDPE PE3408 SDR-9, 200 psi long side service connections	21	EA	\$900.00	\$18,900.00	\$725.00	\$15,225.00	\$725.00	\$15,225.00	\$725.00	\$15,225.00	\$1,100.00	\$23,100.00	\$1,100.00	\$23,100.00
2505	004		Furnish & install 2" HDPE IRRIGATION SERVICE	1	EA	\$1,100.00	\$1,100.00	\$1,350.00	\$1,350.00	\$2,520.00	\$2,520.00	\$2,520.00	\$2,520.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00
2505	005		Furnish & install 4" HDPE IRRIGATION SERVICE	1	EA	\$720.00	\$720.00	\$725.00	\$725.00	\$725.00	\$725.00	\$725.00	\$725.00	\$800.00	\$800.00	\$800.00	\$800.00
708	001		MANHOLES - REMOVE & REPLACE EXISTING SANITARY SEWER STRUCTURES W/FIBERGLASS MANHOLES(<12 FT.), (comp in pl)	13	EA	\$6,500.00	\$84,500.00	\$3,365.00	\$43,745.00	\$6,550.00	\$85,150.00	\$6,550.00	\$85,150.00	\$8,500.00	\$110,500.00	\$8,500.00	\$110,500.00
708	002		MANHOLES - REMOVE & REPLACE EXISTING SANITARY SEWER STRUCTURES W/FIBERGLASS MANHOLES (>12 FT.), (comp in pl)	3	EA	\$5,500.00	\$16,500.00	\$4,612.00	\$13,836.00	\$5,550.00	\$16,650.00	\$5,550.00	\$16,650.00	\$9,000.00	\$27,000.00	\$9,000.00	\$27,000.00
708	003		MANHOLES - FURNISH & INSTALL FIBERGLASS SANITARY SEWER STRUCTURES (<12 FT.), complete in place	4	EA	\$5,000.00	\$20,000.00	\$2,733.00	\$10,932.00	\$5,100.00	\$20,400.00	\$5,100.00	\$20,400.00	\$8,500.00	\$34,000.00	\$8,500.00	\$34,000.00
708	004		MANHOLES - FURNISH & INSTALL FIBERGLASS SANITARY SEWER STRUCTURES (>12 FT.), complete in place	2	EA	\$5,000.00	\$10,000.00	\$4,190.00	\$8,380.00	\$5,100.00	\$10,200.00	\$5,100.00	\$10,200.00	\$9,000.00	\$18,000.00	\$9,000.00	\$18,000.00
2534	001		Replacement of 4" short side service connection up to property line, w/4" PVC Schedule 40 pipe, complete in place	24	EA	\$800.00	\$19,200.00	\$600.00	\$14,400.00	\$810.00	\$19,440.00	\$810.00	\$19,440.00	\$900.00	\$21,600.00	\$900.00	\$21,600.00
2534	002		Replacement of 4" long side service connection up to property line, w/4" PVC Schedule 40 pipe, complete in place	28	EA	\$1,500.00	\$42,000.00	\$1,150.00	\$32,200.00	\$1,510.00	\$42,280.00	\$1,510.00	\$42,280.00	\$1,700.00	\$47,600.00	\$1,700.00	\$47,600.00

CITY OF BEAUMONT  
 BID TAB  
 WASHINGTON BOULEVARD PAVEMENT IMPROVEMENT PROJECT PHASE I

Item No.	Item Code	Alt	Description	Estimated Quantity	Unit Measure	BRYSTAR CONTRACTING INC.		ALLCO LTD		APAC INC.		REYTEC CONSTRUCTION RESOURCES, INC	
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
2534	003		Remove & Replace 6" Sanitary Sewer Lines, Utilizing 6-inch PVC SDR-26 (for open trench) or 6-inch solid wall polyethylene pipe (HDPE), PE 3408, ASTM F714, SDR 17 (for pipe bursting/crushing) complete in place.	60	LF	\$200.00	\$12,000.00	\$57.00	\$3,420.00	\$702.00	\$12,120.00	\$150.00	\$9,000.00
2534	004		Furnish & install 10" steel casing, complete in place	20	LF	\$160.00	\$3,200.00	\$100.00	\$2,000.00	\$505.00	\$10,100.00	\$160.00	\$3,200.00
4020	001		6" HDPE SDR-17 Pipe Burst Sanitary Sewer Mains (6.63" O.D.), complete in place.	24	LF	\$90.00	\$1,920.00	\$74.53	\$1,788.72	\$81.00	\$1,944.00	\$87.00	\$2,088.00
4020	002		12" HDPE SDR-17 Pipe Burst Sanitary Sewer Mains (12.75" O.D.), complete in place	407	LF	\$85.00	\$34,595.00	\$83.70	\$34,085.90	\$86.00	\$35,002.00	\$140.00	\$56,980.00
4020	003		18" HDPE SDR-17 Pipe Burst Sanitary Sewer Mains (18.00" O.D.), complete in place	1,883	LF	\$220.00	\$414,260.00	\$191.21	\$100,579.43	\$223.00	\$419,509.00	\$235.00	\$442,505.00
4020	004		20" HDPE SDR-17 Pipe Burst Sanitary Sewer Mains (20.00" O.D.), complete in place	406	LF	\$260.00	\$113,680.00	\$119.22	\$48,403.32	\$285.00	\$115,710.00	\$290.00	\$117,740.00
			<b>SUBTOTAL - WATER AND SANITARY SEWER</b>				<b>\$1,571,696.00</b>		<b>\$1,470,861.47</b>		<b>\$1,601,786.75</b>		<b>\$2,246,551.00</b>
			<b>TOTAL CONSTRUCTION COST</b>				<b>\$16,478,838.95</b>		<b>\$17,216,002.54</b>		<b>\$18,769,582.89</b>		<b>\$18,814,728.50</b>

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF BEAUMONT:

THAT the City Council hereby approves the award of a contract to Brystar Contracting, Inc., of Beaumont, Texas, in the amount of \$16,478,838.95 for the Washington Boulevard Pavement and Drainage Improvement Project Phase I (Amarillo to Martin Luther King Parkway).

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 25th day of March, 2014.

---

- Mayor Becky  
Ames -

**March 25, 2014**

Consider an ordinance authorizing the participation by the City of Beaumont with other Entergy Texas service area cities in matters concerning Entergy before the Public Utility Commission of Texas and the Federal Energy Regulatory Commission in 2014

---



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager

**PREPARED BY:** Tyrone E. Cooper, City Attorney

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council consider an ordinance authorizing the participation by the City of Beaumont with other Entergy Texas service area cities in matters concerning Entergy before the Public Utility Commission of Texas and the Federal Energy Regulatory Commission in 2014.

### **RECOMMENDATION**

Administration recommends approval of an ordinance authorizing the City of Beaumont's participation with other Entergy Texas service area cities in matters concerning Entergy before the Public Utility Commission of Texas and the Federal Energy Regulatory Commission in the year 2014.

### **BACKGROUND**

The City of Beaumont is statutorily given the responsibility of exclusive original jurisdiction over the rates, operation and services of Entergy Texas, Inc. (ETI), which provides electric utility services in the City of Beaumont. To ensure that ETI is providing fair, just and reasonable rates and efficient services to the area, the City of Beaumont continually assesses the ongoing efforts of ETI in the services it provides to the citizens of Beaumont. This is accomplished primarily through the combined efforts of the cities in the Entergy service area with similar jurisdictional responsibilities.

It is anticipated that ETI will initiate various proceedings in 2014 either before the service area cities, the Public Utility Commission of Texas or the Federal Energy Regulatory Commission. With the completion of the transition to the Midwest Independent System Operator (MISO) and the expedited termination of its system operating agreement, it is expected that ETI will file a rate case to modify its schedules and tariffs to reflect its operations as a stand alone utility. Entergy is also expected to file fuel factor proceedings and other fuel proceedings at the Public Utility Commission this year to reconcile fuel, to refund or surcharge fuel charges and to change the fuel mechanism together with various surcharge requests which would impact rates. In order

to maintain fair, just and reasonable rates and efficient services to the rate payers, it is critical that the cities participate in these various proceedings.

The proposed ordinance allows the City of Beaumont to continue its participation as a member of the Steering Committee of cities within the ETI service area to monitor the operation and services provided by ETI to the citizens of Beaumont. The ordinance also authorizes the hiring of utility consultants and lawyers through the Steering Committee to facilitate the efforts of the service area cities.

**BUDGETARY IMPACT**

The reasonable expenses associated with rate related matters are reimbursable by the company pursuant to the Public Utility Regulatory Act of Texas.

ORDINANCE NO.

A ORDINANCE OF THE CITY COUNCIL OF BEAUMONT,  
TEXAS, AUTHORIZING PARTICIPATION WITH OTHER  
ENERGY SERVICE AREA CITIES IN MATTERS  
CONCERNING ENERGY TEXAS, INC. AT THE PUBLIC  
UTILITY COMMISSION OF TEXAS AND THE FEDERAL  
ENERGY REGULATORY COMMISSION IN 2014

WHEREAS, Entergy Texas, Inc.'s ("ETI") implementation of customer choice has ceased due to Senate Bill 1492 and ETI will continue to be regulated; and,

WHEREAS, changes to the Public Utility Regulatory Act addressing rates and rate proceedings will have a direct impact on ETI and customer bills during the year and into the future; and,

WHEREAS, ETI is scheduled to litigate requests in various proceedings before the Public Utility Commission, before municipalities, or before the Federal Energy Regulatory Commission in 2013 related to ETI's proposal to integrate with the Midwest Independent System Operator ("MISO"), ETI's commitment to exit the Entergy System Agreement on an expedited basis, various fuel cost refunds or surcharges and reconciliations, capacity cost surcharges and reconciliations; and for any type of incremental base rate adjustment proceedings (such as a transmission cost recovery rider, a distribution cost recovery rider, energy efficiency cost recovery factor, hurricane restoration cost or offset true-ups, or a purchased power capacity cost recover rider) or cost allocation adjustments; and,

WHEREAS, ETI is scheduled to file fuel factor proceedings at the Public Utility Commission in February and August 2014, and file other fuel proceedings during 2014 to reconcile fuel, to refund or surcharge fuel charges, and to change the fuel mechanism, along with various surcharge requests impacting rates; and,

WHEREAS, ETI is scheduled to file a proceeding to recover costs incurred in association with its Energy Efficiency Plan as well as reconcile past costs; and,

WHEREAS, Cities have the statutory right to set fair and reasonable rates for both the Company and customers within Cities; and,

WHEREAS, Cities have original jurisdiction over rates, operations, and services of an electric utility in areas in the municipality pursuant to *Tex. Util. Code* § 33.001; and,

WHEREAS, Cities have standing in each case before the Public Utility Commission of Texas that relates to an electric utility providing service in the municipality pursuant to *TEX. UTIL. Code* § 33.025, and standing before each Federal Energy Regulatory Commission case in which the City may be affected pursuant to *18 C.F.R. § 385.214*; and,

WHEREAS, Cities are entitled to reimbursement by the utility of their reasonable rate case expenses to participate in cases that are deemed rate proceedings pursuant to *Tex. Util. Code* § 33.023;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

SECTION 1. The City of Beaumont shall participate with other Cities to intervene in ETI's various rate filings related to the various fuel cost surcharges and reconciliations, capacity cost surcharges and reconciliations, the allocation and refund of rough production cost equalization payments, any interim or incremental surcharge proceedings or surcharge adjustments, and for any base rate adjustment proceedings or cost of service adjustments on file with the Public Utility Commission or with municipalities in 2014 and seek appropriate regulatory scrutiny in any case on file at the Federal Energy Regulatory Commission affecting the City and its residents.

The City of Beaumont shall participate with other Cities to intervene in fuel or fuel related proceedings at the Public Utility Commission and the Federal Energy Regulatory Commission on file in 2014 concerning ETI's rates charged to Texas customers.

All such actions shall be taken pursuant to the direction of the Cities' Steering Committee. Cities' Steering Committee shall have authority to retain rate consultants and lawyers. Cities' Steering Committee shall direct the actions of Cities' representatives in the above proceedings. The Steering Committee is directed to obtain reimbursement from ETI of all reasonable expenses associated with participation in said proceedings.

SECTION 2. This Ordinance shall be effective from and after the date of its passage.

PASSED BY THE CITY COUNCIL of the City of Beaumont this 25th day of March, 2014.

---

- Mayor Becky Ames -

ATTEST:

---

City Secretary

APPROVED AS TO FORM:

---

# **PUBLIC HEARING**

- \* Receive comments on the Public Services, Public Facilities and Improvements line items of the Consolidated Grant Program's 2014 Annual Action Plan



## City Council Agenda Item

**TO:** City Council

**FROM:** Kyle Hayes, City Manager  
*CSB*

**PREPARED BY:** Chris Boone, Planning & Community Development Director

**MEETING DATE:** March 25, 2014

**REQUESTED ACTION:** Council conduct a Public Hearing to receive comments on the Public Services, Public Facilities and Improvements line items of the Consolidated Grant Program's 2014 Annual Action Plan.

### **BACKGROUND**

As mandated by the U. S. Department of Housing and Urban Development (HUD), City Council has conducted public hearings and work sessions in previous years prior to adopting the City's Annual Action Plan. Community Development Staff, along with the Community Development Advisory Committee (CDAC), hosted Public Hearings in order to receive public comments on the process and activities related to the Preliminary 2014 Annual Action Plan. Attached is the proposed Preliminary Budget for the 2014 Program Year.

The proposed Preliminary Budget reflects allocations of \$1,307,397 in Community Development Block Grant (CDBG) funding, an estimated \$100,000 in Program Income and \$404,482 in HOME funding. Prior to its submission to HUD for approval, City Council will consider adopting the final Draft of the Annual Action Plan on or about April 29, 2014.

### **FUNDING SOURCE**

U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant and HOME Investment Partnership grant funds.

### **RECOMMENDATION**

Council conduct the Public Hearing.

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

2014

Budget**CLEARANCE AND DEMOLITION**

65,000

Funds will be used to demolish unsafe, unsanitary and uninhabitable residential structures located in low to moderate income areas.

**HOUSING**

Rehabilitation Administration

35,918

**MINOR REPAIR**

40,000

Funds will be used for the minor repair of approximately four homes at a maximum of \$10,000 each and to pay for cost estimates, lead-base clearance testing and repairs. The funding will be used to assist low/moderate income persons, primarily elderly and disabled.

**PUBLIC FACILITY & IMPROVEMENT**

820,000

Section 108 Loan Repayment for:

Hotel Beaumont; Jefferson Theater; Theodore R. Johns, Jr. Library; L.L. Melton YMCA

**PUBLIC SERVICES**

65,000

Public Service Organizations

Funds will be used for administrative and operating costs for various public service organizations that provide services to low/moderate income citizens.

**ADMINISTRATION**

281,479

Funds will be used for personnel and operating expenses necessary for compliance with the planning, execution, and regulatory requirements associated with the implementation of the HUD Consolidated Grant Program.

**TOTAL ENTITLEMENT****1,307,397****Program Income****100,000**

Small Business Loan

Historic Preservation Loan Fund

Clearance and Demolition

\*Program Income is Estimated

**TOTAL CDBG****1,407,397**

2014 HUD CONSOLIDATED GRANT PROGRAM

---

	Preliminary
	2014
<b>HOME</b>	<u>Budget</u>
<b>AFFORDABLE HOUSING PROGRAM</b>	
Funds will be awarded to a non-profit housing development organization that will assist low/moderate income families in the process of acquiring a home (down payment assistance/closing costs, and mortgage buy downs).	
<b>HOME ADMINISTRATION</b>	<b>40,449</b>
<b>CHDO OPERATING (5%)</b> (Community Housing Development Organization Operating)	<b>20,224</b>
<b>CHDO RESERVE (15%)</b> (Community Housing Development Organization Reserve)	<b>60,672</b>
<b>ENTITLEMENT (70%)</b>	<b>283,137</b>
<b>TOTAL HOME</b>	<b>404,482</b>

As of 3/18/1