

**MEETING AGENDA
ORANGE CITY COUNCIL
Orange Public Library Auditorium
220 N. Fifth Street
Orange, Texas**

**June 9, 2015
9:00 A.M.**

- | | | |
|---|----|-----------------------|
| 1. CALL TO ORDER | | Mayor |
| 2. INVOCATION and PLEDGE OF ALLEGIANCE | | Mayor Pro Tem McKenna |
| 3. MOTION | | |
| a) Motion finding that the advance posting and notice requirements of Article 8.1200 of the Code of Ordinances of the City of Orange, Texas have been met in relation to all minutes and pending ordinances and resolutions on this agenda and that the reading of such items be confined to the captions as are agreed upon by the ordinances and resolutions. | 1 | Mayor/Council |
| 4. APPROVAL OF MINUTES | | |
| a) May 19, 2015 Special Call Council Meeting | 4 | Mayor/Council |
| b) May 26, 2015 Joint Meeting of the Orange City Council and Economic Development Corporation | 11 | Mayor/Council |
| 5. CITIZEN COMMENTS | | |
| <i>At this time comments will be taken from the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum three minutes for each speaker. Your comments are appreciated. As the Texas Open Meetings Act does not allow the Council to respond to items not listed on the agenda, your comments will be duly noted by the Council and forwarded to the appropriate department for prompt consideration.</i> | | |
| 6. PROCLAMATIONS | | |
| a) June is Men's Health Month | 18 | Mayor/Council |

- b) Recognition of the following individuals who offered assistance during a recent boating accident:

Russell Bottley
 Jonathon Simon
 Jesse Burrell, Jr.
 Kevin Vaughan
 Stephen Vaughan
 Cade Reeves
 John Trahan
 Steve Henson
 Wesley Dishon
 Drake Dishon

19 Mayor/Council

7. PRESENTATION

- a) Presentation by financial advisor and bond counsel on proposed Tax & Revenue Certificates of Obligation, Series 2015.

Staff: Jim Gilley, U.S.
Capital Advisors LLC

8. RESOLUTION

- a) Consider a resolution expressing official intent to reimburse with tax-exempt obligation proceeds for costs associated with contractual obligations and improvements to city water and wastewater systems.

29 Staff: Guy Goodson, Germer
PLLC

9. ORDINANCE

- a) Consider an ordinance authorizing and approving publication of Notice of Intention to issue City of Orange, Texas Tax & Revenue Certificates of Obligation, Series 2015 (The "Certificates") in a maximum principal amount not to exceed \$4,970,000; authorizing the Mayor, City Manager, City Secretary, City Staff, City Financial Advisors, Legal Counsel and Bond Counsel to take all actions deemed necessary in connection with the issuance and sale of such certificates; and providing an effective date.

31 Staff: Guy Goodson, Germer
PLLC

10. DISCUSSION/ACTION

- a) Consideration and possible action to engage Germer PLLC as bond counsel.

35 Staff: Guy Goodson, Germer
PLLC

11. RESOLUTION

- a) Consider a resolution authorizing Change Order No. 5 with Allco, LLC, for Cooper's Gully Pump Station increasing the contract end date by 42 days. Hurricane Ike Disaster Recovery Program DRS 210131 and GLO No. 12-206-00-5506.

38 Staff: Wolf

12. DISCUSSION/ACTION

- a) Consider a motion approving the Orange Economic Development Corporation's motion of intent to expend funds for the extension of water and sewer lines (1,725 linear feet), and a lift station at W. Allie Payne Road, Orange, Texas in an amount not to exceed \$658,000.00 for the purpose of economic development. 43 Staff: Trahan
- b) Consider a motion appointing James "Jim" Bean to the Board of Adjustments for a term ending December 31, 2016. 46 Staff: Knauf
- c) Consider a motion appointing Michael Smith to the Planning and Zoning Commission for a term ending September 12, 2016. 51 Staff: Knauf

13. REPORTS

- a) City Manager Report
- b) City Council Report

14. ADJOURNMENT

STATE OF TEXAS }
COUNTY OF ORANGE }

May 19, 2015

BE IT REMEMBERED THAT a Special Call Meeting of the City Council of the City of Orange, Orange County, Texas, was held in the Library Auditorium on Tuesday, May 19, 2015.

COUNCIL MEMBERS PRESENT: Jimmy Sims Mayor
Theresa Beauchamp Mayor Pro Tem
Tommy Ferguson Council Member
Essie Bellfield Council Member
Bill Mello Council Member
Larry Spears Jr. Council Member

NEWLY ELECTED COUNCIL MEMBERS: Patrick A. Pullen Council Member
Dr. Wayne Guidry Council Member

COUNCIL MEMBERS ABSENT: Mary McKenna Council Member

STAFF MEMBERS PRESENT: Dr. Shawn Oubre City Manager
Jay Trahan Assistant City Manager,
Director of Economic
Development
Rhonda Haskins City Secretary
Patricia Anderson Deputy City Secretary
Lane Martin Chief of Police
David Frenzel Fire Chief
Jim Wolf Director of Public Works
Kelvin Knauf Director of Planning and
C o m m u n i t y
Development
Brenna Manasco Library Director
Sherry Jackson Accounting Manager
Sandy Wilson Grants Planner
Ashley Mahana Convention and Visitor's
Bureau Coordinator
Mike Zeto CIS Manager
Michael Patterson Engineering Tech
John Cash Smith City Attorney
Andrew Culpepper City Attorney

STAFF MEMBERS ABSENT: Gail English Director of Finance

Mayor Sims called the meeting to order at 9:00 A.M.

Mayor Pro Tem Beauchamp led the Invocation and the Pledge of Allegiance.

MOTION FINDING THAT THE ADVANCE POSTING AND NOTICE REQUIREMENTS OF ARTICLE 8.1200 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGE, TEXAS HAVE BEEN MET IN RELATION TO ALL MINUTES AND PENDING ORDINANCES AND RESOLUTIONS ON THIS AGENDA AND THAT THE READING OF SUCH ITEMS BE CONFINED TO THE CAPTION OF THE ORDINANCES AND RESOLUTIONS.

Council Member Ferguson moved to approve the motion. Second to the motion was made by Mayor Pro Tem Beauchamp which carried unanimously.

APPROVAL OF MINUTES

Council Member Ferguson moved to approve the minutes of the April 28, 2015 Regular Meeting of the City Council. Second to the motion was made by Council Member Ferguson which carried unanimously.

CANVASS RESULTS OF THE MAY 9, 2015 GENERAL/SPECIAL ELECTION

APPOINT A COMMITTEE OF TWO CITY COUNCIL MEMBERS TO CANVASS THE RETURNS OF THE GENERAL/SPECIAL ELECTION HELD IN THE CITY OF ORANGE, TEXAS ON THE 9TH DAY OF MAY, 2015.

Mayor Sims appointed Council Member Mello and Council Member Spears to canvass the returns of the General/Special Election.

RESOLUTION CANVASSING RETURNS AND DECLARING THE RESULTS OF THE GENERAL/SPECIAL ELECTION HELD IN THE CITY OF ORANGE, TEXAS, ON THE 9TH DAY OF MAY, 2015 AND ORDERING A RUNOFF ELECTION, IF NECESSARY, TO BE HELD ON JUNE 20, 2015.

Mayor Sims read the canvass resolution in its entirety declaring the following results:

GENERAL ELECTION:

MAYOR

Jimmy Sims	769
James "Jim" Bean	128
Tommy Ferguson	472

SINGLE -MEMBER DISTRICT 1

Deborah Mitchell	133
Patrick A. Pullen	134

SPECIAL ELECTION:

SINGLE- MEMBER DISTRICT 2

Wayne Thomas Guidry 333

Mayor Pro Tem Beauchamp moved to approve the resolution. Second to the motion was made by Council Member Mello which followed with the following vote:

COUNCIL MEMBERS VOTING AYE: Mayor Sims, Mayor Pro Tem Beauchamp, Council Member Ferguson, Council Member Mello and Council Member Spears

COUNCIL MEMBERS VOTING NO: Council Member Bellfield

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-36.

CONDUCT CEREMONIES FOR NEWLY ELECTED COUNCIL MEMBERS

OATH OF OFFICE:

- (1) MAYOR
- (2) SINGLE-MEMBER DISTRICT 1
- (3) SINGLE-MEMBER DISTRICT 2

Judge Jerry Pennington administrated the Oath of Office to the Council Members as follows: Mayor Jimmy Sims, Single-Member District 1 Patrick A. Pullen, and Single-Member District 2, Wayne Thomas Guidry.

MOTION APPOINTING A MAYOR PRO TEM.

The above item was TABLED.

CITIZEN COMMENTS

Ashley Mahana, Convention and Visitors Coordinator, thanked the vendors, City staff, Police Department and the Fire Department for their participation and help with "Art in the Park". She also thanked the Stark Foundation for the use Stark Park. Ms. Mahana invited citizens to attend the DSRA Drag Boat Races, May 30, 2015 and May 31, 2015 at the City of Orange Boat Ramp. A concert will also be held. Both events are free. A fireworks display will also be held on July 4, 2015.

Susie Murray, 1315 First Street, has concerns with the basketball courts located at Solomon Johnson Park. She asked Council to place the issue on the Council agenda. The citizens have a right to differ and would like to be heard.

Elvin Blanchard, resident in the Ridgemont subdivision, advised fourteen people have been broken

into. He is concerned about the empty homes in the neighborhood.

Mr. Patterson, resident in the Ridgemont subdivision, thanked Orange Police Department's Major Robinson for increasing the extra patrol in the neighborhood. He advised there is a vacant home in the neighborhood where animals are being kept. The home is being used as a kennel. He asked the Police Department to contact the homeowners to let them know what is going on.

Pastor C.W. Crawford, Mount Olive Baptist Church, thanked City Administration for their work. He advised that Orange does need recreation for citizens, but there also needs to be rules and regulations. He asked Council to consider the residents who live by the basketball courts located at Solomon Johnson Park.

Ruby Richard, 1303 Second Street, is concerned about the funds that are being spent for the bicycle lanes and sidewalks in old Orange. She is opposed to the basketball courts located at Solomon Johnson Park. She would like to see them moved to Navy Park.

John Dubois, Kenwood Street, advised several years ago the City changed Kenwood Drive to Kenwood Street. He would like to see the name changed back to Kenwood Drive. He also would like to see more police patrol in his neighborhood.

Reverend Carolyn McCall-Livingston, Salem United Methodist Church, 1103 Third Street, asked Council to consider the residents who live by the basketball courts located at Solomon Johnson Park. The City needs to consider the needs of children, young adults and senior citizens. She would like the community to come together with a solution.

PROCLAMATIONS

A proclamation observing Motorcycle Safety and Awareness Month was accepted by members of the local motorcycle clubs.

PUBLIC HEARING

CONDUCT A PUBLIC HEARING TO RECEIVE CITIZEN'S COMMENTS ON THE PUBLIC FACILITIES AND IMPROVEMENTS PROJECT CURRENTLY UNDERGOING ENVIRONMENTAL CLEARANCE. THIS PROJECT IS CATEGORICALLY EXCLUDED SUBJECT TO REQUIREMENTS FOUND UNDER 24 CFR 58.5.

A PROJECT TO REPLACE THE OLD 2" DETERIORATED GALVANIZED PIPE WITH 2" PVC PIPE, MAIN TO TAP, REPLACE TAPS AND INSTALL RADIO READ METERS IN AN AREA FROM DECATUR STREET NORTH TO NORTH FARRAGUT AND 3RD STREET EAST TO EAST FARRAGUT. THIS WILL ALSO INCLUDE 1 BLOCK OF KNOX NORTH TO DECATUR AND 1ST STREET EAST TO EAST FARRAGUT.

THIS PROJECT IS PARTIALLY LOCATED IN THE 100 YEAR FLOODPLAIN AND IN THE NAVY PARK NATIONAL HISTORIC DISTRICT.

The public hearing began at 9:57 A.M.

Sandy Wilson, Grants Planner, advised the project is funded with Community Development Block Grant funds. She also advised no one is in opposition to this project.

There were no citizen comments.

The public hearing ended at 10:00 A.M.

ORDINANCES

FINAL READING:

ORDINANCE OF THE CITY OF ORANGE, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 31, 2015; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE.

Council Member Mello moved to approve the ordinance. Second to the motion was made by Council Member Bellfield which carried unanimously.

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2015-5.

FINAL READING:

ORDINANCE AMENDING THE OFFICIAL FUTURE LAND USE MAP FROM RESIDENTIAL USES TO COMMERCIAL USES ON A 41' X 201' SECTION OF A 1.3 ACRE TRACT BEING PART OF THE BEN JOHNSON SURVEY ON THE NORTH SIDE OF DAWNWOOD DRIVE, APPROXIMATELY 400 LINEAR FEET EAST OF HIGHWAY 87; DIRECTING THE CITY MANAGER TO AMEND THE FUTURE LAND USE MAP; MAKING CERTAIN FINDINGS RELATIVE THERETO; AND ESTABLISHING AN EFFECTIVE DATE.

Council Member Mello moved to approve the ordinance. Second to the motion was made by Council Member Spears which carried unanimously.

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2015-6.

FINAL READING:

ORDINANCE AMENDING THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015 IN ACCORDANCE WITH THE CHARTER OF THE CITY OF ORANGE, TEXAS.

Council Member Bellfield moved to approve the ordinance. Second to the motion was made by Council Member Mello which carried unanimously.

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2015-7.

FIRST READING:

ORDINANCE AUTHORIZING THE CITY MANAGER TO APPOINT ANY EMPLOYEE, INCLUDING POLICE OFFICERS, AS A CODE COMPLIANCE OFFICER; ESTABLISHING THE DUTIES OF THE CODE COMPLIANCE OFFICER; AND ESTABLISHING AN EFFECTIVE DATE.

Council Member Mello moved to approve the ordinance. Second to the motion was made by Council Member Guidry which carried unanimously.

RESOLUTIONS

FINAL READING:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS AUTHORIZING THE ORANGE ECONOMIC DEVELOPMENT CORPORATION TO UNDERTAKE A PROJECT INVOLVING OUTDOOR HOSPITALITY, LLC AS MORE PARTICULARLY DESCRIBED HEREIN AND AUTHORIZING THE ORANGE ECONOMIC DEVELOPMENT CORPORATION TO EXPEND FUNDS ON THE PROJECT.

The above item was TABLED.

RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 WITH ALLCO, LLC. FOR COOPER'S GULLY PUMP STATION IN THE AMOUNT OF \$36,662.00 AND INCREASE THE CONTRACT END DATE BY 30 DAYS, FOR THE REWINDING OF A 250 HP MOTOR, HURRICANE IKE DISASTER RECOVERY PROGRAM DRS 210131 AND GLO NO.12-206-00-5506.

Mr. Wolf advised the change order is an increase of \$3,139.00.

Council Member Bellfield moved to approve the resolution. Second to the motion was made by Council Member Mello which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-37.

RESOLUTION AWARDING A CONTRACT TO ACT PIPE & SUPPLY IN THE AMOUNT OF \$31,958.70 FOR THE PURCHASE OF SEWER SERVICE HARDWARE.

Council Member Bellfield moved to approve the resolution. Second to the motion was made by Council Member Mello which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-38.

DISCUSSION/ACTION

MOTION ACKNOWLEDGING RECEIPT OF THE QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING MARCH 31, 2015.

Council Member Bellfield moved to approve the motion. Second to the motion was made by Council Member Mello which carried unanimously.

CITY MANAGER REPORT

No report was given.

CITY COUNCIL REPORT

Mayor Sims, Council Member Bellfield, Council Member Mello and Council Member Spears congratulated and welcomed the new Council Members.

Council Member Spears advised he would like to discuss the basketball courts located at Solomon Johnson Park with the residents in the area.

Council Member Guidry advised he has great pride in the City of Orange. He will do all he can do to continue the pride and to continue to move the City forward. He thanked the voters of Orange.

Council Member Pullen thanked Mayor Sims, Dr. Oubre and Council for making the transition easy. He thanked the citizens for attending the meeting and addressing their issues. He looks forward to serving on the Council and making Orange a better place.

Mayor Sims advised Ike Akbari passed away last week. He was a great man who did so much for so many communities.

ADJOURNMENT

There being no further business before the Council, Council Member Guidry moved to adjourn the meeting. Second to the motion was made by Council Member Spears which carried unanimously.

The meeting adjourned at 10:26 A.M.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

STATE OF TEXAS }

COUNTY OF ORANGE }

May 26, 2015

BE IT REMEMBERED THAT a Joint Meeting of the City Council and the Economic Development Corporation of the City of Orange, Orange County, Texas, was held in the Library Auditorium on Tuesday, May 26, 2015.

COUNCIL MEMBERS PRESENT:	Jimmy Sims	Mayor
	Pat Pullen	Council Member
	Dr. Wayne Guidry	Council Member
	Essie Bellfield	Council Member
	Mary McKenna	Council Member
	Bill Mello	Council Member
	Larry Spears Jr.	Council Member

COUNCIL MEMBERS ABSENT: None

EDC MEMBERS PRESENT:	George Mortimer	President
	Ebb Moore	Treasurer
	Jimmy Sims	Director
	Mary McKenna	Director
	David Meaux	Director

DIRECTORS ABSENT: Dean Granger Vice-President

STAFF MEMBERS PRESENT:	Dr. Shawn Oubre	City Manager
	Jay Trahan	Assistant City Manager, Director of Economic Development
	Rhonda Haskins	City Secretary
	Patricia Anderson	Deputy City Secretary
	Lane Martin	Chief of Police
	David Frenzel	Fire Chief
	Kelvin Knauf	Director of Planning and C o m m u n i t y Development
	Brenna Manasco	Library Director
	Sandy Wilson	Grants Planner
	Mike Zeto	CIS Manager
	Kelly Griffin	Police Evidence & ID Tech
	Michael Patterson	Engineering Tech
	Andrew Culpepper	City Attorney

STAFF MEMBERS ABSENT: Gail English Director of Finance

Jim Wolf

Director of Public Works

Mayor Sims called the meeting to order at 5:30 P.M.

Council Member Bellfield led the Invocation and the Pledge of Allegiance.

MOTION FINDING THAT THE ADVANCE POSTING AND NOTICE REQUIREMENTS OF ARTICLE 8.1200 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGE, TEXAS HAVE BEEN MET IN RELATION TO ALL MINUTES AND PENDING ORDINANCES AND RESOLUTIONS ON THIS AGENDA AND THAT THE READING OF SUCH ITEMS BE CONFINED TO THE CAPTION OF THE ORDINANCES AND RESOLUTIONS.

Council Member Spears moved to approve the motion. Second to the motion was made by Council Member McKenna which carried unanimously.

ADJOURN TO CLOSED EXECUTIVE SESSION

- a) Deliberation with City Attorney pursuant to Chapter 551 of the Texas Government Code:
 - (1) Deliberation with City Attorney as authorized by Section 551.071 of the Texas Government Code for legal advice regarding the contemplated annexation of property owned by International Paper Company.
 - (2) Deliberation as authorized by Subdivision (2) of Section 551.087 of the Texas Government Code regarding the offer of a financial or other incentive to a business prospect described by Subdivision (1) of Section 551.087 of the Texas Government Code.

The Council and EDC met in closed executive session at 5:33 P.M.

RECONVENE IN OPEN SESSION

The Council and EDC reconvened in open session at 6:19 P.M.

TAKE ACTION AS NECESSARY REGARDING ITEM 4 a (1) and (2) ABOVE.

No action was taken.

ADJOURNMENT

There being no further business before the EDC, Treasurer Moore moved to adjourn the EDC Meeting. Second to the motion was made by Director Meaux which carried unanimously.

The meeting adjourned at 6:20 P.M.

CITIZEN COMMENTS

Marcia DeLarue, 702 W. Park, is concerned about the process when paying her water bill. She advised she paid her water bill on the 17th and the receipt showed the 20th. The clerk advised the payments for the 17th had already been cut-off. Her bill was considered late and she had to pay a late fee. This was not the first time it has happened to her.

Mr. Trahan invited citizens to attend the DSRA Boat Races, Saturday May 30, 2015 and Sunday, May 31, 2015 from 11:00 A.M until 6:00 P.M. at the City of Orange Boat Ramp.

PRESENTATION

Adopt a Street Recognition.

Mr. Knauf presented adopt a street signs to representatives of the Gate City Guild #42 and the Gate City Commandery #42.

PUBLIC HEARING

CONDUCT A PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED BUDGET FOR THE 2015 ANNUAL ACTION PLAN FOR THE CITY OF ORANGE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

The public hearing began at 6:28 P.M.

Elizabeth Campbell, Jackson Community Center, thanked Council for past funding received. She explained several programs offered at the Center. Ms. Campbell advised the organization really appreciates the funding received.

Cheryl Richard, Southeast Texas Hospice, advised Hospice cares for all terminally ill patients. She explained the services offered through Hospice. Ms. Richard advised the assistance received through the grant is appreciated.

The public hearing ended at 6:47 P.M.

DISCUSSION/ACTION

MOTION AUTHORIZING THE FOLLOWING PUBLIC SERVICE ORGANIZATIONS FOR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDING:

Southeast Texas Hospice	\$ 6,670
GOALS-Literacy Program	\$ 6,666
Orange Community Action Association	\$ 6,666

Stable Spirit	\$ 6,666
Jackson Community Center	\$ 6,666
Samaritan Counseling	<u>\$ 6,666</u>
Total CDBG Public Service Recommendations	\$40,000

Council Member Bellfield moved to approve the motion. Second to the motion was made by Council Member Guillory which carried with Mayor Sims, Council Member Pullen, Council Member Guidry, Council Member Bellfield, Council Member Mello and Council Member Spears voting aye. Council Member McKenna recused herself from any discussion and action taken on this item.

MOTION AUTHORIZING THE FOLLOWING 2015 COMMUNITY DEVELOPMENT BLOCK GRANT AND SECTION 108 LOAN PROGRAM FUNDING:

Code Enforcement	\$ 90,000
Clearance and Demolition	\$ 60,000
Street Improvements	\$ 57,666
Administration	<u>\$ 61,916</u>
Total CDBG Staff Recommendations	\$269,582

Council Member Mello moved to approve the motion. Second to the motion was made by Council Member Pullen which carried unanimously.

ORDINANCES

FINAL READING:

ORDINANCE AUTHORIZING THE CITY MANAGER TO APPOINT ANY EMPLOYEE, INCLUDING POLICE OFFICERS, AS A CODE COMPLIANCE OFFICER; ESTABLISHING THE DUTIES OF THE CODE COMPLIANCE OFFICER; AND ESTABLISHING AN EFFECTIVE DATE.

Council Member Spears moved to approve the ordinance. Second to the motion was made by Council Member Mello which carried unanimously.

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2015-8.

RESOLUTIONS

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ORANGE, TEXAS TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT WITH THE CITIES OF PORT NECHES, NEDERLAND, GROVES, PORT ARTHUR, BEAUMONT, JEFFERSON COUNTY, HARDIN COUNTY, ORANGE COUNTY AND TEXAS DEPARTMENT OF PUBLIC SAFETY (STAKEHOLDERS) FOR THE 2015-2016 PORT SECURITY GRANT TO IMPROVE INTEROPERABILITY OF THE SOUTH EAST REGIONAL RADIO SYSTEM (SETRRS).

Council Member Mello moved to approve the resolution. Second to the motion was made by Council Member Bellfield which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-39.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS, NOMINATING CLOEREN INCORPORATED TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS AN ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT").

Council Member Bellfield moved to approve the resolution. Second to the motion was made by Council Member McKenna which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-40.

RESOLUTION CORRECTING THE INCREASE IN CONTRACT PRICE FOR CHANGE ORDER NO. 4 WITH ALLCO, LLC, FOR COOPER'S GULLY PUMP STATION IN THE AMOUNT OF \$3,139.00 HURRICANE IKE DISASTER RECOVERY PROGRAM DRS 210131 AND GLO NO. 12-206-00-5506.

Council Member Mello moved to approve the resolution. Second to the motion was made by Council Member Bellfield which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-41.

RESOLUTION DECLARING THE INTENT OF THE CITY OF ORANGE TO ANNEX INTO THE CITY LIMITS CERTAIN PROPERTY OWNED BY INTERNATIONAL PAPER COMPANY AND TO EXTEND THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID PROPERTY; PROVIDING FOR WRITTEN NOTICE TO BE SENT TO THE PROPERTY OWNERS, SERVICE PROVIDERS, AND OWNERS OF RAILROAD RIGHT-OF-WAY, IF ANY, LOCATED IN SUCH TERRITORY; PROVIDING FOR TWO PUBLIC HEARINGS; AND DIRECTING THE CITY MANAGER TO PREPARE A SERVICE PLAN PROVIDING FOR FULL MUNICIPAL SERVICES TO THE AREA TO BE ANNEXED.

Council Member Pullen moved to approve the resolution. Second to the motion was made by Council Member McKenna which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2015-42.

DISCUSSION/ACTION

MOTION DECLARING A 1954 CHEVROLET 3/4 TON PANEL TRUCK AS SURPLUS AS PER THE ATTACHED LISTING AND AUTHORIZING ITS DISPOSAL AS DETERMINED BY THE CITY MANAGER.

Council Member Bellfield moved to approve the motion. Second to the motion was made by Council Member Spears which carried unanimously.

MOTION APPOINTING A MAYOR PRO TEM.

Council Member Mello made a motion to appoint Council Member Bellfield as Mayor Pro Tem. Second to the motion was made by Council Member Pullen which carried with the following vote:

COUNCIL MEMBERS VOTING AYE: Council Member Pullen, Council Member Bellfield and Council Member Mello

COUNCIL MEMBERS VOTING NO: Mayor Sims, Council Member Guidry, Council Member McKenna and Council Member Spears

Motion FAILED.

Council Member Guidry made a motion to appoint Council Member McKenna as Mayor Pro Tem. Second to the motion was made by Council Member Mello which carried unanimously.

MOTION APPOINTING A COUNCIL MEMBER TO THE ORANGE ECONOMIC DEVELOPMENT CORPORATION TO FILL AN UNEXPIRED TERM FOR A PERIOD EXPIRING SEPTEMBER 30, 2016.

Mayor Pro Tem McKenna moved to appoint Council Member Spears to the Orange Economic Development Corporation. Second to the motion was made by Council Member Guidry which carried unanimously.

CITY MANAGER REPORT

No report was given.

CITY COUNCIL REPORT

Council Member Spears thanked the citizens who attended the meeting tonight. Encouraged citizens to attend the DSRA Boat Races this weekend. He asked citizens to pray for the family of the individuals that were involved in the vehicle accident that happened on Park Street.

Council Member Mello advised he attended the open house for Congressman Brian Babin. He feels Congressman Babin will be a good servant for the citizens.

Mayor Pro Tem McKenna encouraged citizens to attend the DSRA Boat Races this weekend. She thanked the military men and women for serving our Country.

Council Member Bellfield thanked the citizens for their support.

Council Member Guidry advised he takes great pride in the City of Orange. He congratulated all the seniors who will be graduating this year.

Council Member Pullen encouraged citizens to attend the DSRA Boat Races this weekend. He

thanked the citizens who attended the Council Meeting.

Mayor Sims advised the accident that occurred on Park Street was the worst he has ever seen. He commended the Police and Fire Departments for their assistance.

ADJOURNMENT

There being no further business before the Council, Council Member Bellfield moved to adjourn the meeting. Second to the motion was made by Mayor Pro Tem McKenna which carried unanimously.

The meeting adjourned at 7:26 P.M.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

George Mortimer, President

ATTEST:

Dean Granger, Vice-President

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS** National Men’s Health Month is an awareness initiative to inform the public about men’s preventable health problems and to encourage early detection and treatment of diseases; and
- WHEREAS** on the average, American men live sicker and die younger than American women, despite advances in medical technology; and
- WHEREAS** in June, the “Gift of Life” and Baptist Hospital of Southeast Texas will conduct healthcare screenings for men to advance their overall health and wellness at targeted screening locations in Beaumont, Port Arthur and Orange; and
- WHEREAS** prostate cancer is one of the most common cancers among American men, with one in six men being diagnosed with prostate cancer in their lifetime; and
- WHEREAS** in 2015, more than 230,000 men are expected to be diagnosed with prostate cancer and an estimated 29,000 will die from this disease; and
- WHEREAS** the “Gift of Life Program”, along with its regional medical partners, will provide medically underserved Southeast Texas men free healthcare services that include PSA (protein-specific antigen) tests, blood glucose, cholesterol and HIV screenings, blood pressure, Hepatitis C and on-site consultations with medical professionals, augmented by educational materials that encourage healthy lifestyles; and
- WHEREAS** since 2000, more than 8,000 Southeast Texas men have been provided free “Gift of Life” prostate cancer screenings, helping to extend the lives of more 60 men who were diagnosed with cancer and were provided access to treatment; and
- WHEREAS** the “Gift of Life” provides extensive educational outreach programming in seven counties;
- NOW THEREFORE** I, Jimmy Sims, Mayor of the City of Orange, Texas, do hereby proclaim the month of June 2015 as Men’s Health Month in the City of Orange, and Tuesday, June 9, 2015, as the “Gift of Life” Program’s Men’s Health Awareness Day in Orange, Texas and I also urge all men in our community to pursue prevention health practices and early detection efforts.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Russell Bottley offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Bottley selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Bottley placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

RUSSELL BOTTLEY

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Jonathan Simon offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Simon selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Simon placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

JONATHAN SIMON

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Jesse Burrell, Jr. offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Burrell selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Burrell placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

JESSE BURRELL, JR.

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Kevin Vaughan offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Vaughan selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Vaughan placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

KEVIN VAUGHAN

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Stephen Vaughan offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Vaughan selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Vaughan placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

STEPHEN VAUGHAN

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Cade Reeves offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Reeves selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Reeves placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

CADE REEVES

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, John Trahan offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Trahan selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Trahan placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

JOHN TRAHAN

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Steve Henson offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Henson selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Henson placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

STEVE HENSON

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

P roclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Wesley Dishon offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Dishon selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Dishon placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

WESLEY DISHON

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

Proclamation

OFFICE OF THE MAYOR

City of Orange

- WHEREAS on May 5, 2015, Drake Dishon offered assistance that saved lives and prevented further injury; and
- WHEREAS Mr. Dishon selflessly and without regard to his personal safety acted quickly after witnessing a boating accident that injured four people; and
- WHEREAS two young women and a young man were on one boat that struck another boat causing one boat to capsize and severely damaged the other boat; and
- WHEREAS the accident ejected occupants into the water with severe injuries; and
- WHEREAS the witnesses quickly began a rescue operation and to administer first aid while calling emergency responders to come and transport victims to local hospitals for further care; and
- WHEREAS Mr. Dishon placed the safety of others above himself and administered first aid and comfort to someone in need; and
- WHEREAS the City of Orange wants to remind everyone to enjoy one of our rich natural resources, but use care and caution when boating;

NOW THEREFORE On behalf of the City of Orange, I, Jimmy Sims, Mayor, would like to recognize

DRAKE DISHON

for his selfless act of kindness.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the City of Orange, Texas to be hereto affixed this the 9th day of June, 2015.

Jimmy Sims, Mayor

CITY OF ORANGE, TEXAS

**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
WITH TAX-EXEMPT OBLIGATION PROCEEDS FOR COSTS
ASSOCIATED WITH CONTRACTUAL OBLIGATIONS AND
IMPROVEMENTS TO CITY WATER AND WASTEWATER SYSTEMS**

WHEREAS, the City desires to reimburse itself for costs associated with the projects more specifically described in **Exhibit “A”** (the “Projects”) from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof;

WHEREAS, the City is authorized to finance its activities by creating obligations, the interest on which is excludable from gross income for federal income tax purposes (“tax-exempt obligations”) pursuant to §103 of the Internal Revenue of 1986, as amended (the “Code”);

WHEREAS, the Internal Revenue Service and the U.S. Treasury Department have promulgated §1.150-2 of the Treasury Regulations (the “Regulations”) which authorize an issuer to reimburse itself for expenditures made with respect to projects prior to the issuance of tax-exempt obligations for such projects;

WHEREAS, the City acknowledges that it will make, or has made not more than 60 days prior to the date hereof, payments with respect to the Projects; and

WHEREAS, the City acknowledges that it expects to issue tax-exempt obligations to reimburse itself for the costs associated with the Projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Orange, Texas that:

Section 1. The City declares its official intent pursuant to Regulation §1.150-2 to incur debt, as one or more series of obligations, with an aggregate maximum principal amount currently estimated not to exceed \$4,970,000, a portion of the proceeds of which are to reimburse the City for the purpose of paying capital expenditures, cost of issuance of the obligations or other expenditures eligible for reimbursement under Regulation §1.150-2(d)(3) for the purpose of paying for the Projects.

Section 2. Other than (i) expenditures to be paid or reimbursed from sources other than proceeds of the obligations, (ii) expenditures contemplating preliminary expenditures within the meaning of Regulation §1.150-2(f)(2) or (iii) expenditures in a “de minimus” amount as defined in Regulation §1.150-2(f)(1), no original expenditures for the Projects have been paid by the City more than sixty (60) days prior to the date of this Resolution.

Section 3. No tax-exempt obligation will be issued by the City in furtherance of this Resolution after a date which is later than eighteen (18) months after the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 4. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three (3) years after the date any expenditure which is to be reimbursed is paid.

Section 5. The terms that are defined in the recitals to this Resolution are hereby adopted and incorporated in this Resolution.

Section 6. The City Council hereby finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED AND APPROVED this 9th day of June, 2015.

City of Orange, Texas

By: _____
Mayor

ATTEST:

City Secretary

(SEAL)

APPROVED AS TO FORM:

Legal counsel

WHEREAS, the City Council authorizes the City Secretary to provide notice of the Council's intention to issue the Certificates by publication of the Notice of Intent to Issue the Certificates set forth in **Exhibit "A"** to this Ordinance once a week for two (2) consecutive weeks in the newspaper of general circulation for the City, as hereinafter specified, the date of the first publication to be before the thirtieth (30th) day before the date tentatively set for the passage of the Ordinance authorizing the issuance of the Certificates.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE, ORANGE COUNTY, TEXAS:

Section 1. The Recitals to this Ordinance are incorporated within this Ordinance as if fully set forth below.

Section 2. That the attached Notice of Intention to Issue Certificates set forth and marked **Exhibit "A"** is the form of notice of intent to issue certificates (the "Notice"), the form and substance of which is hereby passed and approved.

Section 3. That the City shall cause the Notice to be published, in substantially the form attached hereto as **Exhibit "A"**, in *The Orange Leader Publishing Co.*, a newspaper of general circulation in Orange, Orange County, Texas, for two consecutive weeks, the date of the first publication to be before the thirtieth (30th) day before the day tentatively proposed for authorizing the issuance of the Certificates as shown in the Notice.

Section 4. That the Projects to be financed with proceeds from the proposed Certificates are to be used for the purposes described in the attached Notice.

Section 5. That all costs to be reimbursed pursuant to this Ordinance will be authorized expenditures; the proposed Certificates shall be issued within eighteen (18) months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the Certificates will not be issued pursuant to this Ordinance on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 6. That the City Manager, City's staff and the City's financial advisor, legal counsel and bond counsel are hereby authorized to take any such actions as may be appropriate to carry out the intent of this Ordinance.

Section 7. This Ordinance is hereby adopted and approved effective this 9th day of June, 2015 with the affirmative vote of all Council members present and voting at its reading on the 9th day of June, 2015.

PASSED AND APPROVED this 9th day of June, 2015.

CITY OF ORANGE, TEXAS

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

EXHIBIT "A"

**NOTICE OF INTENTION TO ISSUE
CITY OF ORANGE, TEXAS
CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Orange, Texas shall convene at 5:30 p.m. on Tuesday, July 28, 2015, at its regular meeting place at the City Hall of Orange, located at 803 W. Green Avenue, Orange, Texas, and during such meeting, the City Council will consider the passage of an Ordinance and take such other actions as may be deemed necessary to authorize the issuance of the **City of Orange, Texas \$4,970,000 Tax & Revenue Certificates of Obligation, Series 2015** (the "Certificates") for the purpose of paying, in whole or in part, contractual obligations to be incurred for design, construction, repair, replacement, improvement or rehabilitation and equipping (i) water system, water plant, wastewater system and wastewater treatment plant improvements for the City (collectively the "Projects"), (ii) professional services for engineering, surveying, geotechnical, auditing, financial advisory, bond counsel, legal counsel and (iii) cost of issuance of the Certificates and, if applicable, municipal bond insurance. The Certificates shall be payable from an ad valorem tax levied, within the limits prescribed by law, on taxable property located within the City and from a limited pledge of the Net Revenues of the City's water and wastewater system (the "System"). The Certificates shall mature not later than forty (40) years from the date of the Certificates and with interest payable semi-annually at a rate not in excess of that prescribed by Chapter 1204, Government Code.

This Notice is issued pursuant to the authority and direction of the City Council of the City of Orange, Texas and in accordance with the provisions of the Certificate of Obligation Act of 1971, as amended, Local Government Code §271.041, et seq. and the Public Securities Procedures Act, as amended, §1201.001, et seq., Government Code.

CITY OF ORANGE, TEXAS

/s/ Rhonda Haskins

City Secretary

June 9, 2015

Mr. Shawn Oubre
City of Orange Manager
803 W. Green Avenue
Orange, Texas 77631

Re: City of Orange, Texas (the "City") – \$4,970,000* Tax & Revenue Certificates of
Obligation, Series 2015 (the "Certificates")

Dear Mr. Oubre:

This letter will confirm the terms pursuant to which Germer PLLC would serve as bond counsel for the City in the issuance of the above-referenced Certificates. It is understood that while the amount of the Bond issue has not been determined, the Certificates would be sold in the year 2015.

The services which we propose to provide will include:

- 1) preparation and drafting of all documents customarily prepared by bond counsel in order to issue the Certificates;
- 2) preparation of our firm's opinion relative to the tax-exempt status of the Certificates and the absence of registration requirements;
- 3) preparation and filing of all documents necessary to obtain approval of the Attorney General of the State of Texas and the Comptroller of Public Accounts;
- 4) review and examination of all insurance agreements, if applicable;
- 5) assistance in the preparation of any Purchase Agreement and Private Placement or Offering Memorandum for the public or private sale of the Certificates and the preparation of any disclosure certificates to be delivered by the City;

- 6) review of the disclosure investigations which are actually made on behalf of the City; and

The services above shall be provided for a fee as specified in the attached **Exhibit "A"** and premises upon a bond issue amount as approved by the City. The fee will be subject to an amendment in accordance with the face amount of the Certificates. In addition, we are to be reimbursed for our reasonable and actual out-of-pocket expenses incurred incident to rendering these services.

Upon execution of this engagement letter, the City shall be the client of the undersigned, and an attorney-client relationship exists between us. We assume that all other parties to the proposed transaction for issuance of the Certificates understand that we represent only the City in the transaction and are not counsel to any other party and are not acting as an intermediary among parties. Our services as bond counsel are limited to those contracted for in this engagement letter, and the City's execution hereof acknowledges those limitations. Our representation of the City will not affect, however, our responsibility to render an objective opinion as to the Certificates.

We very much appreciate the opportunity to serve the City in this matter.

Yours very truly,

GERMER PLLC

By: 
Guy N. Goodson

GNG/mgm
Attachment

APPROVED AND ACCEPTED by City Council of the City on the 9th day of June, 2015.

CITY OF ORANGE, TEXAS

Mayor

EXHIBIT "A"

FEE SCHEDULE PER PAR AMOUNT

The fee for each issue of debt obligations will be as follows:

Par Amount up to \$5,000,000 - \$25,000

Plus 0.50% of Par Amount Over \$5,000,000

MEMORANDUM
June 2, 2015

TO: James B. "Jim" Wolf, Director of Public Works
FROM: Gay Ferguson, Grants Planner
RE: Cooper's Gully Pump Station - Change Order Number 5

The attached Change Order, Number 5, is to add 42 days to the current contract in order to complete pump installation. This is for Disaster Recovery Program project DRS 210131, GLO No. 12-206-00-5506.

This would set the completion date for Cooper's Gully Pump Station at July, 17, 2015, completing it ahead of GLO's construction completion date of December 31, 2015.

This explanation, resulting solution and Change Order number 5 has been prepared by Allen Sims, PE, and Vice President of Carroll & Blackman, Inc., after meeting with Allco and the City to determine final completion.

Please place the attached resolution on the City Council agenda for review and approval at the meeting to be held on Tuesday, June 9, 2015.



Texas General Land Office Disaster Recovery

Construction Contract Change Order Request Form

Engineer: Carroll & Blackman, Inc 3120 Fannin Street Beaumont, Texas 77701 Phone No.: 409-833-3363	Owner (Contractor Locality): City of Orange, Texas PO Box 520 803 W. Green Ave. Orange, Texas 77630 Phone No.: 409-883-1082	Contractor: Allco PO Box 3684 Beaumont, TX 77704 Agreement Date: 07/02/13 Phone No.: 409-860-4459
Date: Project Code No.: P21104 Bid Package No.: 4	Contract For (Project Description): Coopers Gully Pump Station, Orange, Texas	GLO Contract No.: DRS210131 Change Order No.: 5

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
1	Change in Completion Schedule		

<u>Change in Contract Price</u>	<u>Change in Contract Time (Calendar Days)</u>
Original Contract Price: \$1,289,694.00	Original Contract Time: 255 days
Previous Change Order(s): No. 1 to No. 4 \$293,725.00	Net Change From Previous Change Orders: 226 days
Contract Price Prior to this Change Order: \$1,583,419.00	Contract Time Prior to this Change Order: 451 days
Net Increase/Decrease of this Change Order: +\$0.00	Net Increase/Decrease of this Change Order: 42 days
Contract Price With all Approved Change Orders: \$1,583,419.00	Contract Time With all Change Orders: 493 days
Cumulative Percent Change in Contract Price (+/-): +22.8%	Grantee Contract End Date: (mm/dd/yy) 12 / 31 / 15
Construction Contract Start Date: (mm/dd/yy) 07 / 12 / 13	Construction Contract End Date: (mm/dd/yy) 07 / 17 / 15

Reimbursements of costs included in this change order are subject to review by the GLO-DR program.
*** This document may be executed prior to submission for GLO-DR program review, but all parties involved will be held responsible if the change order or the amendment warranted as a result of this change order is not in compliance with CDBG or HUD requirements.**

RECOMMENDED:

By: [Signature]
ENGINEER

Date: 6/1/15

APPROVED:

By: _____
OWNER

Date: _____

ACCEPTED:

By: [Signature]
CONTRACTOR

Date: 06-01-15

JUSTIFICATION FOR CHANGE

1. Will this Change Order increase or decrease the number of beneficiaries?	<input type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input checked="" type="checkbox"/> No Change
If there is a change, how many beneficiaries will be affected?	Total ____ L/M ____		
2. Effect of this change on scope of work:	<input type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input checked="" type="checkbox"/> No Change
3. Effect on operation and maintenance costs:	<input type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input checked="" type="checkbox"/> No Change
4. Are all prices in the change order dependent upon unit prices found in the original bid?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If "No", explain: There is no price change in the change order.			
5. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If "Yes", is an Environmental Re-assessment required?			
6. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid? (if applicable)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
7. Is the TCEQ permit approval still valid? (sewer projects only)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
8. Are the handicapped access requirements/approval still valid? (if applicable)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
9. Are other Disaster Recovery contractual special condition clearance still valid?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
(If no, specify):			

NOTE:

* Generally, a cumulative change in the contract price in excess of 25% cannot be reviewed (18% **decrease** for counties).

RESOLUTION AUTHORIZING CHANGE ORDER NO 5 WITH ALLCO, LLC, FOR COOPER'S GULLY PUMP STATION INCREASING THE CONTRACT END DATE BY 42 DAYS. HURRICANE IKE DISASTER RECOVERY PROGRAM DRS 210131 AND GLO NO. 12-206-00-5506

WHEREAS, the City of Orange was awarded disaster relief funding under Hurricane Ike Disaster Recovery Program DRS 210131 through the U. S. Department of Housing & Urban Development and the Texas General Land Office Contract No. 12-206-00-5506, Round 2.1; and

WHEREAS, the City of Orange entered into agreement with Allco, LLC, for the repair/rehabilitation of Cooper's Gully Pump Station; and

WHEREAS, the City benefitted by utilizing all of the funds in the grant allocation through Texas General Land Office; therefore

BE IT RESOLVED that the City Manager is hereby authorized to execute the attached change order; and that this resolution is

PASSED, APPROVED and ADOPTED on this the 9th day of June, 2015.

Jimmy Sims, Mayor

ATTEST:

APPROVED AS TO FORM:

Rhonda Haskins, City Secretary

John Cash Smith, City Attorney

ECONOMIC DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: June 1, 2015

TO: Dr. Shawn Oubre, City Manager

FROM: Jay Trahan, CECD, EDC Director

RE: INFRASTRUCTURE IMPROVEMENTS PROJECT – ALLIE PAYNE ROAD @ WHITE OAK ROAD

Please see the attached aerial of Allie Payne Road at White Oak located in the City of Orange. The proposed infrastructure improvements project includes the 1,725 LF West extension of water, sanitary sewer force main and a lift station for the purpose of economic development. This project is proposed as Phase 1 of a total project that would create a looped water and sanitary sewer extension west to MLK Drive and north on MLK Drive to eventually connect the infrastructure that is currently installed along MLK Drive west of the Sabine River Authority (SRA) Canal.

Phase 1 of the project includes a cost estimate not to exceed \$658,000 with the following components:

\$95,300 water line (12") west 1,725 ft.

\$308,550 lift station + force main west 1,725 ft.

\$101,900 sanitary sewer west 1,725 ft.

\$5,000 erosion + traffic control

\$510,750 SUBTOTAL CONSTRUCTION

\$147,250 (contingency, engineering, construction monitoring, surveying, easements)

\$658,000 TOTAL ESTIMATED COST*

Subject to your review and approval, please add this proposed project as an agenda item for the public hearing at the next EDC meeting. Please contact me at extension 1077 for additional information.

(*Preliminary cost estimate information provided by Fittz Shipman, Inc.)



**ALLIE PAYNE - FM 3247
UTILITY EXTENSION**



0 300 600
SCALE

Fittz & Shipman
INC.
Consulting Engineers and Land Surveyors
1405 CORNERSTONE COURT BEAUMONT, TEXAS
(409) 835-7303
1300 E. 17th Street
T.M.S. (08) 0557

PRELIMINARY - NOT FOR CONSTRUCTION
Donald R. King, PE TX48461 - 1-21-15

MOTION

Motion approving the Orange Economic Development Corporation's motion of intent to expend funds for the extension of water and sewer lines (1,725 linear feet), and a lift station at W. Allie Payne Road, Orange, Texas in an amount not to exceed \$658,000.00 for the purpose of economic development.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

June 9, 2015

MEMORANDUM

To: Dr. Shawn Oubre Ph.D., City Manager
From: Kelvin Knauf, Director of Planning and Community Development
Subject: Consider and take any necessary action concerning an appointment to the Board of Adjustments
Date: May 26, 2015

Background

The Board of Adjustments consists of seven members. The current members are: Ruth Hancock (Chair), Dorothy Brandon, Elgin Browning, Edward Freiberg, Jamie Wilson and Ryan Crowell. The seventh position is currently vacant.

Attached is an application and resume from James “Jim” Bean for appointment to the Board of Adjustments. Mr. Bean meets all the requirements for appointment to the Board.

Recommendation

I recommend that the City Council consider appointing James “Jim” Bean to the Board of Adjustments.

**CITY OF ORANGE
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

PLEASE CHECK THE BOARD OR COMMISSION FOR WHICH YOU ARE APPLYING:

- | | |
|---|---|
| <input checked="" type="checkbox"/> BOARD OF ADJUSTMENT | <input type="checkbox"/> LIBRARY ADVISORY BOARD |
| <input type="checkbox"/> CIVIL SERVICE COMMISSION | <input type="checkbox"/> PLANNING AND ZONING COMMISSION |
| <input type="checkbox"/> CONSTRUCTION APPEALS BOARD | <input type="checkbox"/> CITIZENS ADVISORY COMMITTEE |
| <input type="checkbox"/> CREATIVE HOUSING BOARD | <input type="checkbox"/> OTHER(Please List)_____ |
| <input type="checkbox"/> HISTORIC PRESERVATION BOARD | <input type="checkbox"/> OTHER(Please List)_____ |
| <input type="checkbox"/> HOUSING AUTHORITY BOARD | <input type="checkbox"/> OTHER(Please List)_____ |

THE FOLLOWING INFORMATION WILL BECOME PUBLIC RECORD IF YOU ARE APPOINTED:

Name: Bean Last James "Jim" First H. Middle Initial

Home Address: 3311 Evergreen Dr. Orange, Tx 77632

Home Telephone: 409-886-2448 Fax: _____

Profession: Start up Real Estate

Business Name: Hensford & Lawrence Ass. Associate

Business Address: 609 Blanco, Austin, Tx. 78703

Business Telephone: 512-689-4804 Fax: _____ *SB by RER*

PERSONAL REFERENCES:

- | | | |
|---------------------------|-----------------------------------|---------------------|
| 1) <u>Steve Parkhurst</u> | <u>Shakespeare Dr. Orange, Tx</u> | <u>409-889-2032</u> |
| Name and Address | | Telephone |
| 2) <u>Lisa Coates</u> | <u>Maxwell Cir Orange, TX</u> | <u>409-988-8700</u> |
| Name and Address | | Telephone |

Voter Registration No: 1171994726

Resident of Orange for 23 Years

-over-

If you have previously served on a City of Orange Board or Commission, please specify Board or Commission and approximate dates of service: No

Do you have experience that qualifies you for service on a particular Board or Commission (i.e., licenses, degrees, certificates)? Certain Boards require qualifications such as plumbers, architects, electricians: Yes, Bachelors of Science in Urban

and Regional Planning

If you have been involved in any community endeavors, please explain: Yes member of Knights of Columbus; Future Leader in Urban Planning; Moses Hall Rep.

Jane Bon
Signature

05/22/15
Date

QUALIFICATIONS FOR APPOINTMENT TO CITY OF ORANGE BOARDS

The City of Orange Policy establishes certain qualifications which must be met by all members of City Boards and Commissions. In addition to any special qualifications for service on a particular board, a board member must:

- 1) Not be delinquent on any City taxes or utilities. e
- 2) Be a qualified City of Orange voter at the time of appointment. e
- 3) Have been a resident of Orange for at least six months before the date of appointment. e
- 4) Have not been finally convicted of a felony. e
- 5) Have not been determined mentally incompetent by a final judgement of court.

Thank you for taking the time to complete this application. It will be helpful to the City Council in making appointments.

This application must be fully completed for consideration by the City Council.

You may also attach a resume if you so desire.

Please return this form to the address below:

RHONDA HASKINS
CITY SECRETARY
P. O. BOX 520
ORANGE, TEXAS 77631 (OR FAX TO 883-1096)

-over-

James Hansford Bean

8311 Evergreen Dr.
Orange, TX 77632

jhansfordbean@gmail.com
409.920.5585

OBJECTIVE

To obtain an entry-level position in which I have the opportunity to learn and professionally grow, while using my experience and education to help the company meet and surpass its goals.

PROFESSIONAL WORK EXPERIENCE

The A List at Ashby Staffing, Austin, TX

Preferred Temporary Employee (20 hours/week)

November 2014 – February 2015

- Provide assistance with numerous administrative duties
- Implement knowledge of various software programs, such as Excel to complete given tasks

Turnquist Partners Realtors, Austin, TX

Short-Term Assistant (40 hours/week)

September 2013 – December 2013

- Served as liaison between Realtor and clients, lenders, title and home warranty companies
- Researched and reported on local real estate market trends and kept abreast of critical factors for change
- Presented information at weekly sales meeting based on relevant topic that was researched

City of Orange Natatorium, Orange, TX

Assistant Manager of Facilities (50 hours/week)

May 2012 – August 2012

- Promoted twice from cashier to lifeguard supervisor and then to assistant manager.
- Trained new employees and introduced new strategies to increase connections made with prospective customers
- Analyzed and communicated lifeguards' and workers' performance to management

ADDITIONAL WORK EXPERIENCE

Ozona Grill and Bar, College Station, TX

Server (25-35 hours / week)

February 2014 – July 2014

- Facilitated an energetic atmosphere for over 40 customers per work period
- Provided service for customers that led to rewarding gratuities
- Utilized funds to pay for education and living expenses

Fish Daddy's, College Station, TX

Server (20-25 hours/week)

February 2013 – August 2013

- Part of opening and closing staff
- Waited on customers and in addition to several side work duties
- Utilized funds to pay for education and living expenses

INVOLVEMENT

Future Leaders in Urban Planning, *Member*

September 2012 – July 2014

Resident Hall Association, *Moses Hall President Assistant*

September 2010 – May 2011

SKILLS

Adobe Photoshop, ArcGIS, AutoCAD, Google Sketch Up, Microsoft Office Suite

EDUCATION

Texas A&M University, College Station, TX

Bachelor of Science in Urban and Regional Planning

MOTION

Motion appointing James "Jim" Bean to the Board of Adjustments for a term ending December 31, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

June 9, 2015

**CITY OF ORANGE
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

PLEASE CHECK THE BOARD OR COMMISSION FOR WHICH YOU ARE APPLYING:

- | | |
|--|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT | <input type="checkbox"/> LIBRARY ADVISORY BOARD |
| <input type="checkbox"/> CIVIL SERVICE COMMISSION | <input checked="" type="checkbox"/> PLANNING AND ZONING COMMISSION |
| <input type="checkbox"/> CONSTRUCTION APPEALS BOARD | <input type="checkbox"/> CITIZENS ADVISORY COMMITTEE |
| <input type="checkbox"/> CREATIVE HOUSING BOARD | <input type="checkbox"/> OTHER(Please List) _____ |
| <input type="checkbox"/> HISTORIC PRESERVATION BOARD | <input type="checkbox"/> OTHER(Please List) _____ |
| <input type="checkbox"/> HOUSING AUTHORITY BOARD | <input type="checkbox"/> OTHER(Please List) _____ |

THE FOLLOWING INFORMATION WILL BECOME PUBLIC RECORD IF YOU ARE APPOINTED:

Name: Smith Michael
Last First Middle Initial

Home Address: 2600 Fairway DR

Home Telephone: (409) 330-3921 Fax: _____

Profession: Business Mng. Sholar's Pharmacy

Business Name: Sholar's Pharmacy

Business Address: 1301 W Park Ave

Business Telephone: 883-4351 Fax: 883-6247

PERSONAL REFERENCES:

- | | |
|-----------------------------------|-----------------|
| 1) <u>Jimmy Sims</u> | <u>988-5256</u> |
| Name and Address | Telephone |
| 2) <u>LARRY SPEARS 2101 Yupon</u> | <u>920-2253</u> |
| Name and Address | Telephone |

Voter Registration No: 1218898210

Resident of Orange for 10 Years

-over-

If you have previously served on a City of Orange Board or Commission, please specify Board or Commission and approximate dates of service: NA

Do you have experience that qualifies you for service on a particular Board or Commission (i.e., licenses, degrees, certificates)? Certain Boards require qualifications such as plumbers, architects, electricians: Personal TRAINER Lic, CPR, HIPAA + Security 2015, Controlling Fraud, and workplace Sensitivity Training

If you have been involved in any community endeavors, please explain: Volunteer Coach for Community School.

MSmith

Signature

4-30-15

Date

QUALIFICATIONS FOR APPOINTMENT TO CITY OF ORANGE BOARDS

The City of Orange Policy establishes certain qualifications which must be met by all members of City Boards and Commissions. In addition to any special qualifications for service on a particular board, a board member must:

- 1) Not be delinquent on any City taxes or utilities. *✓ per Lanie (water/sewer + court)*
- 2) Be a qualified City of Orange voter at the time of appointment. *✓ per Cheryl at Orange County Election Administrator's office*
- 3) Have been a resident of Orange for at least six months before the date of appointment.
- 4) Have not been finally convicted of a felony. *Ⓟ*
- 5) Have not been determined mentally incompetent by a final judgement of court.

Thank you for taking the time to complete this application. It will be helpful to the City Council in making appointments.

This application must be fully completed for consideration by the City Council.

You may also attach a resume if you so desire.

Please return this form to the address below:

RHONDA HASKINS
CITY SECRETARY
P. O. BOX 520
ORANGE, TEXAS 77631 (OR FAX TO 883-1096)

MOTION

Motion appointing Michael Smith to the Planning and Zoning Commission for a term ending September 12, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

June 9, 2015