

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

**June 28, 2016
5:30 P.M.**

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------------|
| 1. CALL TO ORDER | | Mayor |
| 2. INVOCATION and PLEDGE OF ALLEGIANCE | | Council Member Guidry |
| 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 10, 2016 Economic Development Corporation Meeting | 5 | Mayor/Council |
| b) June 14, 2016 City Council Meeting | 7 | 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. PROCLAMATION | | |
| a) Juneteenth | 14 | Mayor/Council |

7. PUBLIC HEARING

- a) Conduct a public hearing to receive comments on the Proposed Substantial Amendment to the Five Year Consolidated Plan and the 2014 Annual Action Plan for the City of Orange’s Community Development Block Grant Program.

The Substantial Amendment is to reallocate remaining funds of \$1,477.45 from a 2011 Street Improvement Project that finished under budget and funds of \$70,317.10 from a 2013 Water/Sewer Project that went through the procurement process and received no bidders.

These funds would be reallocated to a 2014 Park Improvements Project - Sunset Park increasing the amount to \$131,794.55. The proposed upgrade to Sunset Park is a Skate Park.

15 Staff: Wilson

8. ORDINANCES

- a) Final Reading:

Consider an ordinance of the City of Orange, Texas, amending Ordinance 2009-28 to be consistent with the requirements of Ordinance No. 2015-12 Exhibit B Development Agreement at Section One Paragraph 3, by excluding all International Paper Company kWh sales from the base franchise fee and incremental franchise fee calculation; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject, and declaring an effective date. First Reading June 14, 2016

20 Staff: Oubre

- b) Final Reading:

Consider an ordinance of the City of Orange, Texas amending Ordinance 1999-10 adopted on March 23, 1999 by providing a development plan for a Mixed Use Zoning District located north of Interstate 10 at Simmons Drive (108, 109, 117, 507 and 537 Lutcher Drive); providing an effective date; providing a severability clause; and repealing any ordinance in conflict with this ordinance to the extent of such conflict. First Reading June 14, 2016

23 Staff: Knauf

- c) First Reading:

Consider an ordinance of the City of Orange, Texas approving 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, 2016; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject, and declaring an effective date.

31 Staff: Oubre

9. RESOLUTIONS

- a) Consider a resolution to consolidate the City of Orange local registrar duties to the Orange County Clerk. 34 Staff: Howlett
- b) Consider a resolution awarding a contract to Excavation & Construction, LLC in the amount of \$472,065.04 for the Allie Payne Water & Sewer Improvements, White Oak Road to 1,600 feet west. 37 Staff: Wolf
- c) Consider a resolution authorizing the City Manager to execute an agreement with the Salvation Army Boys & Girls Club for use of the Orange Municipal Natatorium. 41 Staff: Wolf
- d) Consider a resolution designating individuals to act on behalf of the City of Orange to make withdrawals, authorize transfers and perform related actions involving all accounts on deposit with the City's depository bank(s). 48 Staff: Oubre
- e) Consider a resolution recommending that Texas Department of Transportation (TxDOT) lower the speed limit on Martin Luther King, Jr. Drive (FM 3247) from 70 mph to 55 mph. 52 Staff Oubre

10. DISCUSSION/ACTION

- a) Consider a motion declaring a 2001 BMW 325i, VIN# WBAAV33491FV01891, as surplus and authorizing disposal by auction through René Bates Auctioneers, Inc. 53 Staff: Martin

11. REPORTS

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

12. ADJOURNMENT

Texas Penal Code 30.06:

“Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun”

“De conformidad con la Sección 30.06 del código penal (entrada de persona con licencia de portar o llevar armas de mano oculta), una persona licenciada bajo el subcapítulo H, capítulo 411 del código de gobierno (ley de licenciamiento para portar o llevar armas de mano) no se permite entrar en esta propiedad con “ninguna armas de mano oculta”

Texas Penal Code 30.07:

“Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly”

“De conformidad con la Sección 30.07 del código penal (entrada de una persona con licencia de portar o llevar armas de mano visible), una persona licenciada bajo el subcapítulo H, capítulo 411 del código de gobierno (ley de licenciamiento para portar o llevar armas de mano visible) no se permite entrar en esta propiedad con ninguna “armas de mano visible”

No Firearms Allowed

No se permite ninguna armas de fuego

STATE OF TEXAS }
COUNTY OF ORANGE }

May 10, 2016

BE IT REMEMBERED THAT a meeting of the Orange Economic Development Corporation of the City of Orange, Orange County, Texas, was held in the Library Auditorium on Tuesday, May 10, 2016.

EDC MEMBERS PRESENT:	George Mortimer David Meaux Ebb Moore Jimmy Sims Larry Spears Jr.	President Secretary Treasurer Director Director
DIRECTORS ABSENT:	Dean Granger Mary McKenna	Vice-President Director
COUNCIL MEMBERS PRESENT:	Patrick A. Pullen Dr. Wayne Guidry Essie Bellfield Bill Mello	Council Member Council Member Council Member (arrived at 8:36 A.M.) Council Member
COUNCIL MEMBERS ABSENT:	None	
STAFF MEMBERS PRESENT:	Dr. Shawn Oubre Jay Trahan Rhonda Haskins Patricia Anderson Kelvin Knauf Hillary Haynes John Cash Smith	City Manager Assistant City Manager, Director of Economic Development City Secretary Deputy City Secretary Director of Planning and Community Development Social Media Coordinator City Attorney

President Mortimer called the meeting to order at 8:30 A.M.

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 RESOLUTIONS ON THIS AGENDA AND THAT THE READING OF SUCH ITEMS BE CONFINED TO THE CAPTION OF THE RESOLUTIONS

Treasurer Moore moved to approve the motion. Second to the motion was made by Director Spears which carried unanimously.

APPROVAL OF MINUTES

Treasurer Moore moved to approve the minutes of the April 26, 2016 Orange Economic Development Corporation Meeting. Second to the motion was made by Secretary Meaux which carried unanimously.

PRESENTATION

PRESENTATION BY JOHN JOHNSON, GRIFFITH MOSELEY JOHNSON AND ASSOCIATES, INC., REGARDING AN UPDATE ON STRATEGIC PLANNING EFFORTS RELATED TO ECONOMIC DEVELOPMENT.

Mr. Johnson gave a brief update on the progress the firm has made since the last Economic Development Corporation meeting:

- * laying ground work for economic development and strategic planning primarily on Chemical Row, expand the outreach to other employers in Orange
- * 2120 businesses with Orange address, not all of them are in the city limits of Orange, in the process of sorting out the businesses in the City
- * plan on doing a mail-out to all businesses in the City
- * reaching out to school districts to identify young people for focus groups
- * responded to lead from Governor’s office; prospect withdrew before site visit
- * extend City water to Chemical Row for potential revenue; will pursue grant for assistance
- * encourage businesses to establish local business offices in the area to keep sales tax locally and to “Buy Orange” first

Dr. Oubre gave further explanation on supplying water to chemical row.

REPORTS FROM DIRECTORS

No report was given.

ADJOURNMENT

There being no further business before the Corporation, Director Spears moved to adjourn the meeting which carried unanimously.

The meeting adjourned at 9:00 A.M.

George Mortimer, President

ATTEST:

David Meaux, Secretary

STATE OF TEXAS }

June 14, 2016

COUNTY OF ORANGE }

BE IT REMEMBERED THAT a Regular Meeting of the Orange City Council of the City of Orange, Orange County, Texas, was held in the Library Auditorium on Tuesday, June 14, 2016.

COUNCIL MEMBERS PRESENT:

Jimmy Sims	Mayor
Larry Spears Jr.	Mayor Pro Tem
Patrick A. Pullen	Council Member
Dr. Wayne Guidry	Council Member
Essie Bellfield	Council Member
Annette Pernell	Council Member
Bill Mello	Council Member

COUNCIL MEMBERS ABSENT: None

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
Lee Anne Brown	Deputy Fire Chief
Mike Zeto	CIS Manager
Hillary Haynes	S o c i a l M e d i a Coordinator
Sandy Wilson	Grants Planner
Kelly Griffin	Police Evidence & ID Tech
John Cash Smith	City Attorney

STAFF MEMBERS ABSENT: None

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

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

APPROVAL OF MINUTES

Council Member Pullen moved to approve the minutes of the April 5, 2016 Planning and Zoning Commission Meeting. Second to the motion was made by Council Member Pernell which carried unanimously.

Council Member Bellfield moved to approve the minutes of the May 24, 2016 Regular Meeting of the Orange City Council. Second to the motion was made by Mayor Pro Tem Spears which carried unanimously.

CITIZEN COMMENTS

Ms. Haynes advised the City of Orange's Facebook page was launched May 30, 2016. She invited everyone to the 4th of July Concert and Fireworks.

PUBLIC HEARING

CONDUCT A PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED BUDGET FOR THE 2016 ANNUAL ACTION PLAN FOR THE CITY OF ORANGE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

The public hearing began at 9:06 A.M.

Christina Morris, Gift of Life, advised early prevention is important. She thanked Council for its support.

Robin Powell, GOALS-Literacy Program, briefed Council on the different programs it has to offer.

Elizabeth Campbell, Jackson Community Center, thanked Council for allowing them to serve the community through the use of CDBG funding. She briefed the Council on the different activities and programs offered.

Council Member Bellfield spoke in favor of OCAA-Meals on Wheels.

Michelle Beam, Samaritan Counseling Center, briefed Council on the different programs it offers.

Mary McKenna, Southeast Texas Hospice, advised the agency is requesting funds for care for dying patients. She gave statistics of its operations.

Sandy Wilson, Stable Spirit, spoke on behalf of a representative from Stable Spirit.

The public hearing ended at 9:27 A.M.

Items 9e and 9f were moved to this position on the agenda.

MOTION AUTHORIZING THE FOLLOWING PUBLIC SERVICE ORGANIZATIONS FOR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDING:

Gift of Life	\$ 5,000
GOALS-Literacy Program	\$ 6,500
Jackson Community Center	\$ 6,500
OCAA-Meals on Wheels	\$ 6,500
Samaritan Counseling Center	\$ 6,500
Southeast Texas Hospice	\$ 7,000
Stable Spirit	<u>\$ 8,000</u>
Total CDBG Public Service recommendations	\$46,000

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

MOTION AUTHORIZING THE FOLLOWING 2016 COMMUNITY DEVELOPMENT BLOCK GRANT AND SECTION 108 LOAN PROGRAM FUNDING:

Code Enforcement	\$ 35,000
Water/Sewer Improvements	\$166,512
Administration	<u>\$ 61,878</u>
Total CDBG Staff recommendations	\$263,390

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

ORDINANCES

FINAL READING:

ORDINANCE AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL USES TO INDUSTRIAL USES FOR A 1160.870 ACRE TRACT OR PARCEL OF LAND OUT OF THE CHARLES MORGAN SURVEY ABSTRACT NO. 18, THE WILLIAM MORGAN SURVEY, ABSTRACT NO. 266, THE JACOB TOWENSEND SURVEY, ABSTRACT NO. 180, AND THE JOHN ALLEN SURVEY ABSTRACT NO. 1, ALL IN ORANGE COUNTY, TEXAS; DIRECTING THE CITY STAFF TO AMEND THE FUTURE LAND USE MAP; MAKING CERTAIN FINDINGS THERETO; ESTABLISHING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES IN CONFLICT WITH

THIS ORDINANCE TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING A SEVERABILITY CLAUSE.

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

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2016-11.

FINAL READING:

ORDINANCE OF THE CITY OF ORANGE, TEXAS, AMENDING AND REPLACING ORDINANCE 2016-8 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, 2016; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER 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 Mayor Pro Tem Spears which carried unanimously.

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2016-12.

FINAL READING:

ORDINANCE AMENDING CERTAIN PORTIONS OF APPENDIX A, OF THE CODE OF ORDINANCES OF THE CITY OF ORANGE, TEXAS PERTAINING TO GARBAGE AND TRASH COLLECTION SERVICES.

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

A copy of this ordinance is being made a part of these minutes as Ordinance Number 2016-13.

FIRST READING:

ORDINANCE OF THE CITY OF ORANGE, TEXAS, AMENDING ORDINANCE 2009-28 TO BE CONSISTENT WITH THE REQUIREMENTS OF ORDINANCE NO. 2015-12 EXHIBIT B DEVELOPMENT AGREEMENT AT SECTION ONE PARAGRAPH 3, BY EXCLUDING ALL INTERNATIONAL PAPER COMPANY KWH SALES FROM THE BASE FRANCHISE FEE AND INCREMENTAL FRANCHISE FEE CALCULATION; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER 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 Guidry which carried unanimously.

FIRST READING:

ORDINANCE OF THE CITY OF ORANGE, TEXAS AMENDING ORDINANCE 1999-10 ADOPTED ON MARCH 23, 1999 BY PROVIDING A DEVELOPMENT PLAN FOR A MIXED USE ZONING DISTRICT LOCATED NORTH OF INTERSTATE 10 AT SIMMONS DRIVE (108, 109, 117, 507 AND 537 LUTCHER DRIVE); PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND REPEALING ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE TO THE EXTENT OF SUCH CONFLICT.

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

RESOLUTIONS

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH SCHAUMBURG & POLK, INC. FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS - PHASE III.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2016-29.

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 WITH ALLCO FOR THE WASTEWATER TREATMENT FACILITY REHABILITATION PROJECT - PHASE 2A & 2B.

Council Member Guidry 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 2016-30.

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH SCHAUMBURG & POLK, INC. FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE 2A & 2B AND LINK STREET AND MEEKS TANK IMPROVEMENTS CONSTRUCTION PHASE.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2016-31.

RESOLUTION OF THE CITY OF ORANGE POLICE DEPARTMENT APPLYING FOR FUNDS THROUGH THE HOMELAND SECURITY GRANT PROGRAM THROUGH THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT DIVISION, FOR FISCAL YEAR 2016 NOT TO EXCEED \$7,268.65 OF THE GRANT ALLOTMENT WITH AN ADDITIONAL AMOUNT NOT TO EXCEED \$2,000.00 TO BE COVERED THROUGH DEPARTMENT FUNDS.

Council Member Mello moved to approve the resolution. Second to the motion was made by Mayor

Pro Tem Spears which carried unanimously.

A copy of this resolution is being made a part of these minutes as Resolution Number 2016-32.

RESOLUTION OF THE CITY OF ORANGE FIRE DEPARTMENT APPLYING FOR FUNDS THROUGH THE HOMELAND SECURITY GRANT PROGRAM THROUGH THE HOMELAND SECURITY GRANT PROGRAM THROUGH THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT DIVISION, FOR FISCAL YEAR 2016 NOT TO EXCEED \$7,268.65 OF THE GRANT ALLOTMENT WITH AN ADDITIONAL AMOUNT NOT TO EXCEED \$2,000.00 TO BE COVERED THROUGH DEPARTMENT FUNDS.

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 2016-33.

RESOLUTION AUTHORIZING THE CITY MANAGER AND/OR THE EMERGENCY MANAGEMENT COORDINATOR TO CONTINUE THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE LITTLE CYPRESS-MAURICEVILLE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (LCMCISD) FOR THE USE OF BUSES AND DRIVERS IN THE EVENT OF A CALLED EVACUATION DUE TO THE THREAT OF A HURRICANE.

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 2016-34.

DISCUSSION/ACTION

MOTION REAPPOINTING MARY J. MCCOY TO THE LIBRARY ADVISORY BOARD FOR A TERM ENDING SEPTEMBER 26, 2017.

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

MOTION REAPPOINTING CLIFFORD CARRUTHERS TO THE LIBRARY ADVISORY BOARD FOR A TERM ENDING SEPTEMBER 26, 2017.

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

MOTION REAPPOINTING RUSTY DOLLAR TO THE CONVENTION AND VISITORS BOARD FOR A TERM ENDING MAY 27, 2018.

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

MOTION DECLARING A 1993 QUALITY 2000 GPM PUMPER (ENGINE 5) AS SURPLUS AND AUTHORIZING DISPOSAL BY AUCTION THROUGH RENÉ BATES AUCTIONEERS, INC.

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

CITY MANAGER REPORT

Dr. Oubre advised Council that staff will be scheduling a Pre-Budget Workshop.

CITY COUNCIL REPORT

Council Member Pullen thanked those in attendance; congratulated the organizations who received CDBG funds; thanked staff for their hard work.

Council Member Guidry advised he is glad the Natatorium is open and thanked City staff.

Council Member Bellfield congratulated Council Member Pernell and Mayor Pro Tem Spears.

Council Member Mello advised he appreciates all the organizations that attended the meeting.

Mayor Pro Tem Spears thanked Council Member Pernell for sharing her testimony.

ADJOURNMENT

There being no further business before the Council, Council Member Bellfield moved to adjourn the meeting which carried unanimously.

The meeting adjourned at 10:19 A.M.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

P roclamation

OFFICE OF THE MAYOR

City of Orange

WHEREAS President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, formally abolishing slavery in the United States; and

WHEREAS Juneteenth or June 19, 1865, is considered the date when the last slaves in America were freed. Although the rumors of freedom were widespread prior to this, actual emancipation did not come until General Gordon Granger rode into Galveston, Texas and issued General Order No. 3, on June 19th, almost two and a half years after President Abraham Lincoln signed the Emancipation Proclamation; and

WHEREAS June 19th has a special meaning to African-Americans, and is called “JUNETEENTH” combining the words June and Nineteenth, and has been celebrated by the African-American community for over 148 years; and

WHEREAS the City of Orange Juneteenth Committee consisting of organizer Deborah Mitchell in partnership with Top Ladies of Distinction, Horseshoe Riders Dwaine Bouillard and Ishmeal Jack and other community organizations, sponsors and contributors, diligently planned activities throughout the month of June to celebrate and culminate with the Juneteenth Music and Trail Ride Festival; and

WHEREAS the annual Juneteenth celebration in the City of Orange, Texas was celebrated at the City of Orange Pavilion on Saturday, June 18, 2016 with Jubilient Music and Trail Ride Festivity in conjunction with other celebrations throughout the State of Texas;

NOW THEREFORE I, Jimmy Sims, Mayor of the City of Orange, Texas, do hereby proclaim June 18, 2016 as

JUNETEENTH

in the City of Orange and urge all citizens to become more aware of the significance of this celebration in African-American History and in the heritage of our nation and City.

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 28th of June, 2016.

MEMORANDUM
June 20, 2016

TO: Kelvin Knauf, Director of Planning and Community Development

FROM: Sandra Wilson, Grants Planner

RE: Substantial Amendment to Consolidated Plan and Program Year 2014 Annual Action Plan

Please place the following Public Hearing on the City Council agenda for Tuesday, June 28, 2016, to receive comments concerning the Proposed Substantial Amendment to the Consolidated Plan and Program Year 2014 Annual Action Plan.

Should you have any questions, please call me at 988-7395.

City Council Agenda

June 28, 2016

5:30 p.m.

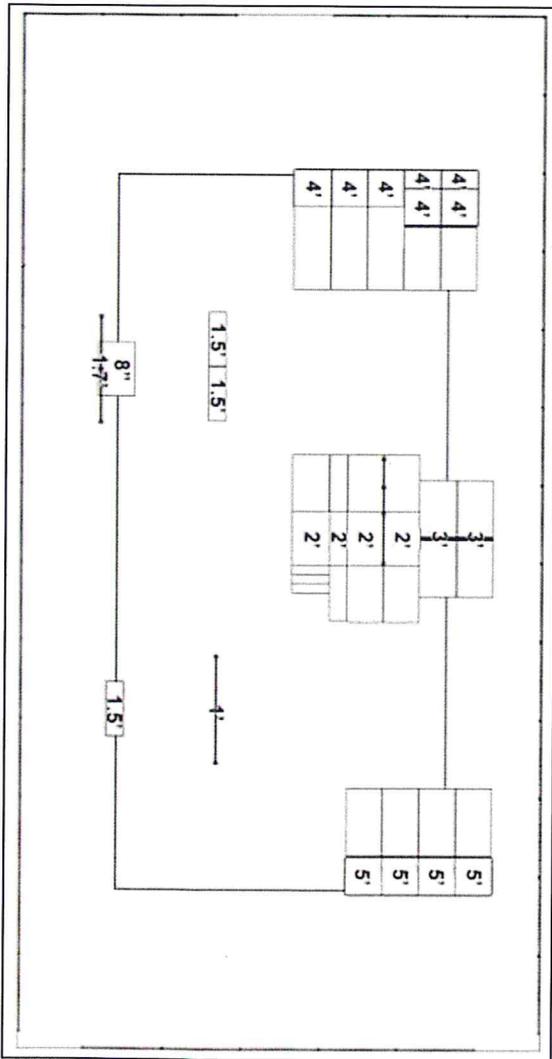
Public Hearing:

Conduct a public hearing to receive comments on the Proposed Substantial Amendment to the Five Year Consolidated Plan and the 2014 Annual Action Plan for the City of Orange's Community Development Block Grant Program.

The Substantial Amendment is to reallocate remaining funds of \$1,477.45 from a 2011 Street Improvement Project that finished under budget and funds \$70,317.10 from a 2013 Water/Sewer project that went through the procurement process and received no bidders.

These funds would be reallocated to a 2014 Park Improvements project – Sunset Park increasing the amount to \$131,794.55. The proposed upgrade to Sunset Park is a Skate Park.

SP-5247



ITEM	OBSTACLE	H	W	L
1	Quarter Pipe	4.0'	8.0'	13.0'
2	Bank Ramp	4.0'	12.0'	13.0'
3	Grindbox (2' Wide)	1.5'	2.0'	12.0'
4	Spine	3.0'	8.0'	13.0'
5	Wedge, Flat, Wedge	2.0'	8.0'	18.0'
6	Grind Rail, Kinked (Round)	1.5'	2.0"	12.0'
7	Bank Ramp (Wedge) 2' Wide	2.0'	2.0'	6.0'
8	Planter (2' Wide)	3.5'	2.0'	12.0'
9	Wedge, Flat, Stair	2.0'	4.0'	15.0'
10	Grind Rail (Round)	1.0'	2.0"	12.0'
11	Quarter Pipe	5.0'	16.0'	12.0'
12	Grindbox	0.5'	4.0'	6.0'
13	Grind Rail (Round)	1.5'	2"	12.0'
14	Skate Bench (Concrete)	1.5'	2.0'	6.0'
TOTAL			\$85,411	

DESIGNED BY PRO SKATER

Gershon Mosley

Skatepark Consultant



Proposal

PlayPower LT Farmington, Inc.

PO Box 204713

Dallas, TX 75320-4713

Phone: (713) 939-9888 * Fax: (713) 939-0304

1 800 842 0888

ADDITIONAL TERMS AND CONDITIONS

1. All Play, Inc., Representative for PlayPower LT Farmington, Inc., and PlayPower LT Farmington, Inc. (collectively referred to as "PPLT") hereby submits these specifications and estimates for equipment/items as detailed in this proposal.
2. Prices quoted include a discount based on cash/check method of payment.
3. Payment Terms are as specified on pg. 1. On all purchase orders, the net payment for all equipment and freight is due no more than thirty (30) days from the invoice date. The net payment amount is without regard for, or allowance of, any retainage. All accounts are subject to the terms and conditions of PPLT's credit policies.
4. Quoted installation services detailed in this proposal shall include all labor, supervision, materials, supplies, equipment, tools and necessarily related insurances normally required to deliver and install the items as detailed in this proposal. PPLT will field dress any rutting or disturbances caused by PPLT's use of equipment to access the project site, however, unless otherwise detailed in this proposal re-sodding, re-seeding and finished grade services/repairs are not included.
5. Lead-time quoted is based upon the time your order is processed at the factory.
6. A 30% **cancellation fee** will be assessed on equipment orders that are cancelled more than ten (10) days from the date purchaser executes this Proposal.
7. PPLT's receipt of the Proposal, as signed by you, as an authorized agent of the Owner, below indicates your understanding and acceptance of the terms and conditions stated herein and shall be construed as a written acceptance of this proposal.
8. All items are shipped F.O.B. knocked down and will require unloading and assembly by purchaser unless installation is purchased.
9. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. Owner is to carry fire, tornado and other necessary insurance. Our workers are covered by Workmen's Compensation Insurance.
10. Signing of final walk through or opening of playground constitutes completion, and payment is due at that time.
11. Plastisol and rotationally molded plastic components will have irregularities as a normal byproduct of the manufacturing process and cannot be controlled.
12. **FORCE MAJEURE:** If, by reason of Force Majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligation under this agreement then such party shall or in part give notice and full particulars of such Force Majeure in writing to the other party within fourteen (14) days after occurrence of the event or cause relied upon, and the obligation of the party giving such notice, so far as it is affected by such Force Majeure, shall be suspended during the continuance of the inability then claimed and such party shall endeavor to remove or overcome such inability with all reasonable dispatch.
13. Unless otherwise detailed in this proposal, permit application(s), processing and/or fees are excluded and/or are the responsibility of others.
14. PlayPower LT Farmington, Inc and All Play, Inc. is not responsible for underground utilities. Surcharges will incur for abnormal substrate, *i.e.* , concrete, asphalt or landfill.

15. RELEASE AND INDEMNITY

SHOULD YOU ELECT NOT TO PURCHASE FALL SURFACING MATERIAL AND/OR INSTALLATION SERVICES FROM PPLT, THE FOLLOWING PROVISIONS SHALL APPLY:

(A.) YOU HEREBY AGREE TO RELEASE PPLT, ALL PLAY INC. AND ALL OF ITS/THEIR SHAREHOLDERS, AGENTS, DIRECTORS, OFFICERS, EMPLOYEES, REPRESENTATIVES AND AFFILIATES ("RELEASED PARTIES") FROM ANY AND ALL CLAIMS OR DEMANDS YOU HAVE OR MAY HAVE AGAINST THE RELEASED PARTIES RELATED TO OR ARISING FROM THE FALL SURFACING MATERIAL THAT IS ULTIMATELY USED AT THE JOB LOCATION OR YOUR FAILURE TO INSTALL FALL SURFACING MATERIAL AT THE JOB LOCATION. THESE RELEASED CLAIMS EXPRESSLY INCLUDE CLAIMS FOR NONCOMPLIANCE WITH THE U.S. CONSUMER PRODUCT SAFETY COMMISSION'S RECOMMENDATIONS AND CLAIMS RELATED TO FAULTY, INADEQUATE, OR IMPROPER FALL SURFACING.

(B.) BECAUSE YOU HAVE EITHER CHOSEN NOT TO PURCHASE FALL SURFACING MATERIALS FROM PPLT, OR YOU HAVE MADE OTHER INSTALLATION ARRANGEMENTS, YOU FURTHER AGREE TO INDEMNIFY AND HOLD HARMLESS THE RELEASED PARTIES FROM ANY AND ALL CLAIMS AND DAMAGES WHICH MAY RESULT FROM EQUIPMENT NOT INSTALLED IN COMPLIANCE WITH MANUFACTURER SPECIFICATIONS AND THE U.S. CONSUMER PRODUCT SAFETY COMMISSION'S RECOMMENDATIONS AND/OR THE INSTALLATION OF AND/OR ANY DEFECT IN THE FALL SURFACING MATERIALS USED AT THE JOB LOCATION, INCLUDING, DESPITE PPLT'S RECOMMENDATION OTHERWISE, YOUR USE OF NO FALL SURFACING AT ALL.

16. This Agreement shall be interpreted under Texas law. Any and all disputes arising under or relating to this Proposal shall be brought and resolved in in Harris County, Houston, Texas. This provision is mandatory and to the exclusion of all other venues. Purchaser acknowledges and agrees that PPLT reserves the right to institute arbitration proceedings to resolve disputes arising under or relating to this Agreement.

This Proposal constitutes the entire agreement between the parties on the subjects addressed herein. All prior agreements, negotiations and understandings with respect to the subject matter hereof, whether written or oral, are cancelled and superseded by this Proposal. No party is relying on any oral or other written representation or communication not otherwise contained in this Proposal.

I have read, understand, and agree to all Additional Terms and Conditions as outlined in this Proposal.

Signature _____

Date of Acceptance: _____

Title _____

INTEROFFICE MEMORANDUM

TO: MAYOR AND COUNCIL
FROM: SHAWN OUBRE
SUBJECT: INTERNATIONAL PAPER
DATE: JUNE 1, 2016
CC: JACK SMITH

The City of Orange (the “City”) has exclusive jurisdiction over the rates, operations, and services over electric rates and charges within the City limits of Orange under the Public Utility Regulation Act. On September 8, 2009, the City passed the Franchise Agreement between the City and Entergy Texas, Inc. (Entergy) Ordinance 2009-28. The Franchise Agreement requires Entergy to pay the City a Base Franchise Fee calculated on the total kilowatt hours delivered to retail customers whose primary point of delivery are located within the City limits.

On August 11, 2015, the City approved the friendly annexation of International Paper (IP). Within this approval, the City executed a Development Agreement which stated “...not extend or enforce with respect to [International Paper] the Property any ordinances rules or regulations...”.

This Ordinance recognizes and authorizes Entergy to not collect any payments of the Base Franchise Fee related to the IP annexation. The intent of the friendly annexation was to continue a long term relationship and payment similar to Industrial District Contracts.

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF ORANGE, TEXAS, AMENDING ORDINANCE 2009-28 TO BE CONSISTENT WITH THE REQUIREMENTS OF ORDINANCE NO. 2015-12 EXHIBIT B DEVELOPMENT AGREEMENT AT SECTION ONE PARAGRAPH 3, BY EXCLUDING ALL INTERNATIONAL PAPER COMPANY KWH SALES FROM THE BASE FRANCHISE FEE AND INCREMENTAL FRANCHISE FEE CALCULATION; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City of Orange has exclusive original jurisdiction over the rates, operations, and services over electric rates and charges within the municipal limits of the City under the Public Utility Regulatory Act section 33.001(a); and

WHEREAS, on or about September 8, 2009, the City of Orange passed and duly enacted a Franchise Agreement of the City of Orange, Texas with Entergy Texas, Inc. Ordinance No. 2009-28; and

WHEREAS, the Franchise Agreement enacted through Ordinance No. 2009-28 requires Entergy Texas, Inc. to pay to the City of Orange a Base Franchise Fee calculated on the total kilowatt hours delivered to retail customers whose point of delivery are located within the City's boundaries;

WHEREAS, the Franchise Agreement enacted through Ordinance No. 2009-28 authorizes Entergy Texas, Inc. to collect Incremental Franchise Fees from all customers whose point of delivery is within the municipal corporate limits of the City of Orange, Texas; and

WHEREAS, on or about August 11, 2015 the City of Orange, Texas Passed, Approved, and Adopted Ordinance No. 2015-12 that incorporated by reference Exhibit B the International Paper Company Development Agreement with the City; and

WHEREAS, the Ordinance No. 2015-12 The Development Agreement at Section One Paragraph (3) requires that the City agree to "... not extend or enforce with respect to [International Paper Company] the Property any ordinances, rules or regulations ..."; and

WHEREAS, the Entergy Texas, Inc. collection of Base Franchise Fees and Incremental Franchise Fees from International Paper Company pursuant to Ordinance No. 2009-28 is not consistent with the requirements of Ordinance No. 2015-12.

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

Section 1. The statement and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. All future payments of the Base Franchise Fee under Ordinance No. 2009-28 by Entergy Texas, Inc. shall exclude all kWh's of International Paper Company that are associated with facilities located on the properties identified in Ordinance No. 2015-12 that incorporated by reference Exhibit B the International Paper Company Development Agreement with the City.

Section 3. All future calculations and collections of the Incremental Franchise Fee under Ordinance No. 2009-28 by Entergy Texas, Inc. shall exclude all kWh's of International Paper Company that are associated with facilities located on the properties identified in Ordinance No. 2015-12 that incorporated by reference Exhibit B the International Paper Company Development Agreement with the City.

Section 4. The meetings at which the ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on first reading this the _____ day of _____, 2016.

PASSED, APPROVED and ADOPTED on final reading this the _____ day of _____, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

MEMORANDUM

To: Dr. Shawn Oubre Ph.D., City Manager
From: Kelvin Knauf, Director of Planning and Community Development
Subject: Consider an ordinance adopting a development plan for the Mixed Use Zoning District created by ordinance 1999-10 and located north of Interstate 10 at Simmons Drive (108, 109, 117, 507 and 537 Lutcher Drive)
Date: June 15, 2016

Background

On March 23, 1999, the City Council approved on second and final reading of Ordinance 1999-10, the creation of a Mixed Use Zoning District (MUZD) for the property located at Interstate 10 and Simmons Drive (108, 109, 117, 507 and 537 Lutcher Drive). The ordinance created the MUZD; however, no development plan was adopted for the MUZD as required by the zoning ordinance. The development plan determines the type of development that can be located within the MUZD as well as minimum acreage for the MUZD, vehicular circulation, setbacks for structures, height restrictions, floor area ratio, screening (fencing), landscaping, and signs.

Mr. Stanley Floyd, the owner of all the property within the MUZD, wants to put up a billboard on his property. In order for him to do so, it would have to be in the development plan (which currently does not exist). The appropriate course of action is to create the development plan and have billboards as an eligible sign within the MUZD.

Mr. Floyd indicated that he might also want to put in an alligator farm, recreational vehicle park, tourist cabins and other tourism-oriented facilities.

Attached for your consideration is an ordinance adopting a development plan for the MUZD created by ordinance 1999-10. The proposed development plan would accommodate one billboard and allow an alligator farm, recreational vehicle park, tourist cabins and other tourism-oriented facilities as well as existing uses. Mr. Floyd reviewed the development plan and agrees with the plan.

A joint public hearing on the development plan was conducted on May 31, 2016 so no public hearing needs to be conducted at the June 28, 2016 City Council meeting. The Planning and Zoning Commission considered this development plan at their May 31, 2016 meeting and voted unanimously to recommend approval of the plan. On June 14, 2016 the City Council approved an ordinance on first reading to amend Ordinance 1999-10 by including the proposed development plan (attached).

The proposed development plan would require a minimum of 37 parking spaces based on the existing buildings. However, the minimum number of additional parking spaces required depends on the uses located in the MUZD, the size of any future buildings constructed, and the number of recreational vehicle spaces/tourist cabins that are built there.

Recommendation

I recommend that the City Council approve on second reading the proposed ordinance adopting a development plan for the Mixed Use Zoning District created by ordinance 1999-10 and located north of Interstate 10 at Simmons Drive (108, 109, 117, 507 and 537 Lutcher Drive).

AN ORDINANCE OF THE CITY OF ORANGE, TEXAS AMENDING ORDINANCE 1999-10 ADOPTED ON MARCH 23, 1999 BY PROVIDING A DEVELOPMENT PLAN FOR A MIXED USE ZONING DISTRICT LOCATED NORTH OF INTERSTATE 10 AT SIMMONS DRIVE (108, 109, 117, 507 AND 537 LUTCHER DRIVE); PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND REPEALING ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE TO THE EXTENT OF SUCH CONFLICT

WHEREAS, on March 23, 1999 the City Council approved Ordinance 1999-10 changing the zoning classification of property located north of I-10 at Simmons Drive (108, 109, 117, 507 and 537 Lucher Drive) from R-3 “High Density Residential Zoning District” to MUZD “Mixed Use Zoning District” and,

WHEREAS, the City Code of Ordinances requires that a Mixed Use Zoning District contain a development plan be created for the uses and improvements for the MUZD; and,

WHEREAS, the City Council and the Planning and Zoning Commission conducted a joint public hearing on May 31, 2016 to receive public comments on a proposed development plan for the MUZD created on March 23, 1999 (108, 109, 117, 507 and 537 Lucher Drive); now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS THAT:

Section 1. Ordinance 1999-10 adopted on March 23, 1999 is hereby amended to include the development plan incorporated into this ordinance as Exhibit “A”.

Section 2. That the City Council of the City of Orange, Texas hereby legislatively finds and determines that this ordinance will be in harmony with the general purpose and intent of the Comprehensive Master Plan and Zoning Ordinance of the City of Orange; will be as a substantial relationship to the public welfare; and that all procedural requirements have been satisfied as to this matter.

Section 3. That this ordinance shall become effective upon second and final reading and publication as required by State law.

Section 4. That all Ordinances that are in conflict with the provisions of this Ordinance be repealed and all other Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 5. That it is expressly ordained that if any section or subsection, clause, sentence or paragraph of the ordinance shall be found to be illegal, invalid, or void by any court of competent jurisdiction, then such findings shall not affect the remaining portions of this ordinance, but the same shall be valid and in effect, it being the expressed intention of the City Council of the City of Orange, Texas to pass each and every sentence, clause, paragraph or section individually.

PASSED AND APPROVED on first reading this the 14th day of June, 2016.

PASSED, APPROVED and ADOPTED on second reading this the 28th day of June, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit “A”

Development Plan for MUZD created on March 23, 1999

This development plan is for the Mixed Use Zoning District that was approved by the City Council on March 23, 1999. A diagram of the property is shown on Attachment “A”.

Mixture of Uses: The following uses shall be allowed within the MUZD:

- Alligator farms
- Boat building and repairing
- Boat dealers-retail
- Boat rental, pleasure
- Boats, party fishing; operation of
- Boat trailer building and repairing
- Boat yards, storage and incidental repair
- Canoe rental
- Excursion boat operations
- Fishing piers and lakes, operation of
- Marinas
- Marine supply dealers-retail
- Motorboat dealers-retail
- Natural wonders, tourist attraction: commercial
- Outboard motor dealers-retail
- Passenger water transportation on rivers and canals
- Recreational vehicle parks and campsites
- Rental of rowboats and canoes
- Restaurants and other eating establishments
- River rafting, operation of
- Sight-seeing boats
- Tourist attractions, natural wonder: commercial
- Tourist cabins and cottages
- Tourist guides
- Tourist information bureaus and offices

Setbacks for structures: Setback requirements shall be the same as those in the Interstate Development Corridor zoning district.

Height limitations: Height limitations shall be the same as those in the Interstate Development Corridor zoning district.

Floor area ratio: The floor-to-area coverage ratio shall be the same as those in the Interstate Development Corridor zoning district.

Screening: All mechanical equipment, trash receptacles, and other materials located outside a building, shall be screened with chain link fencing, wooden fencing or decorative wrought iron fencing. No fence may exceed eight feet (8') in height.

Landscaping plan: The approved landscaping plan for the MUZD is shown on Attachment B:

Signs within the MUZD: Signage shall be as follows:

- One wall sign not to exceed 30% of the front façade (the wall facing I-10) square footage is allowed on the office/boat fabrication building only;
- One electronic reader board is allowed that advertises the on-premise business;
- One static or digital billboard sign is allowed. The billboard shall comply with the same regulations for billboard signs in the City's Code of Ordinances;
- One monument sign may be placed at the entrance road from Interstate 10. The monument shall comply with the same regulations for monument signs in the City's Code of Ordinances;
- No signs may be attached to any fencing; and
- Promotional sign regulations shall comply with the same regulations for promotional signs in the City Code of Ordinances.

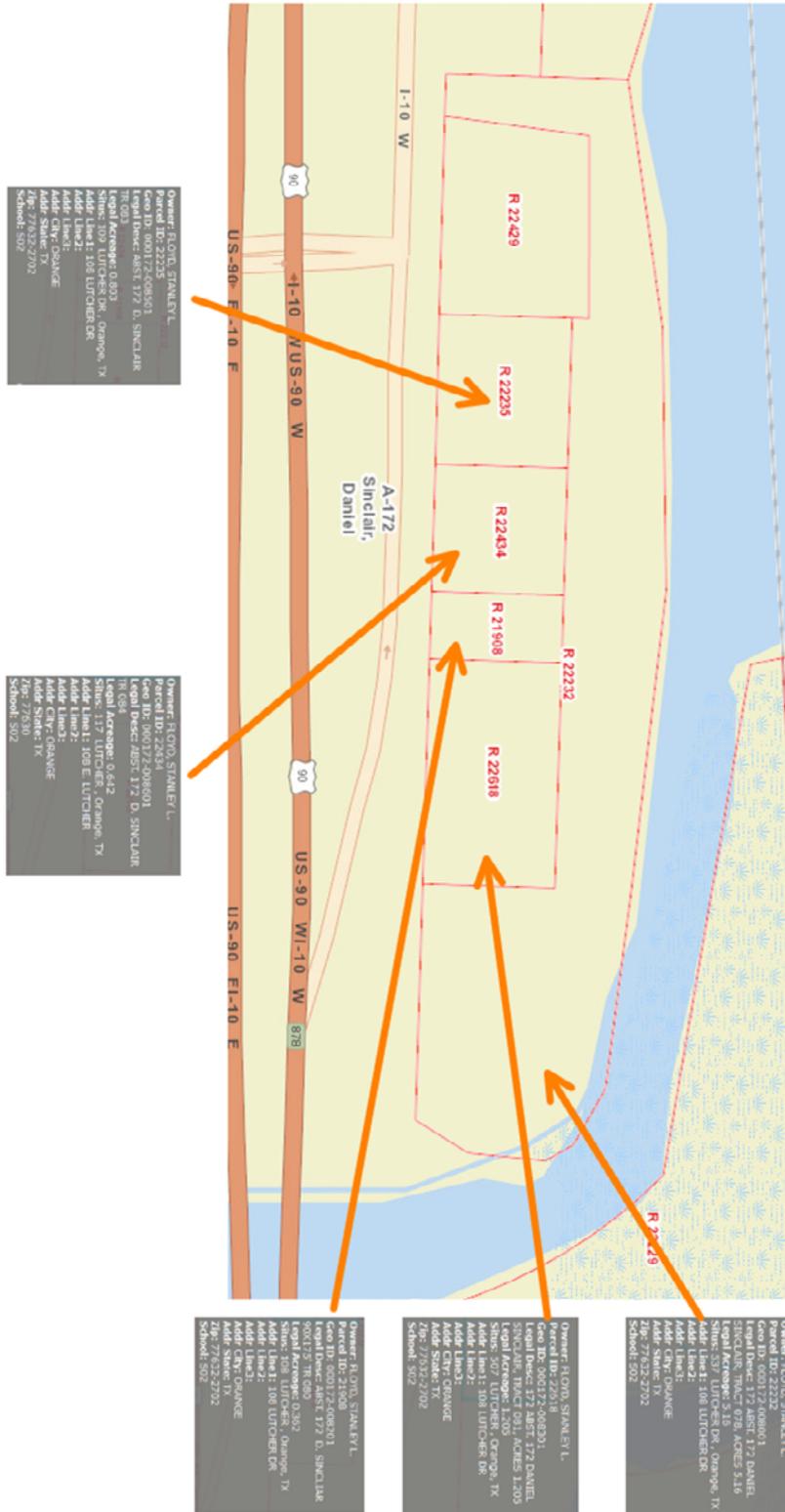
Lighting. Any light used for security or to illuminate the parking area shall be so arranged and shielded as to reflect away from any adjacent residential property. All other lighting shall comply with the same regulations for lighting in the City's Code of Ordinances.

Parking requirements. Parking spaces shall be 1 for every 200 square feet of office space plus 1 for every 600 square feet of work space or at the discretion of the Director of Planning and Community Development for any manufacturing and/or office facilities. Parking spaces for tourist cabins and cottages shall be 1 for each cabin plus 1 for every 400 square feet of office space. Parking spaces for recreational vehicle parking shall be the same as required under the Recreational Vehicle Park requirements of the City Code of Ordinances. Parking for disabled parking shall be the same as required under the Americans With Disabilities Act.

Flagpoles. Any flagpole in the MUZD shall comply with the same flagpole requirements in the City's Code of Ordinances.

Unless otherwise specified in this development plan, all other requirements of the City's Code of Ordinances, as amended from time to time, shall apply to this MUZD zoning district.

Attachment "A"



Owner: RLOD, STANLEY L.
 Parcel ID: 22233
 Geo ID: 000172-008501
 Legal Desc: A8ST 172 D SINCLAIR TR 003
 Legal Acreage: 0.8033
 Situs: 107 LUTCHER DR, Orange, TX
 Addr Line1: 107 LUTCHER DR
 Addr Line2:
 Addr Line3:
 Addr City: ORANGE
 Addr State: TX
 Zip: 77632-2702
 School: 502

Owner: RLOD, STANLEY L.
 Parcel ID: 22434
 Geo ID: 000172-008501
 Legal Desc: A8ST 172 D SINCLAIR TR 004
 Legal Acreage: 0.642
 Situs: 117 LUTCHER, Orange, TX
 Addr Line1: 108 E LUTCHER
 Addr Line2:
 Addr Line3:
 Addr City: ORANGE
 Addr State: TX
 Zip: 77632-2702
 School: 502

Owner: RLOD, STANLEY L.
 Parcel ID: 21908
 Geo ID: 000172-008501
 Legal Desc: A8ST 172 D SINCLAIR TR 005
 Legal Acreage: 0.352
 Situs: 108 LUTCHER, Orange, TX
 Addr Line1: 108 LUTCHER DR
 Addr Line2:
 Addr Line3:
 Addr City: ORANGE
 Addr State: TX
 Zip: 77632-2702
 School: 502

Owner: RLOD, STANLEY L.
 Parcel ID: 22618
 Geo ID: 000172-008501
 Legal Desc: 172 A8ST 172 DANIEL SINCLAIR TRACT 001A ACRES 1.205
 Legal Acreage: 1.205
 Situs: 108 LUTCHER DR, Orange, TX
 Addr Line1: 108 LUTCHER DR
 Addr Line2:
 Addr Line3:
 Addr City: ORANGE
 Addr State: TX
 Zip: 77632-2702
 School: 502

Owner: RLOD, STANLEY L.
 Parcel ID: 22429
 Geo ID: 000172-008601
 Legal Desc: 172 A8ST 172 DANIEL SINCLAIR TRACT 07B ACRES 5.16
 Legal Acreage: 5.16
 Situs: 507 LUTCHER DR, Orange, TX
 Addr Line1: 108 LUTCHER DR
 Addr Line2:
 Addr Line3:
 Addr City: ORANGE
 Addr State: TX
 Zip: 77632-2702
 School: 502

Attachment "B"

Landscape Plan

All landscaping within the MUZD as of the date of adoption of the development plan by the City Council of the City of Orange, Texas is hereby approved. Any changes, amendments, additions, replacement or other changes to the landscaping plan shall follow the standards below. All trees shall be two inches (2") or greater in caliper when planted:



INTEROFFICE MEMORANDUM

TO: MAYOR AND COUNCIL
FROM: SHAWN OUBRE, PH. D.
SUBJECT: 2016 ANNUAL GRIP ADJUSTMENT
DATE: JUNE 20, 2016

As you are aware on March 31, 2016 CenterPoint Energy Texas (“CenterPoint”) filed a Gas Reliability Infrastructure Program (“GRIP”) adjustment factor. CenterPoint is authorized to make annual GRIP rate change requests. The GRIP Statute authorizes gas utility companies to request annual rate increases associated with year-to-year changes in the incremental investment.

As our utility attorney, Mr. Dan Lawton, advised they have reviewed CenterPoint’s GRIP filing and concluded that CenterPoint’s filing comports with the GRIP statute. The following customers will see an increase in their class as follows:

Customer Impact Summary

Customer Class	Monthly Bill Increase
Residential	\$1.71
General Service Small	\$2.73
General Service Large	\$12.37

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF ORANGE, TEXAS APPROVING 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, 2016; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE

WHEREAS, on or about March 31, 2016, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (“CenterPoint” or “Company”) filed an Annual GRIP adjustment for the Beaumont/East Texas Service Area with the City of Orange, Texas (“City”) to increase gas rates in the Beaumont/East Texas Service Area pursuant to *Gas Utility Regulatory Act*, TEX. UTIL. CODE (“Gas Utility Regulatory Act”) § 104.301; and

WHEREAS, City has exclusive original jurisdiction over the rates, operations and services of a gas utility in areas in the municipality pursuant to Gas Utility Regulatory Act § 103.001; and

WHEREAS, Gas Utility Regulatory Act § 104.301 requires a streamlined process for the recovery of the costs of incremental investment by a gas utility; and

WHEREAS, the Company proposed an effective date of May 30, 2016, for the rate increase; and

WHEREAS, the City suspended the proposed May 30, 2016 effective date until July 14, 2016; and

WHEREAS, the City’s consultant has reviewed the GRIP filing and has concluded that the proposed GRIP rates are correctly calculated; and

WHEREAS, the reasonableness of the Company’s investment will be reviewed in CenterPoint’s subsequent base rate case where all costs included in CenterPoint’s GRIP filing will be subject to refund.

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

Section 1. The statement and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The Company’s proposed GRIP rate increase is approved effective July 14, 2016.

Section 3. The meetings at which the ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 4. This Ordinance shall become effective from and after its passage.

PASSED AND APPROVED on first reading this the ____ day of _____, 2016.

PASSED, APPROVED and ADOPTED on final reading this the ____ day of _____, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

MEMORANDUM

To: Dr. Shawn Oubre, Ph.D., City Manager
From: Ramie Howlett, Customer Service Manager
Subject: County requested changes to the consolidation approved May 10, 2016
Date: June 21, 2016

Background:

On April 19, 2016 the County Commissioners approved they had sufficient financial resources to take over the Vital Records and Local Registrar duties from the City of Orange, effective July 1, 2016.

Originally the City requested a two part consolidation to Orange County for the Vital Records to Orange County Clerk and the Local Registrar duties to the Justice of Peace, Precinct One. This was approved by City Council on May 10, 2016 as a resolution for interlocal agreement.

The County requested a change to the interlocal agreement for one part of the consolidation of the City Local Registrar duties to the Orange County Clerk instead of the original request to the Justice of Peace, Precinct One. The change was approved by the County Commissioners on June 21, 2016.

Recommend:

Staff recommends we accept the requested change by the County. It does not affect the Consolidation only the County staff accepting the duties. The consolidation will proceed with its original effective date of July 1, 2016.

**RESOLUTION TO CONSOLIDATE THE CITY OF ORANGE LOCAL REGISTRAR
DUTIES TO THE
ORANGE COUNTY CLERK**

AN INTERLOCAL AGREEMENT AUTHORIZING THE CONSOLIDATION OF THE LOCAL REGISTRAR DUTIES OF THE CITY OF ORANGE, TEXAS WITH THE COUNTY OF ORANGE, TEXAS ORANGE COUNTY CLERK, FOR THE REGISTRATION AND MAINTENANCE OF BIRTH AND DEATH RECORDS AND DECLARING AN EFFECTIVE DATE.

WHEREAS: Section 191.022, Subsection (b) Texas Health and Safety Code, provides that the municipal clerk or city secretary is the local registrar of births and deaths in a municipality with a population of 2,500 or more; and

Whereas: Section 191.023, Subsection (a) provides that the duties imposed by law relating to the registration and maintenance of birth and death records or a municipality with a population of 2,500 or more may be transferred to the county in which the municipality is located.

Whereas: The Orange County Commissioners Court, in accordance with Section 191.023, subsection (b) has attested that the office of Orange County Clerk has sufficient resources and finances to assume those duties; and,

Whereas: The office of the City of Orange, Orange County, Texas desires to consolidate the birth, death and fetal death records of the municipality and Orange County by complying with Section 191.023, Subsection (b) that requires that the municipality adopt a concurring resolution agreeing to the transfer and timetable established, said resolution to be considered at the regular meeting of the City of Orange Council; and

Whereas: The citizens of Orange County would be better served by having all birth and death records in a central location.

Now, therefore be it RESOLVED, by County Commissioner's Court of Orange, Texas that:

Effective July 1, 2016, the County Clerk of Orange County, Texas and the Commissioner's Court of Orange, Texas hereby accept the consolidation and transfer of the registration and maintenance of birth and death records of the City of Orange, a municipality with a population of more than 2,500 and all duties imposed by Title 3 of the Texas Health and Safety Code related thereto.

PASSED AND APPROVED AND ADOPTED by the Commissioner's Court of the County of

Orange, Texas, on this the 21st day of June, 2016.



Stephen Brint Carlton

Stephen Brint Carlton
Orange County Judge

David L. Dubose

David L. Dubose
Commissioner, Precinct 1

Barry M. Burton

Barry M. Burton
Commissioner, Precinct 2

John W. Banken

John W. Banken
Commissioner, Precinct 3

Jody E. Crump

Jody E. Crump
Commissioner, Precinct 4

ATTEST:

Brandy Robertson, Deputy

Brandy Robertson, County Clerk

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council, Orange, Texas on this the 28th of June, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

June 20, 2016

To: Dr. Shawn Oubre, City Manager

From: James B. Wolf, Public Works Director

Re: Allie Payne Water & Sewer Improvements
White Oak Road to 1,600 feet West
Recommendation for Award of Construction Contract

Please find attached Fittz & Shipman's letter of recommendation and the bid tabulation for the referenced project. We concur with Fittz & Shipman's recommendation to award the contract to Excavation & Construction, LLC of Nederland, Texas in the amount of \$472,065.04. If you agree please place on the next Council agenda.

Fittz & Shipman

INC.

Consulting Engineers and Land Surveyors

Ronald D. Fittz, P.E., R.P.L.S. (1948-1987)
Terry G. Shipman, P.E., Chairman
Billy J. Smith, Jr., President
Donald R. King, P.E.
Mitchell L. Brackin R.P.L.S.

June 14, 2016

Mr. Jay Trahan
Economic Development Coordinator
City of Orange
303 N. 8th Street
Orange, Texas 77630

RE: Allie Payne Water & Sewer Improvements, White Oak Road to 1,600 feet West
Recommendation for Award FS Proj. No. 15098

Dear Mr. Trahan:

Bids for the Allie Payne Water & Sewer Improvements, White Oak Road to 1,600 feet West were received 2:00 PM June 7, 2016. All firms that submitted bids were confirmed present at the mandatory Pre-Bid Meeting held May 31, 2016 for this Project. A total of Six (6) bids were received for this project. A detailed tabulation of the bids received is attached. A summary of the bids received is as follows:

<u>BIDDER</u>	<u>Base Bid</u>
Excavation & Construction, LLC	\$ 472,065.04
Allco	\$ 526,292.75
Shaver Construction	\$ 553,466.30
Dez-Tex Construction	\$ 569,847.00 *
McInnis Construction	\$ 656,249.24
M K Constructors	\$ 773,663.00

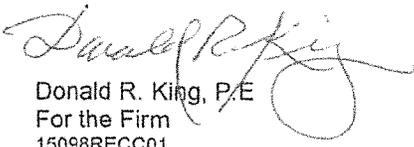
*corrected amount

EXCAVATION & CONSTRUCTION, LLC of Port Arthur, Texas was the low bidder at \$ 472,065.04 on the basis of the Total Amount Base Bid.

EXCAVATION & CONSTRUCTION, LLC appears to be qualified to complete this project based upon their submitted qualification statement and references. We recommend the City of Orange award this contract to EXCAVATION & CONSTRUCTION, LLC, the lowest responsive bidder on the basis of the Total Amount Base Bid for a total contract award of \$ 472,065.04.

Should you have any questions or comments, please contact me.

FITZ & SHIPMAN, INC.

by:  Donald R. King, P.E.
For the Firm
15098RECC01

Attachment

1405 Cornerstone Court · Beaumont, Texas 77706 · (409) 832-7238 · fax (409) 832-7303
Tx Board of Prof Engineers Firm No. F-01160 · Tx Board of Prof Land Surveyors Firm No. 100186

BID TABULATION

Allie Payne Water & Sewer Improvements, White OK Rd to 1,600 ft West
 CITY OF ORANGE, TEXAS
 BID OPENING: Tuesday, June 7, 2016

FS Proj. 15098

TIME: 2:00 PM

Contractor:

ITEM	Est. Qty.	UNITS DESCRIPTION	1		2		3		4		5		6	
			Unit Price	Total Bid Price										
1	1 L.S.	Lift Station (Complete)	130,017.24	130,017.24	155,500.00	155,500.00	197,490.00	197,490.00	101,000.00	101,000.00	221,400.00	221,400.00	245,483.00	245,483.00
2	5300 L.F.	6" HDPE DR-11 Force Main	13.29	70,437.00	29.00	153,700.00	85,330.00	85,330.00	28.00	148,400.00	17.85	94,658.00	33.00	174,900.00
3	184 L.F.	HDD Bore 6" HDPE Line	40.53	6,646.92	60.50	9,822.00	35.65	5,846.60	65.00	10,660.00	87.63	14,371.32	33.00	5,412.00
4	1 L.S.	HDPE fuse welded FM Fittings	3,887.37	3,887.37	1,000.00	1,000.00	2,300.00	2,300.00	6,000.00	6,000.00	4,032.00	4,032.00	1,500.00	1,500.00
5	3 Ea.	Air Relief Valve for FM	2,736.80	8,210.40	2,000.00	6,000.00	3,680.00	11,040.00	2,860.00	8,580.00	1,081.92	3,245.76	4,000.00	12,000.00
6	3 Ea.	6" Gate Valve & Box	1,436.64	4,309.92	1,075.00	3,225.00	1,380.00	4,140.00	1,900.00	5,700.00	1,540.00	4,620.00	1,300.00	3,900.00
7	1 L.S.	Connect FM to Exist MH	2,969.88	2,969.88	1,650.00	1,650.00	3,450.00	3,450.00	1,600.00	1,600.00	460.00	460.00	2,500.00	2,500.00
8	36 L.F.	12" PVC San Sewer Line 10-15' depth	90.73	3,266.28	60.50	2,178.00	92.00	3,312.00	92.00	3,312.00	117.60	4,233.60	106.00	3,816.00
9	375 L.S.	10" PVC San Sewer Line 5-10' depth	36.10	13,537.50	38.00	14,250.00	46.00	17,250.00	36.00	13,500.00	61.60	23,100.00	102.00	38,250.00
10	800 L.F.	6" PVC San Sewer Line 5-10' depth	24.23	19,384.00	36.00	28,800.00	34.50	27,600.00	32.00	25,600.00	54.60	43,680.00	47.00	37,600.00
11	410 Ea.	6" PVC San Sewer Line all depths	16.01	6,564.10	32.00	13,120.00	25.30	10,373.00	28.00	11,480.00	48.16	19,745.60	38.00	15,580.00
12	4 Ea.	Sanitary Sewer Manhole, all depths	2,344.48	9,377.92	2,275.00	9,100.00	3,450.00	13,800.00	3,600.00	14,400.00	4,480.00	17,920.00	4,500.00	18,000.00
13	1 Ea.	Sanitary Sewer Cleanout, all depths	199.99	199.99	250.00	250.00	920.00	920.00	1,665.00	1,665.00	448.00	448.00	600.00	600.00
14	700 L.F.	Dewatering by W/point system	28.75	20,125.00	10.00	7,000.00	63.25	44,275.00	25.00	17,500.00	39.20	27,440.00	22.00	15,400.00
15	1211 L.F.	Trench Safety Systems, complete	5.75	6,963.25	0.25	302.75	1.15	1,392.65	4.00	4,844.00	1.12	1,356.32	2.00	2,422.00
16	16 Ea.	Near Side San. Sewer Taps, all depths	609.74	9,755.84	400.00	6,400.00	402.50	6,440.00	2,740.00	43,840.00	952.00	15,232.00	500.00	8,000.00
17	1650 L.F.	12" Waterline C-900 PVC	20.72	34,188.00	40.50	66,825.00	32.20	53,130.00	32.00	52,800.00	41.44	68,376.00	37.00	61,050.00
18	2 Ea.	7" Gate Valve & Riser Box	3,327.12	6,654.24	2,080.00	4,160.00	3,450.00	6,900.00	3,800.00	7,600.00	2,766.40	5,532.80	2,300.00	4,600.00
19	3 Ea.	Fire Hydrant & Valve	4,843.22	14,529.66	3,920.00	11,760.00	4,600.00	13,800.00	5,570.00	16,710.00	5,241.60	15,724.80	4,500.00	13,500.00
20	1 Ea.	Connect to 12" Water Line	2,271.05	2,271.05	1,500.00	1,500.00	1,150.00	1,150.00	1,850.00	1,850.00	1,232.00	1,232.00	2,800.00	2,800.00
21	1 L.S.	Water Line Fittings	3,861.22	3,861.22	2,250.00	2,250.00	3,105.00	3,105.00	8,300.00	8,300.00	2,800.00	2,800.00	2,500.00	2,500.00
22	7 Ea.	2in Far Side Water Tap 2-1.5" s/c lines	3,164.48	22,151.36	1,500.00	10,500.00	2,300.00	16,100.00	3,600.00	25,200.00	2,856.00	19,992.00	1,900.00	13,300.00
23	1 L.S.	Erosion Control & SWPPP	27,600.00	27,600.00	1,000.00	1,000.00	2,875.00	2,875.00	8,200.00	8,200.00	3,360.00	3,360.00	5,000.00	5,000.00
24	1 L.S.	Site Clearing	10,811.84	10,811.84	9,500.00	9,500.00	6,625.00	6,625.00	5,000.00	5,000.00	10,080.00	10,080.00	10,000.00	10,000.00
25	5 Ea.	Valve Marker Signs - Water + FM	25.30	126.50	50.00	250.00	57.50	287.50	350.00	1,750.00	24.64	123.20	50.00	250.00
26	6 Ea.	Route Marker Signs - FM	22.26	133.56	50.00	300.00	57.50	345.00	350.00	2,100.00	24.64	147.84	50.00	300.00
27	5000 L.F.	Regrade ditches & culverts	5.08	25,400.00	0.75	3,750.00	1.15	5,750.00	3.00	15,000.00	4.53	24,650.00	1.50	7,500.00
28	1.6 Ac.	Seeding	1,725.00	2,760.00	1,000.00	1,600.00	1,150.00	1,840.00	2,000.00	3,200.00	1,680.00	2,688.00	1,562.50	2,500.00
29	1 L.S.	Traffic Control & Barricades	6,325.00	6,325.00	500.00	500.00	4,600.00	4,600.00	6,000.00	6,000.00	5,600.00	5,600.00	5,000.00	5,000.00
TOTAL AMOUNT BASE BID				\$ 472,065.04		\$ 526,292.75		\$ 553,466.75		\$ 569,847.00 *		\$ 656,249.24		\$ 713,663.00
Stated Amount				472,065.04		526,292.75		553,466.75		568,847.00		656,249.24		713,663.00
Correction				0.00		0.00		0.00		1,000.00		0.00		0.00
Days to Substantially Complete				120		120		120		Not stated		120		120
Acknowledge Addendum #1				YES										
BID SECURITY				Bid Bond										

* corrected amount

A RESOLUTION AWARDING A CONTRACT TO EXCAVATION & CONSTRUCTION, LLC IN THE AMOUNT OF \$472,065.04 FOR THE ALLIE PAYNE WATER & SEWER IMPROVEMENTS, WHITE OAK ROAD TO 1,600 FEET WEST

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS:

That a contract be awarded to Excavation & Construction, LLC for water and sewer line improvements on Allie Payne Road in the amount of FOUR HUNDRED SEVENTY-TWO THOUSAND SIXTY-FIVE DOLLARS AND 04/100 (\$472,065.04).

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute said contract with Excavation & Construction, LLC.

PASSED, APPROVED and ADOPTED on this the 28th day of June 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

FORM 1295 ACKNOWLEDGMENT NO. _____

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF ORANGE

C O N T R A C T

The Contract, made and executed in duplicate by and between the CITY OF ORANGE, hereinafter referred to as "the City", and THE SALVATION ARMY BOYS AND GIRLS CLUB, hereafter referred to as "Lessee":

W I T N E S S E T H

In consideration of the terms, provisions and covenants herein contained, to be made and performed by the Lessee, the City hereby agrees with the Lessee to provide Lessee, for Lessee's instruction on swim classes, the use of the swimming pool facilities situated in that certain City of Orange building known as the Orange Municipal Natatorium, and situated on Fourteenth Street at Orange Avenue in the City of Orange, Texas, hereinafter referred to as "Natatorium", for the sum of TWENTY AND NO/100 (\$20.00) DOLLARS per hour per visit, and ONE (\$1.00) DOLLAR PER PARTICIPANT PER VISIT which will be paid on or before September 15, 2016. However, Lessee shall only be charged for actual use of the Natatorium.

II.

The City and the Lessee hereby agree that the swim classes will be held during a period of Ten (10) WEEKS as follows:

For two (2) hours on WEDNESDAY for a period of seven (7) weeks starting June 29, 2016 and ending August 10, 2016, from 8:30 A.M. to 10:30 A.M.

III. INDEMNITY

3.1 Lessee's Indemnification. Lessee agrees to defend, indemnify and hold City harmless from and against all damages, costs, losses or expenses (a) for the repair, replacement, or restoration of City's property, equipment, materials, structures and facilities which are damaged, destroyed or found to be defective as a result of such Lessee's negligent acts or omissions, (b) from and against any and all claims, demands, suits, causes of action, and judgments for: (I) damage to or loss of the property of any person (including, but not limited to such Lessee, its agents, officers, employees, and subcontractors), and the City, its agents, officers and employees, third parties); and/or (ii) death, bodily injury, illness, disease, worker's compensation, loss of services, or loss of income or wages to any Person (including but not limited to the agents, officers and employees of such Lessee, the Lessee's subcontractors or a subcontractor's agents, officers and employees, the agent, officers and employees of the City, and

any third parties), arising out of, incident to, concerning or resulting from the negligent acts or omissions of such Lessee, its agents, employees, contractors and/or subcontractors or the employees of them, in the performance of activities pursuant to this contract, no matter how, or to whom such loss may occur, and whether the same is caused or contributed to by the negligence of the City, its officers, agents or employees.

3.2 Indemnity Obligations. Lessee acknowledges its express intent to assume all indemnity obligations under this contract without regard to cause or regardless of any negligence of the City:

"Except as otherwise expressly limited herein, it is the express intent of the parties hereto that all indemnity obligations and/or liabilities assumed by the Lessee under the terms of this contract be without limit and without regard to the cause or causes thereof, strict liability, or the negligence of any party or parties, whether such negligence be sole, joint or concurrent, active or passive."

Limitation. Lessee's obligation to indemnify City against claims by parties other than City shall not exceed the limits of City's liability under the provisions of the Texas Tort Claims Act. Lessee shall not be obligated to indemnify City under the provisions of this contract to the extent City's sovereign immunity has not been waived by state or federal statute or a claim against City is subject to the workers compensation laws of the State of

Texas.

3.3 Notice to Lessee. Lessee must promptly advise the City's representative in writing of any action, administrative or legal proceedings or investigation as to which the indemnification contained under this Section III may apply.

IV.

Lessee agrees to indemnify and hold harmless the City from any liability whatsoever arising out of Lessee's use of the above described premises and in connection therewith, Lessee agrees to carry comprehensive general liability insurance for personal injury claims in the amount of not less than \$1,000,000.00 per occurrence for personal injury claims and in an amount not less than \$1,000,000.00 per occurrence for property damage claims, covering such liability, and so evidence of such coverage, present the City with a copy of the insurance certificate naming the City as an additional insured.

V.

It is expressly agreed that the Lessee shall provide qualified adult supervision of such facilities at the time of use by the Lessee as set out in this contract. Lessee will provide necessary personnel to maintain the facility in a clean and orderly condition.

VI.

Lessee agrees that the City in no way supports or guarantees the instruction or quality of Lessee's swim classes.

VII.

The City will have the right to terminate this Contract upon failure of Lessee to comply with any of the terms or conditions set out in this Contract. Either party may terminate this Contract with a sixty (60) day written notice, and shall provide a copy of a roster of all participants.

IN WITNESS HEREOF, the parties to these presents have executed this Contract in DUPLICATE ORIGINALS, each of which shall be deemed an original on this the _____ day of _____, 2016.

CITY OF ORANGE, TEXAS

BY:

Shawn Oubre,
CITY MANAGER

ATTEST:

Rhonda Haskins,
CITY SECRETARY

THE SALVATION ARMY BOYS AND GIRLS CLUB

BY:



Kitty Hebert,
B & G Club Program Director

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SALVATION ARMY BOYS & GIRLS CLUB FOR USE OF THE ORANGE MUNICIPAL NATATORIUM.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS:

That the City Manager is hereby authorized to execute a contract with The Salvation Army Boys & Girls Club of Orange for the use of the Orange Municipal Natatorium located at 14th Street and Orange Avenue during the times set forth in the attached contract.

PASSED, APPROVED and ADOPTED on this the 28th day of June 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

A RESOLUTION DESIGNATING INDIVIDUALS TO ACT ON BEHALF OF THE CITY OF ORANGE TO MAKE WITHDRAWALS, AUTHORIZE TRANSFERS AND PERFORM RELATED ACTIONS INVOLVING ALL ACCOUNTS ON DEPOSIT WITH THE CITY'S DESPOSITORY BANK(S).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS:

That Shawn Oubre, City Manager, is the authorized representative of the City of Orange and is hereby authorized to act on behalf of the City of Orange to make withdrawals and authorize other transactions involving all accounts of the City of Orange on deposit with the City's depository bank(s).

FURTHER, that any two of the following persons:

Cheryl Zeto

Sherry Jackson

Carol Wetherington

are also hereby authorized to sign any withdrawals or other transactions on account of the City.

FURTHER RESOLVED, when authorized in writing by Shawn Oubre, City Manager, any of the above-named persons may at any time and from time to time in the name of the City of Orange, N.A., ("City") request the City's primary depository bank ("Bank") to transfer funds (at one time or from time to time) from the account or accounts of City at Bank to other accounts of City at any bank of other depository institution, or to third parties, such request or requests to be made by telephone, telex, or telegraph, or orally or in writing, or by any other signal or means of communication, and City's account or accounts to be debited or credited and such transfer or transfers to be made upon and subject to such terms and conditions as may from time to time be agreed upon by and between City and Bank.

FURTHER RESOLVED, that any of the above-named persons or any of their designees are hereby authorized, on behalf of the City, to execute such other instruments and documents, and to take such other actions as the person so acting deems necessary or desirable to effectuate the transactions contemplated by this resolution.

FURTHER RESOLVED, that the City Secretary or designee is hereby authorized, on behalf of the City, to certify and attest any documents which may be deemed necessary or appropriate to consummate the transactions contemplated by this resolution; provided that such attestation shall not be required for the validity of any such documents.

FURTHER RESOLVED, that any and all actions taken by any of the officers or representatives of the City, for on behalf and in the name of the City, with the Bank prior to the adoption of this resolution, including but not limited to requests of funds transfers, and the negotiation of funds transfer agreements, are hereby ratified, confirmed and approved in all respects for all purposes.

FURTHER RESOLVED, that (1) the City Manager be, and hereby is authorized to certify to Bank with appropriate title or other designation the name and signature of each individual whose signature or other request is by the foregoing resolution authorized on behalf of the City, and immediately to make similar certifications to Bank of any and all changes occurring with respect to signatures or other requests hereby or hereafter authorized on behalf of the City, whenever such a change is made, in form acceptable to Bank, and (2) Bank shall be fully protected in relying on each such written certification and shall be by the City indemnified against and held harmless from any and all claims, demand, losses, damages, costs or expenses (including, but not limited to, attorney's fees incurred in the enforcement hereof) in connection with or arising out of Bank's honoring any signature or other request of any person so certified or refusing to honor any signature or other request not so certified, and

BE IT FURTHER RESOLVED that these resolutions and the authority herein granted shall pass and inure to any successors or assigns of Bank.

PASSED, APPROVED and ADOPTED on this the 28th day of June, 2016.

Jimmy Sims, Mayor

ATTEST:

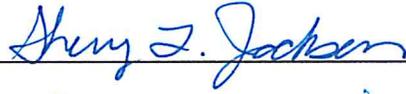
Rhonda Haskins, City Secretary

APPROVED:

City Attorney

ATTACHMENT

I hereby certify that the following are the names and titles and true and official signatures of the present officers of the City of Orange, Texas and the persons authorized to sign or otherwise make request for and on behalf of the City of Orange in the foregoing resolution.

Shawn Oubre		City Manager
Cheryl Zeto		Director of Finance
Sherry Jackson		Accounting Manager
Carol Wetherington		Accounting Clerk

The above resolutions are in conformity with the Articles of Incorporation and the Charter of the City of Orange, Texas, have never been modified or repealed and are now in full force and effect.

SUBSCRIBED AND SWORN to on this the _____ day of _____, 2016.

Jimmy Sims, Mayor

AFFIRMED AND CERTIFIED on this the _____ day of _____, 2016.

Rhonda Haskins, City Secretary

A RESOLUTION RECOMMENDING THAT TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) LOWER THE SPEED LIMIT ON MARTIN LUTHER KING , JR. DRIVE (FM 3247) FROM 70 MPH TO 55 MPH

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE, TEXAS THAT:

Whereas, the Orange City Council, Orange, Texas recognizes that the Texas Department of Transportation sets the speed limits on Farm to Market (FM) roads and;

Whereas, the speed limit on Martin Luther King, Jr. Drive (FM 3247) is 70 mph and;

Whereas, the concerns for safety of First Baptist Church located at 7637 Martin Luther King, Jr. Drive and;

Whereas, the concerns for safety of Faith United Methodist Church located at 2497 Martin Luther King, Jr. Drive and;

Whereas, both churches have activities throughout the week and;

Whereas, Orange City Council, Orange, Texas recognizes the need for safety of their citizens and;

Whereas, Orange City Council, Orange, Texas is asking TxDOT to lower the speed limit from 70 mph to 55 mph on Martin Luther King, Jr., (FM 3247).

PASSED, APPROVED and ADOPTED by the Orange City Council, Orange, Texas on this the 28th day of June, 2016.

NOTE: Orange County Commissioner's Court met, discussed and approved a similar resolution on June 21, 2016 requesting TxDOT lower the speed limit from 70 mph to 55 mph on Martin Luther King, Jr., (FM 3247).

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

City Attorney

Memo

TO: City Manager – Dr. Shawn Oubre
FROM: Police Chief – Lane Martin
SUBJECT: Surplus Vehicle
DATE: June 15, 2016

The Orange Police Department seized, and was awarded by the court, a 2001 BMW 325i, gray in color, VIN # WBAAV33491FV01891. It has been used for different activities and is no longer needed. This vehicle has 171,272 miles and is in need of minor repairs. With approval, we would like to sell this vehicle on the Renee Bates Auction site.

If approved, please place this request on the next Orange City Council Agenda.

Thanks,

Lane Martin

MOTION

Motion declaring a 2001 BMW 325i, VIN# WBAAV33491FV01891, as surplus and authorizing disposal by auction through René Bates Auctioneers, Inc.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

June 28, 2016