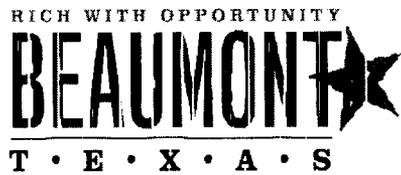




**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS AUGUST 12, 2014 1:30 P.M.**

CONSENT AGENDA

- * Approval of minutes – August 5, 2014
- * Confirmation of committee appointments
- A) Approve a six month contract for the purchase of liquid chlorine from Brenntag Southwest, Inc., of Houston for use by the Water Utilities Department
- B) Approve amending the Consolidated Grant Program's 2012 Annual Action Plan to reallocate \$15,500 from the Clearance and Demolition line item to a new Public Facilities line item for Habitat for Humanity of Jefferson County
- C) Approve accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Deerfield Phase Three, Right-of-Way only



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider a resolution approving a six (6) month contract for the purchase of liquid chlorine from Brenntag Southwest, Inc., of Houston in the estimated amount of \$56,685 for use by the Water Utilities Department.

BACKGROUND

Liquid Chlorine is used to purify the City's water supply, and to treat sewage discharge. The Water Utilities Department expects to purchase approximately one-hundred fifty (150) tons of this material during the term of this contract.

Bids were requested from five (5) vendors. Brenntag Southwest, Inc. provided the sole bid at \$377.90 per ton. This represents a \$262.10/ton decrease in the price of this material over the last contract. Brenntag Southwest, Inc., is the current holder of other chemical contracts with the city and has performed satisfactorily. There are no local vendors of this commodity.

FUNDING SOURCE

Water Utilities Fund.

RECOMMENDATION

Approval of resolution.



**CITY OF BEAUMONT, BEAUMONT, TEXAS
PURCHASING DIVISION BID TABULATION**

Six Month Contract for Water Treatment Chemical - Liquid Chlorine

Bid Name: Six Month Contract for Water Treatment Chemical - Liquid Chlorine
Bid Number: BF0714-42
Bid Opening: Thursday, July 31, 2014
Contact Person: Robert (Bob) Hollar, Buyer II
 rhollar@ci.beaumont.tx.us
 Phone: 409-880-3758

Vendor		Unit Price		Extended Price
City / State				
Phone or Fax No.				
DESCRIPTION		QTY	Unit Price	Extended Price
ITEM				
1	Liquid Chlorine	150	\$ 377.90	\$ 56,685.00
TOTAL BID				
Cylinder rental				
Cylinder Deposit				
			\$	n/a
			\$	n/a

NOTE: AWARDED VENDOR IS HIGHLIGHTED.
 No Response: FST1, GC3, Univar, DXI

RESOLUTION NO.

WHEREAS, bids were solicited for a six (6) month contract for the purchase of liquid chlorine for use by the Water Utilities Department; and,

WHEREAS, Brenntag Southwest, Inc., of Houston, Texas, submitted a bid in the unit amount shown below:

VENDOR	TONS	PRICE / TON	TOTAL
Brenntag Southwest, Inc. Houston, TX	150	\$377.90	\$56,685.00

;and,

WHEREAS, City Council is of the opinion that the bid submitted by Brenntag Southwest, Inc., of Houston, Texas, should be accepted;

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF THE CITY OF BEAUMONT:

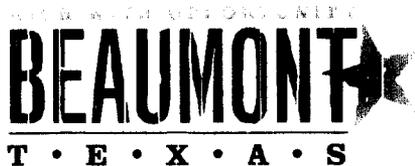
THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the bid submitted by Brenntag Southwest, Inc., of Houston, Texas, for a six (6) month contract for the purchase of liquid chlorine in the unit price shown above for an estimated total expenditure of \$56,685.00 be accepted by the City of Beaumont; and,

BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute a contract with Brenntag Southwest, Inc. for the purposes described herein.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of
August, 2014.

- Mayor Becky Ames -



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: ^{CB} Chris Boone, Planning & Community Development Director

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider approving a resolution amending the Consolidated Grant Program's 2012 Annual Action Plan to reallocate \$15,500 from the Clearance and Demolition line item to a new Public Facilities line item for Habitat for Humanity of Jefferson County.

BACKGROUND

Attached is a request from Habitat for Humanity of Jefferson County, requesting Community Development Block Grant funds to help provide water and sanitary services to their land at Galveston and Filmore Streets. Although this area is largely developed, these lots are not served by water and sanitary services. The provision of these services would enable Habitat for Humanity of Jefferson County to build up to twelve (12) new homes, furthering the redevelopment of the area. We are requesting amendment of the 2012 Action Plan to reallocate \$15,500 in demolition funding in order to support this project.

FUNDING SOURCE

U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Funds.

RECOMMENDATION

Approval of the resolution.



July 21, 2014

*For 35 years,
building
houses,
building
hope.*

Mr. Kyle Hayes
City Manager
City of Beaumont

Dear Kyle,

*Kirk Smith
President*

We have been working on an issue regarding some land donated by the City of Beaumont, and I was hoping that perhaps you could help us with this situation.

*Daylyn Turner
Vice President*

The City donated a large tract of land that, re-platted, will allow us to build 12 Habitat homes for lower income families.

*Jane Burns
Treasurer*

Unfortunately, this tract of land is lacking water and sewer access, even though it sits in the middle of developed property with houses. We have contracted Faust Engineering to develop a cost analysis for adding these services, and my construction manager has been working with the Water department staff at the City.

*Tracy Beadle
Clay Dugas
Charlie Jabbia
Philip Long
Blake Poutra
Ronnie Ramirez
Sean Villery-*

The water services department has said that the City will install the water lines in this area, but that we will need to take care of the sewer. According to the estimate drawn up by Faust, this will cost between \$12,000 and \$15,000.

*Samuel
Shannon
Williamson*

We cannot afford this expense. However, we need to have these services installed in order to continue building homes.

*P.O. Box 3174
Beaumont, TX 77704
(409) 832-5855
(409) 832-6768
beaumont@habitat.org*

Is there any way that the City could help us with this unforeseen expense? We we just do not have any funds to pay for such an expense.

Molly at the water department has copies of all the documents associated with this situation. We just need help from you to access funding to help us build out the sewer on Galveston and Filmore streets.

Sincerely,


Uliana Trylowsky
Executive Director

FAUST Engineering and Surveying, Inc.

Professional Engineers and Professional Surveyors
E-MAIL ADDRESS INFO@FAUSTENG.COM
2525 Calder Street
Beaumont, Texas 77702
Surveying Firm Registration No. 100024-00
Engineering Firm Registration No. 4800

Telephone (409) 813-3410
Fax (409) 813-3484

June 17, 2014

Beaumont Habitat for Humanity
610 Trinity Street
Beaumont, Texas 77701

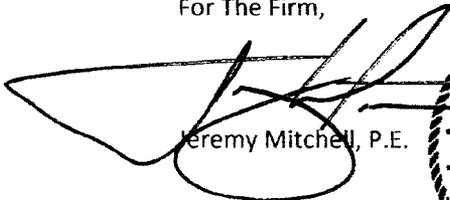
Re: Opinion of Probability of Cost – sewer line extension, Galveston Street

Per your request, we have prepared this opinion of probable cost. The amount listed is based upon historically utilized costs and the plan set our office developed for the project. It is based on 1871f of 6" SDR-35 with a manhole, sewer service taps, and clean out, complete and in place per City of Beaumont details and specifications.

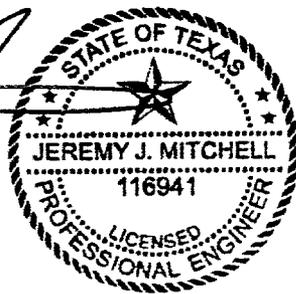
The anticipated opinion of probable cost is \$12,000 to \$15,000.

This opinion of probable cost is only that – an opinion. If you need any further information, please do not hesitate to contact my office.

For The Firm,



Jeremy Mitchell, P.E.



6/17/14

RESOLUTION NO.

WHEREAS, on March 27, 2012, City Council approved Resolution No. 12-072 adopting the Preliminary Budget of the 2012 Housing and Urban Development (HUD) Consolidated Grant Program's Annual Action Plan; and,

WHEREAS, Habitat for Humanity of Jefferson County has requested Community Development Block Grant funds to assist in providing water and sanitary services to their property located at Galveston and Filmore Streets; and,

WHEREAS, the water and sanitary services would enable Habitat for Humanity of Jefferson County to construct up to twelve (12) new homes; and,

WHEREAS, an amendment to the Consolidated Grant Program's 2012 Annual Action Plan is required to reallocate \$15,500 from the Clearance and Demolition line item to a newly created Public Facilities line item to support Habitat for Humanity of Jefferson County in this project;

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 Preliminary Budget of the 2012 Housing and Urban Development (HUD) Consolidated Grant Program's Annual Action Plan is amended by reallocating \$15,500 from the Clearance and Demolition line item to a newly created Public Facilities line item to assist in providing water and sanitary services to Habitat for Humanity of Jefferson County property located at Galveston and Filmore Streets for the construction of up to twelve (12) new homes.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of August,
2014.

- Mayor Becky Ames -



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Joseph Majdalani, P.E., Public Works Director *JM*

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Deerfield Phase Three, Right-of-Way only.

BACKGROUND

On July 17, 2014, a final inspection from all entities was completed on the following:

- Winnsboro Circle approximately 404 feet extension east of existing Winnsboro Circle to and including the cul-de-sac.
- Carrie Lane approximately 186 feet extension north of existing Carrie Lane to the 3-OM4-3 Dead End Roadway Markers.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of resolution.



PROJECT LOCATION

NTS

RESOLUTION NO.

WHEREAS, construction of the streets, storm sewer, water and sanitary sewer improvements constructed in Deerfield Phase Three have been completed as follows:

Streets

- Winnsboro Circle approximately 404 feet extension east of existing Winnsboro Circle to and including the cul-de-sac.
- Carrie Lane approximately 186 feet extension north of the existing Carrie Lane to the 3-OM4-3 Dead End Roadway markers.

Storm Sewer, Water and Sanitary Sewer Improvements

- Deerfield Phase Three, 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:

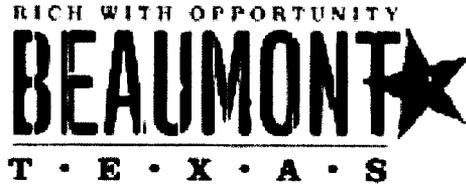
THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the above-referenced street, storm sewer, water and sanitary sewer improvements in Deerfield Phase Three, 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 12th day of August, 2014.

- Mayor Becky Ames -



REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS AUGUST 12, 2014 1:30 P.M.

AGENDA

CALL TO ORDER

- * Invocation Pledge Roll Call
- * Presentations and Recognition - Receive an update related to the issuance and refunding of Water Revenue Bonds
- * Public Comment: Persons may speak on scheduled agenda items 2-6/Consent Agenda
- * Consent Agenda

GENERAL BUSINESS

1. Consider an ordinance approving a specific use permit to allow the expansion of Greenlawn Cemetery onto property zoned GC-MD (General Commercial-Multiple Family Dwelling) District
2. Consider a resolution declaring 112 structures to be unsafe structures and ordering that the structures be razed
3. **Public Hearing:**
Receive comments related to the Mission Economic Development Corporation issuing Solid Waste Disposal Revenue Bonds to finance a proposed waste to energy conversion project (Fair Energy Operations-Beaumont) as authorized by the Texas Development Corporation Act

Consider an ordinance approving the issuance by Mission Economic Development Corporation of Solid Waste Disposal Revenue Bonds, Series 2014, in an amount not to exceed \$50 million dollars, to finance a proposed waste to energy conversion project on or near Lafin Road in Beaumont (The granting of this approval does not obligate the City of Beaumont in any way with respect to the bonds or the facility or to otherwise assume any liability with respect to the issuance of the bonds)
4. Consider a resolution to receive the proposed FY 2015 Budget and schedule a public hearing

5. Consider establishing and taking a record vote on the proposed 2014 tax rate and schedule public hearings
6. Consider a resolution to receive the proposed 2015 Capital Program and schedule a public hearing

WORK SESSION

- * Review and discuss revisions to the Alcohol and Beverage Ordinance
- * Review and discuss the proposed FY 2015 Budget

COMMENTS

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

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.

Consider a resolution declaring 112 structures to be unsafe structures and ordering that the structures be razed.

2625 Amarillo & bldg	1701 Elgie
1615 Amelia & storage bldg	3046 Elinor
2245 Angelina	684 Euclid & garage
2255 Angelina	2620 Euclid
2331 Angelina	2640 Euclid
509 Augusta	2690 Euclid
1650 Avenue A & auxiliary bldgs	2695 Euclid
2232 Avenue E	3625 W. Euclid & storage
1490 Avenue G	1040 Evalon
1619 Avenue I	1248 Fulton
1621-23 Avenue I	4220 Garden & garage
905 Blanchette	220 Garland (house & garage apartment)
3255 Blossom (House & Garage Apt)	310 E. Gill
3036 Bolivar	2855 Glenwood & shed
3120 Bolivar	4340 Goliad
2305 Brickyard	1447 Grand
2320 Brickyard	3075 Grand
2330 Brickyard & storage bldg	7615 Greenfield
3942 Broadmoor	3990 Harding
2325 Cartwright	4680 Harding
3190 Cartwright & storage bldg	1870 Harriot
4620 Cartwright	7915 Helbig & storage
1145 Center	4020 Highland
125 E. Church	5670 Indian Trail
4775 Cleveland	4205 Inez
4450 Diamond	305 Iowa
2595 Dogwood	3930 Irving & storage bldg
5354 Downs & garage	470 Jackson & shed
5640 Downs	765 Jeanette
1474 Edwin & shed	4110 Jeanette

1303 Johns & accessory bldgs
5410 Landry & storage bldg
5420 Landry & storage bldg
340 E. La Salle
432 E. La Salle
1620 E. Lavaca
2298 Linson
1970 E. Lucas
1915 Lucille & shed
3233 Magnolia
495 N. Major & storage bldg
190 Manning
5749 Mel Sha
4930 Metz
4950 Metz
2370 Neches
1785 North
840 Oakland
4253 Ogden
608 & 610 Palm (front and rear structures)
2905-07 Pecos
2475 Pierce & accessory bldgs
1110 Pipkin
2147 Pope
2135 Potts
1620 Prairie & shed
730 Roberts
1140 Roberts & garage
3180 Robinhood
2475 Rusk
2615 Santa Fe & accessory bldg
1919 Sabine Pass & shed
2935 San Jacinto

240 E. Simmons
430 E. Simmons & storage bldg
3360 St. Helena
4379 Sullivan
3285 Taliaferro
7520 Tall Pine
626 Threadneedle & storage bldg
980 Trinidad & storage bldgs
2016 Tulane
2075 Tulane
2355 Tulane
1665 Victoria
2895 Waco
2450 Washington
3390 Westmoreland
3414 Westmoreland
5165 Wilshire & garage
2035 Wilson
2290 Wilson

August 12, 2014

Consider an ordinance approving a specific use permit to allow the expansion of Greenlawn Cemetery onto property zoned GC-MD (General Commercial-Multiple Family Dwelling) District



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: ^{CSB} Chris Boone, Director of Planning and Community Development

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider an ordinance approving a specific use permit to allow the expansion of Greenlawn Cemetery onto property zoned GC-MD (General Commercial – Multiple Family Dwelling) District.

BACKGROUND

Mr. Donald Taft has applied for a specific use permit on behalf of Community Cemeteries, Inc.

Community Cemeteries, Inc., who owns and operates the cemetery known as Greenlawn Cemetery. CCI recently purchased this 0.6109 acre tract of land located at 4075 Magnolia Avenue for the expansion of the cemetery. Normal hours of operation for the cemetery are 8 a.m. to 5 p.m. seven (7) days per week. Landscaping will consist of a hedge at the perimeter of the property, to provide some privacy, and small trees for aesthetics.

A specific use permit is required in any zoning district to expand an existing cemetery.

At a Joint Public Hearing held July 21, 2014, the Planning Commission recommended 6:0 to approve a specific use permit to allow the expansion of Greenlawn Cemetery onto property zoned GC-MD (General Commercial – Multiple Family Dwelling) District.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of ordinance with the following conditions:

1. The applicant shall install and maintain an 8ft. privacy fence along the north property line, Stopping 15' from the property line along Magnolia Avenue.
2. The applicant shall work with the Traffic Division to develop a parking plan, acceptable to the City's Traffic Engineer.

3. The Property shall be graded, with storm water flow directed to streets and not adjacent Properties.
4. All cemetery plots must be set back a minimum of 6ft. from the east property line.
5. The applicant shall maintain a 6ft. wide landscaped strip along the inside of the east property line with 4ft. hedges sufficiently dense to screen the cemetery from Magnolia Avenue.

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW THE EXPANSION OF A CEMETERY IN A GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT AT 4075 MAGNOLIA AVENUE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Donald Taft, on behalf of Community Cemeteries, Inc., has applied for a specific use permit to allow the expansion of a cemetery in a GC-MD (General Commercial-Multiple Family Dwelling) District at 4075 Magnolia Avenue, being Tract 22A, Plat D-17, A. Williams Survey, Abstract No. 385, Beaumont, Jefferson County, Texas, containing 0.6109 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 the expansion of a cemetery in a GC-MD (General Commercial-Multiple Family Dwelling) District at 4075 Magnolia Avenue, subject to the following conditions:

- The applicant shall install and maintain an 8ft. privacy fence along the north property line, stopping 15' from the property line along Magnolia Avenue.
- The applicant shall work with the Traffic Division to develop a parking plan, acceptable to the City's Traffic Engineer.
- The property shall be graded, with storm water flow directed to streets and not adjacent properties.
- All cemetery plots must be set back a minimum of 6' from the east property line.
- The applicant shall maintain a 6' wide landscaped strip along the inside of the east property line with 4' hedges sufficiently dense to screen the cemetery from Magnolia Avenue.

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 the expansion of a cemetery in a GC-MD (General Commercial-Multiple Family Dwelling) District at 4075 Magnolia Avenue, being Tract 22A, Plat D-17, A. Williams Survey, Abstract No. 385, Beaumont, Jefferson County, Texas, containing 0.6109 acres, more or less, as shown on Exhibit "A," attached hereto, is hereby granted to Community Cemeteries, Inc., its 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:

- The applicant shall install and maintain an 8' privacy fence along the north property line, stopping 15' from the property line along Magnolia Avenue.
- The applicant shall work with the Traffic Division to develop a parking plan, acceptable to the City's Traffic Engineer.
- The property shall be graded, with storm water flow directed to streets and not adjacent properties.
- All cemetery plots must be set back a minimum of 6' from the east property line.
- The applicant shall maintain a 6' wide landscaped strip along the inside of the east property line with 4' hedges sufficiently dense to screen the cemetery from Magnolia Avenue.

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 and made a part hereof for all purposes.

Section 4.

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 12th day of August, 2014.

- Mayor Becky Ames -

File 2209-P: Request for a specific use permit to allow the expansion of the Greenlawn Cemetery onto property zoned GC-MD (General Commercial – Multiple Family Dwelling) District.

Location: 4075 Magnolia Avenue

Applicant: Donald Taft

N

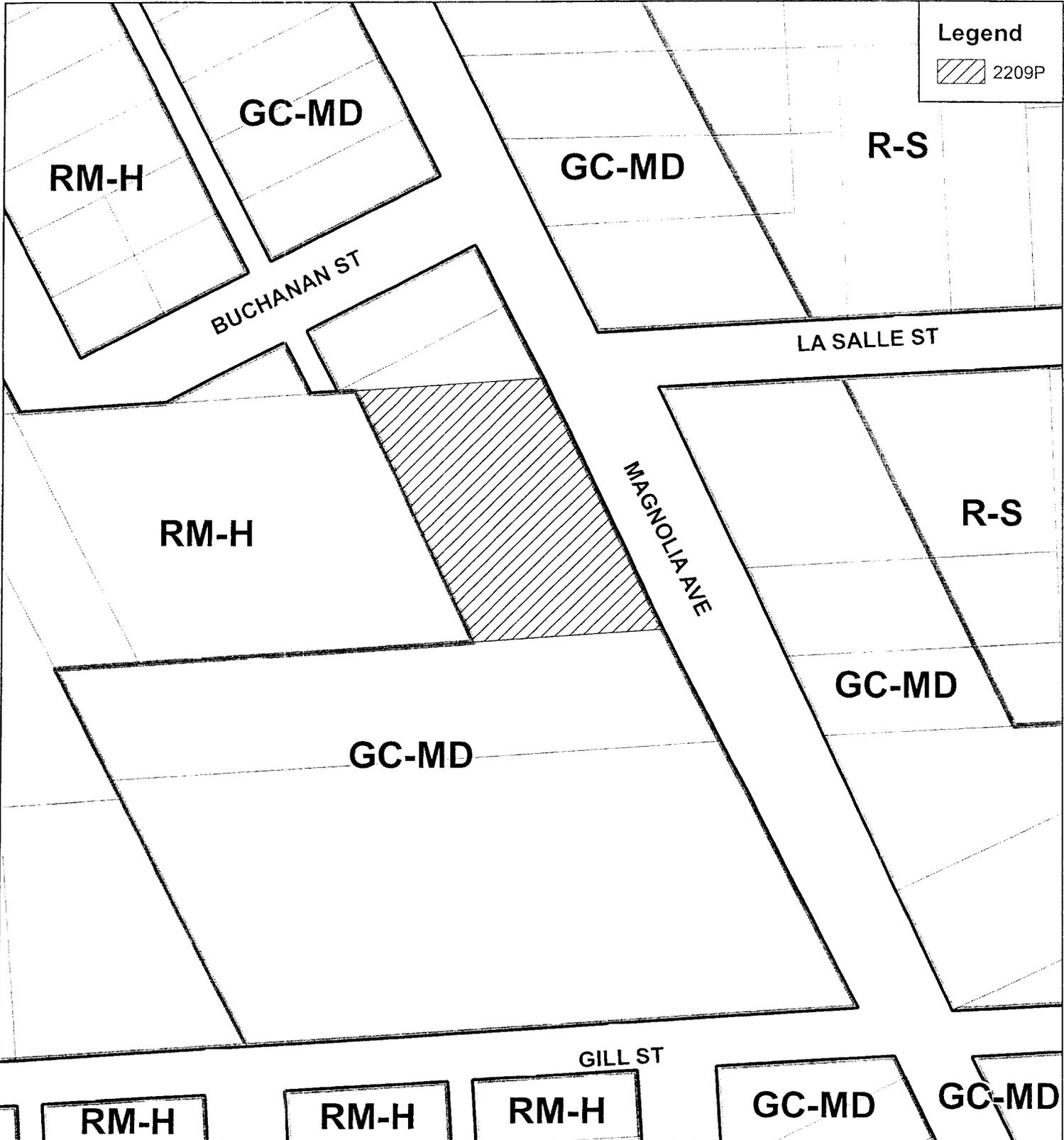
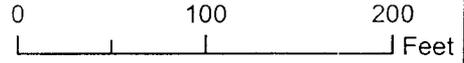
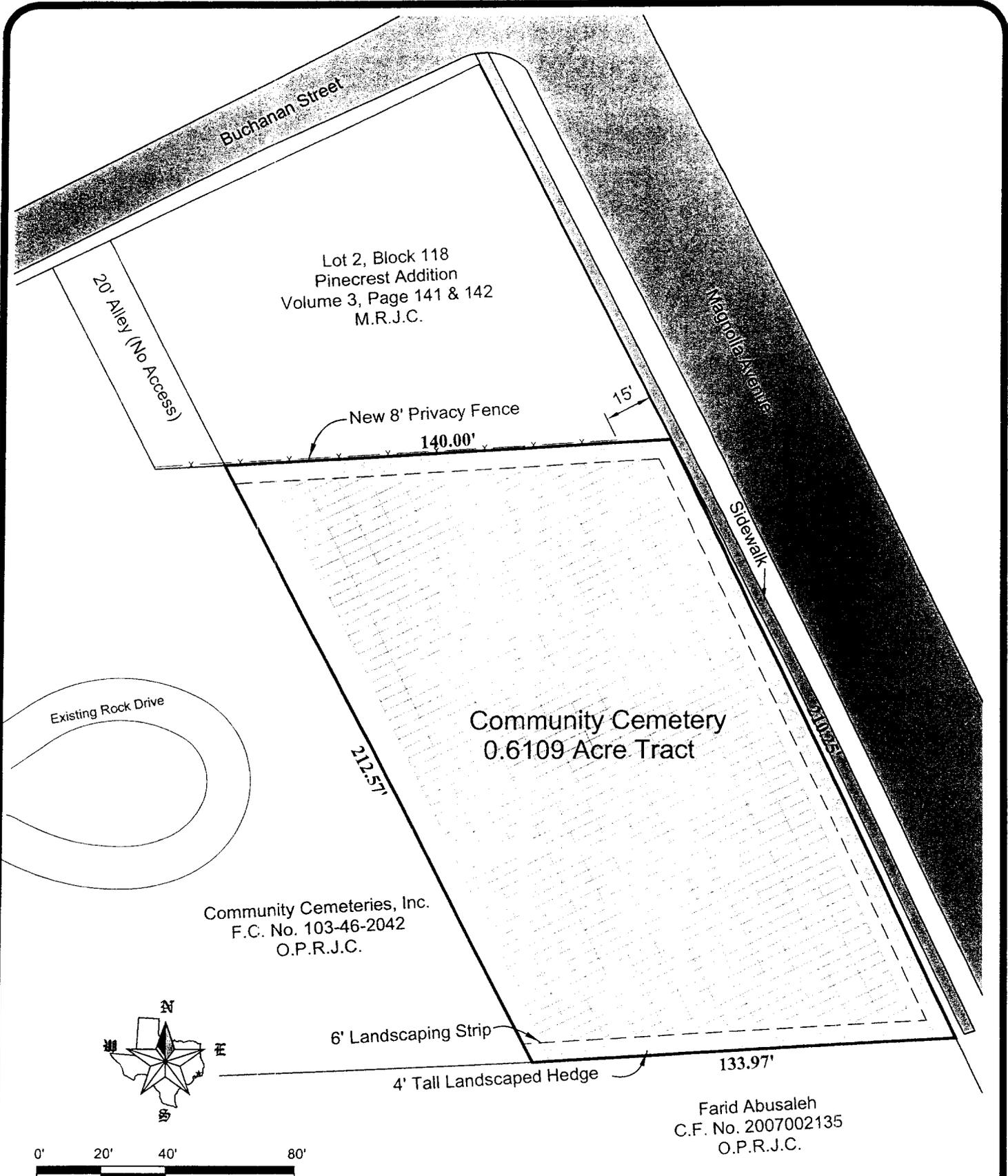
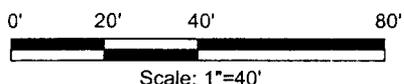
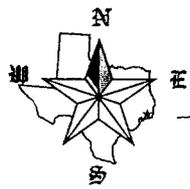


EXHIBIT "A"



Community Cemeteries, Inc.
 F.C. No. 103-46-2042
 O.P.R.J.C.

Farid Abusaleh
 C.F. No. 2007002135
 O.P.R.J.C.



WORTECH
 LAND SURVEYORS, INC.

1480 Cornerstone Court
 Beaumont, Texas 77706
 Tel: 409.866.9769
 Fax: 409.866.7075
 www.wortech.com

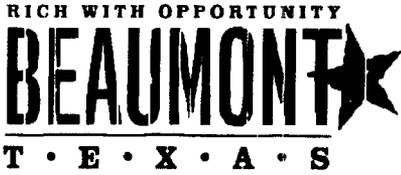
SITE PLAN
GREENLAWN CEMETERY
 4075 Magnolia Street
 Beaumont, Texas

EXHIBIT "B"

See attachment for conditions

August 12, 2014

Consider a resolution declaring 112 structures to be unsafe structures and ordering that the structures be razed



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: ^{CSB} Chris Boone, Planning & Community Development Director

MEETING DATE: August 12, 2014

REQUESTED ACTION: City Council, consider a resolution to declare the following one hundred twelve (112) structures to be unsafe structures and order that these structures be razed.

ADDRESS	ORDINANCE NUMBER
1. 2625 Amarillo & storage bldg	14-009
2. 1615 Amelia & storage bldg	13-036
3. 2245 Angelina	13-014
4. 2255 Angelina	12-052
5. 2331 Angelina	13-014
6. 509 Augusta	13-036
7. 1650 Avenue A & aux bldgs	14-009
8. 2232 Avenue E	13-005
9. 1490 Avenue G	13-005
10. 1619 Avenue I	13-036
11. 1621-23 Avenue I	13-036
12. 905 Blanchette	12-052

13. 3255 Blossom (House & Garage apt)	14-009
14. 3036 Bolivar	12-052
15. 3120 Bolivar	13-014
16. 2305 Brickyard	13-005
17. 2320 Brickyard	13-005
18. 2330 Brickyard & storage bldg	13-036
19. 3942 Broadmoor	13-036
20. 2325 Cartwright	14-009
21. 3190 Cartwright & storage bldg	13-036
22. 4620 Cartwright	11-037
23. 1145 Center	13-005
24. 125 E. Church	13-014
25. 4775 Cleveland	13-014
26. 4450 Diamond	14-009
27. 2595 Dogwood	12-052
28. 5354 Downs & garage	12-052
29. 5640 Downs	14-009
30. 1474 Edwin & shed	13-005
31. 1701 Elgie	14-009
32. 3046 Elinor	13-036
33. 684 Euclid & garage	14-009
34. 2620 Euclid	14-009
35. 2640 Euclid	14-009
36. 2690 Euclid	13-005

37. 2695 Euclid	14-009
38. 3625 W Euclid & storage	14-009
39. 1040 Evalon	12-022
40. 1248 Fulton	13-014
41. 4220 Garden & garage	13-014
42. 220 Garland (house & garage apt)	13-005
43. 310 E. Gill	13-014
44. 2855 Glenwood & shed	14-009
45. 4340 Goliad	13-005
46. 1447 Grand	14-009
47. 3075 Grand	13-036
48. 7615 Greenfield	13-036
49. 3990 Harding	13-036
50. 4680 Harding	13-014
51. 1870 Harriot	13-036
52. 7915 Helbig & storage	14-009
53. 4020 Highland	13-014
54. 5670 Indian Trail	13-014
55. 4205 Inez	13-014
56. 305 Iowa	13-005
57. 3930 Irving & storage bldg	13-036
58. 470 Jackson & shed	13-036
59. 765 Jeanette	13-036
60. 4110 Jeanette	13-005

61. 1303 Johns & accessory bldgs	12-052
62. 5410 Landry & storage bldg	13-014
63. 5420 Landry & storage bldg	13-036
64. 340 E. La Salle	12-052
65. 432 E. La Salle	13-014
66. 1620 E. Lavaca	14-009
67. 2298 Inson	13-014
68. 1970 E. Lucas	12-052
69. 1915 Lucille & shed	14-009
70. 3233 Magnolia	13-014
71. 495 N. Major & storage bldg	14-009
72. 190 Manning	12-022
73. 5749 Mel Sha	13-005
74. 4930 Metz	13-005
75. 4950 Metz	13-005
76. 2370 Neches	13-036
77. 1785 North	12-022
78. 840 Oakland	14-009
79. 4253 Ogden	13-036
80. 608 & 610 Palm (front and rear structures)	13-036
81. 2905-07 Pecos	14-009
82. 2475 Pierce & accessory bldgs	14-009
83. 1110 Pipkin	13-005
84. 2147 Pope	13-014

85. 2135 Potts	13-014
86. 1620 Prairie & shed	13-005
87. 730 Roberts	12-022
88. 1140 Roberts & garage	11-189
89. 3180 Robinhood	14-009
90. 2475 Rusk	14-009
91. 1919 Sabine Pass & shed	13-014
92. 2935 San Jacinto	13-036
93. 2615 Santa Fe & accessory bldg	14-009
94. 240 F. Simmons	13-036
95. 430 F. Simmons & storage bldg	14-009
96. 3360 St. Helena	14-009
97. 4379 Sullivan	13-014
98. 3285 Taiaferro	13-005
99. 7520 Tall Pine	13-036
100. 626 Threadneedle & storage bldg	13-036
101. 980 Trinidad & storage bldgs	13-036
102. 2016 Tulane	14-009
103. 2075 Tulane	13-014
104. 2355 Tulane	13-014
105. 1665 Victoria	13-005
106. 2895 Waco	13-014
107. 2450 Washington	14-009
108. 3390 Westmoreland	13-036

109. 3414 Westmoreland	13-036
110. 5165 Wilshire & garage	13-036
111. 2035 Wilson	14-009
112. 2290 Wilson	14-009

BACKGROUND

Recently, the City contracted with the Southeast Texas Regional Planning Commission for the demolition of up to four hundred fifty-five (455) structures, as part of the Hurricane Ike Disaster Recovery Program. These one hundred-twelve (112) structures have been inspected by the Building Codes Division and found to be unsafe structures as defined by the City of Beaumont’s Code of Ordinances, Chapter 24, Article 24.04 Unsafe Substandard Structures, Division 1, Sec. 14.04.001 of the 2009 International Property Maintenance Code. All of these structures were previously issued a raze or repair order at a prior Council meeting, by ordinance. However, as part of this program, a resolution, declaring that these structures should be demolished is also required. Therefore, we are requesting that a resolution be approved to reflect this prior action by Council.

FUNDING SOURCE

Funding is available through a grant with the Southeast Texas Regional Planning Commission and the Texas General Land Office (GLO).

RECOMMENDATION

Approval of the resolution.

RESOLUTION NO.

WHEREAS recently the City contracted with the Southeast Texas Regional Planning Commission for the demolition of up to four hundred fifty-five (455) structures as part of the Hurricane Ike Disaster Recovery Program; and,

WHEREAS, Public Hearings were previously conducted and City Council previously declared the structures listed below to be public nuisances and approved the issuance of a raze or repair order; and,

WHEREAS, one hundred twelve (112) structures have been inspected by the City of Beaumont Building Codes Division and found to be unsafe structures; and,

WHEREAS, the Hurricane Ike Disaster Recovery Program requires that a resolution be approved declaring that the structures should be demolished; and,

WHEREAS, the City Council finds the following one hundred twelve (112) structures to be unsafe structures and declares them to be public nuisances and orders that the structures be razed:

1. 2625 Amarillo & storage bldg	2. 1615 Amelia & storage bldg
3. 2245 Angelina	4. 2255 Angelina
5. 2331 Angelina	6. 509 Augusta
7. 1650 Avenue A & aux bldgs	8. 2232 Avenue E
9. 1490 Avenue G	10. 1619 Avenue I
11. 1621-23 Avenue I	12. 905 Blanchette
13. 3255 Blossom (House & Garage apt)	14. 3036 Bolivar
15. 3120 Bolivar	16. 2305 Brickyard
17. 2320 Brickyard	18. 2330 Brickyard & storage bldg
19. 3942 Broadmoor	20. 2325 Cartwright
21. 3190 Cartwright & storage bldg	22. 4620 Cartwright

23. 1145 Center	24. 125 E. Church
25. 4775 Cleveland	26. 4450 Diamond
27. 2595 Dogwood	28. 5354 Downs & garage
29. 5640 Downs	30. 1474 Edwin & shed
31. 1701 Elgie	32. 3046 Elinor
33. 684 Euclid & garage	34. 2620 Euclid
35. 2640 Euclid	36. 2690 Euclid
37. 2695 Euclid	38. 3625 W. Euclid & storage
39. 1040 Evalon	40. 1248 Fulton
41. 4220 Garden & garage	42. 220 Garland (house & garage apt)
43. 310 E. Gill	44. 2855 Glenwood & shed
45. 4340 Goliad	46. 1447 Grand
47. 3075 Grand	48. 7615 Greenfield
49. 3990 Harding	50. 4680 Harding
51. 1870 Harriot	52. 7915 Helbig & storage
53. 4020 Highland	54. 5670 Indian Trail
55. 4205 Inez	56. 305 Iowa
57. 3930 Irving & storage bldg	58. 470 Jackson & shed
59. 765 Jeanette	60. 4110 Jeanette
61. 1303 Johns & accessory bldgs	62. 5410 Landry & storage bldg
63. 5420 Landry & storage bldg	64. 340 E. La Salle
65. 432 E. La Salle	66. 1620 E. Lavaca
67. 2298 Linson	68. 1970 E. Lucas
69. 1915 Lucille & shed	70. 3233 Magnolia
71. 495 N. Major & storage bldg	72. 190 Manning
73. 5749 Mel Sha	74. 4930 Metz
75. 4950 Metz	76. 2370 Neches

77. 1785 North	78. 840 Oakland
79. 4253 Ogden	80. 608 & 610 Palm (front and rear structures)
81. 2905-07 Pecos	82. 2475 Pierce & accessory bldgs
83. 1110 Pipkin	84. 2147 Pope
85. 2135 Potts	86. 1620 Prairie & shed
87. 730 Roberts	88. 1140 Roberts & garage
89. 3180 Robinhood	90. 2475 Rusk
91. 1919 Sabine Pass & shed	92. 2935 San Jacinto
93. 2615 Santa Fe & accessory bldg	94. 240 E. Simmons
95. 430 E. Simmons & storage bldg	96. 3360 St. Helena
97. 4379 Sullivan	98. 3285 Taliaferro
99. 7520 Tall Pine	100. 626 Threadneedle & storage bldg
101. 980 Trinidad & storage bldgs	102. 2016 Tulane
103. 2075 Tulane	104. 2355 Tulane
105. 1665 Victoria	106. 2895 Waco
107. 2450 Washington	108. 3390 Westmoreland
109. 3414 Westmoreland	110. 5165 Wilshire & garage
111. 2035 Wilson	112. 2290 Wilson

;

**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 City Council finds the aforementioned one hundred twelve (112) structures to be unsafe structures and declares them to be public nuisances and orders that the structures be razed.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of August, 2014.

- Mayor Becky Ames -

PUBLIC HEARING

Receive comments related to the Mission Economic Development Corporation issuing Solid Waste Disposal Revenue Bonds to finance a proposed waste to energy conversion project (Fair Energy Operations-Beaumont) as authorized by the Texas Development Corporation Act

August 12, 2014

Consider an ordinance approving the issuance by Mission Economic Development Corporation of Solid Waste Disposal Revenue Bonds, Series 2014, in an amount not to exceed \$50 million dollars, to finance a proposed waste to energy conversion project on or near Lafin Road in Beaumont (The granting of this approval does not obligate the City of Beaumont in any way with respect to the bonds or the facility or to otherwise assume any liability with respect to the issuance of the bonds)



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney

MEETING DATE: August 12, 2014

REQUESTED ACTION: Consider an ordinance approving the issuance of Solid Waste Disposal Revenue Bonds, Series 2014 in an estimated amount not to exceed \$50 million dollars to finance the waste to energy facilities at the Beaumont City landfill.

BACKGROUND

On December 18, 2012, the City Council authorized an agreement with Fair Energy Operations-Beaumont for a waste to energy conversion project to be conducted at the City landfill. It was indicated at that time that the company would seek industrial bonds to finance the project. To that end Fair Energy Operations has requested Mission Economic Development Corporation to issue Solid Waste Disposal Revenue Bonds, Series 2014 to finance the project.

The Texas Development Corporation Act requires that the City of Beaumont gives its approval to use the proceeds of the bonds for the solid waste conversion facility to be located in the City. The granting of this approval does not obligate the City in any way with respect to the bonds or the facility or to otherwise assume any liability with respect to the issuance of the bonds.

This process requires the conducting of a Public Hearing to allow comment with respect to the project and issuance of the Series 2014 Revenue Bonds.

RECOMMENDATION

Approval of the ordinance.

ORDINANCE NO.

ORDINANCE APPROVING THE ISSUANCE OF SOLID WASTE DISPOSAL REVENUE BONDS, SERIES 2014 IN ONE OR MORE SERIES OR SUBSERIES AS MAY BE FURTHER DESIGNATED; PROVIDING FOR THE CONDUCTING OF A PUBLIC HEARING; PROVIDING FOR A DISCLAIMER OF LIABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, FAIR ENERGY OPERATIONS LLC. and its subsidiaries or affiliates (collectively, the “Company”) own and operate various solid waste and waste to energy facilities (the “Facilities”) throughout the state of Texas; and

WHEREAS, the Company desires to make certain improvements to such Facilities throughout the state of Texas (the “Project”) as more fully described in **Exhibit “A”** a portion of which is located in this City (the “Local Portion”); and

WHEREAS, in order to achieve the economies of scale in financing the Project, the Company has requested Mission Economic Development Corporation (the “Issuer”) to issue Solid Waste Disposal Revenue Bonds (Fair Energy Operations LLC Project) Series 2014 (the “Series 2014 Bonds”) to finance the Project, including portions located outside the boundaries of Mission, Texas, the Issuer’s sponsoring governmental unit; and

WHEREAS, in order that the Local Portion of the Project may be financed with the proceeds of Series 2014 Bonds, the City Council of the City (the “City Council”) must request that the Issuer exercise its powers within the City for the purpose of issuing such bonds in one or more series to finance the Local Portion of the Project, such request being intended to satisfy the requirements of Section 501.159 of the Texas Development Corporation Act, Texas Local Government Code, Chapter 501, as amended (the “Act”); and

WHEREAS, the City Council desires hereby to make such request of the Issuer and to take other actions to enable the Issuer to issue the Series 2014 Bonds and the Company to use the proceeds thereof to finance the Project;

WHEREAS, approval of the City Council as the “applicable elected representative” is also required in connection with the issuance of the Series 2014 Bonds in order to satisfy the requirements of Section 147(f) of the Internal Revenue Code and the City Council desires hereby to give such approval.

BE IT ORDAINED, ADOPTED AND DECREED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT, TEXAS:

Section 1. Third Party Financing. In order that the Local Portion of the Project may be financed as a part of the entire Project through the issuance of the Series 2014 Bonds, the Issuer is hereby requested to exercise its powers within the City for the purpose of issuing such bonds in one or more series to finance the Local Portion of the Project in accordance with Section 501.159 of the Act.

Section 2. Public Hearing and Approval for Federal Tax Purposes. In order to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended, a public hearing shall be held in which members of the public shall be permitted to express their views with respect to the Local Portion of the Project and the Issuer’s issuance of the Series 2014 Bonds for such purpose. Such hearing is authorized to be conducted by Mayor Becky Ames (or her designee), as hearing officer. Notice of such hearing was published no less than 14 days prior to such hearing in a newspaper of general circulation in the City.

Based solely upon the results of such hearing, and solely for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended, the Mayor is hereby authorized and directed to execute a certificate certifying approval of the Local Portion of the Project and the Issuer's issuance of the Series 2014 Bonds for that purpose.

SECTION 3. DISCLAIMER OF LIABILITY. THE CITY, THE CITY COUNCIL, THE MAYOR AND ALL OTHER CITY OFFICIALS MAKE NO REPRESENTATION OR WARRANTY OF ANY KIND WHATSOEVER WITH RESPECT TO THE LOCAL PORTION OF THE PROJECT OR THE ISSUANCE, CREDITWORTHINESS OR REPAYMENT OF THE INDUSTRIAL REVENUE BONDS TO BE ISSUED BY THE ISSUER WITH RESPECT TO THE LOCAL PORTION OF THE PROJECT. UNDER NO CIRCUMSTANCES SHALL THE CITY HAVE ANY LIABILITY, FINANCIAL OBLIGATION OR RESPONSIBILITY OF ANY KIND WITH RESPECT TO THE PAYMENT OF INDUSTRIAL REVENUE BONDS ISSUED FOR THE LOCAL SHARE OF THE PROJECT OR FOR THE CONSTRUCTION, MAINTENANCE, OPERATION OR ANY OTHER ASPECT OF THE LOCAL SHARE OF THE PROJECT.

Section 4. Effective Date. This Ordinance shall be effective immediately upon passage by sufficient affirmative votes.

ADJUDGED, ADOPTED AND DECREED this 12th day of August, 2014.

- Mayor Becky Ames -

EXHIBIT “A”

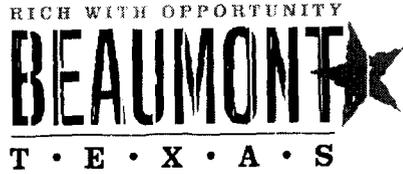
FAIR ENERGY OPERATIONS, LLC AND AFFILIATES

Project Description

The proceeds the Series 2014 Bonds will be loaned to Fair Energy Operations – Beaumont, LLC (“Fair Energy Beaumont”) and Fair Energy Operations – Angleton, LLC (“Fair Energy Angleton,” and, together with Fair Energy Beaumont, the “Borrower”) and will be used by the Borrower to provide funds to: (i) finance or refinance all or part of the cost of acquiring and constructing certain capital improvements and infrastructure relating to waste-to-energy facilities and/or solid waste facilities including any land, equipment and other property comprising waste-to-energy facilities (including property functionally related and subordinate thereto) that will convert municipal solid waste into usable products located at: (a) Beaumont City Landfill – 5895 Lafin Drive, Beaumont, Texas (the “Beaumont Facility”) and (b) Seabreeze Environmental Landfill – 10310 FM 523, Angleton, Texas (the “Angleton Facility,” and together with the Beaumont Facility, the “Series 2014 Project”) and (ii) pay the costs of issuance of the Series 2014 Bonds and related financing costs.

August 12, 2014

Consider a resolution to receive the proposed FY 2015 Budget and schedule a public hearing



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer 

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider a resolution to receive the proposed FY 2015 Budget and schedule a public hearing.

BACKGROUND

Article VI, Section 2 of the City Charter requires that the proposed budget be submitted to the Council at least 45 days prior to the beginning of the new fiscal year. In addition, Section 4 requires Council to schedule a public hearing on the proposed budget.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

The Administration recommends that the public hearing be held on August 26, 2014, at 1:30 p.m. in Council Chambers, located at 801 Main Street. The City Clerk will publish the notice of the public hearing.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF BEAUMONT:

THAT the proposed FY 2015 Budget has been received and a public hearing is hereby scheduled for August 26, 2014 at 1:30 PM in the City Council Chambers, City Hall, 801 Main Street, Beaumont, Texas; and,

BE IT FURTHER RESOLVED THAT the City Clerk is to publish notice of said hearing pursuant to the Charter of the City of Beaumont.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of August, 2014.

- Mayor Becky Ames -

August 12, 2014

Consider establishing and taking a record vote on the proposed 2014 tax rate and schedule public hearings



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider establishing and taking a record vote on the proposed 2014 tax rate and schedule public hearings.

BACKGROUND

Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting their tax rate and requires the governing body to hold two public hearings when the proposed tax rate exceeds the lower of the rollback rate or the effective rate.

Administration recommends Council establish a tax rate required to support the City Manager's proposed budget equal to the current tax rate of \$0.69/\$100 of valuation. In accordance with Chapter 26 of the Property Tax Code, if the proposed rate exceeds the lower of the rollback rate of \$.742727/\$100 or the effective tax rate of \$.687249/\$100, the City Council must take a record vote to place the proposal to adopt the rate on the agenda of a future meeting. The effective tax rate is the rate that would produce the same amount of taxes in FY 2015 as was produced in FY 2014 if it was applied to the same properties taxed in both years. The proposed tax rate of \$.690000/\$100 exceeds the effective tax rate of \$.687249/\$100 by \$.002751/\$100 or .003. If the motion passes, two public hearings must be scheduled. It is recommended that the public hearings be held on August 26, 2014 and September 16, 2014 at 1:30 p.m. in the Council Chambers.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:

THAT the tax rate of \$0.69 be and it is hereby proposed; and,

BE IT FURTHER RESOLVED THAT the dates of August 26, 2014 and September 9, 2014 be and the same are hereby set as the dates at which the City Council will conduct public hearings on the proposed tax rate. The meetings will be held in the City Council Chambers, City Hall, 801 Main Street, Beaumont, Texas at 1:30 PM August 26, 2014 and September 9, 2014 at which time the Council will receive public comment on the proposed tax rate of \$0.69.

BE IT ALSO RESOLVED THAT the City Clerk is to publish notice of said public hearing pursuant to V.T.C.A., Tax Code §26.06.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of August, 2014.

- Mayor Becky Ames -

August 12, 2014

Consider a resolution to receive the proposed 2015 Capital Program and schedule a public hearing



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer 

MEETING DATE: August 12, 2014

REQUESTED ACTION: Council consider a resolution to receive the proposed 2015 Capital Program and schedule a public hearing.

BACKGROUND

The proposed 2015 Capital Program was originally submitted to Council on May 13, 2014. Revisions have been made to the original proposed document and are attached for your review. Article VI, Section 20 of the City Charter requires Council to schedule a public hearing on the proposed Capital Program.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

The Administration recommends that the public hearing be held on August 26, 2014, at 1:30 p.m. in Council Chambers, located at 801 Main Street. The City Clerk will publish the notice of the public hearing.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the proposed FY 2015 Capital Program has been received and a public hearing is hereby scheduled for August 26, 2014 at 1:30 PM in the City Council Chambers, City Hall, 801 Main Street, Beaumont, Texas; and,

BE IT FURTHER RESOLVED THAT the City Clerk is to publish notice of said public hearing pursuant to the Charter of the City of Beaumont.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 12th day of August, 2014.

- Mayor Becky Ames -

WORK SESSION

Receive and discuss revisions to the Alcohol and Beverage Ordinance

WORK SESSION

Receive and discuss the proposed FY 2015 Budget