

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

**August 9, 2016
9:00 A.M.**

- | | | |
|---|----|----------------------|
| 1. CALL TO ORDER | | Mayor |
| 2. INVOCATION and PLEDGE OF ALLEGIANCE | | Council Member Mello |
| 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) July 26, 2016 Regular City Council Meeting | 5 | Mayor/Council |
| b) July 27, 2016 Special Call City Council Meeting | 12 | Mayor/Council |

5. CITIZEN COMMENTS

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.

6. PUBLIC HEARINGS

- 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.

This is the final Public Hearing. The comment period for the Substantial Amendment ends at 5:00 p.m. at the close of business day today, August 9, 2016.

15 Staff: Wilson

- b) Conduct a public hearing to receive citizen comments on the City's proposed use of Community Development Block Grant funds in its Annual Action Plan. This Plan is for Year 3 of the Five Year Consolidated Plan.

This is the last of 3 public hearings to receive comments on the proposed Annual Action Plan. Comment Period ends at 5:00 p.m. or close of business, today, August 9, 2016. The Plan will be submitted to the U. S. Department of Housing & Urban Development on August 16, 2016.

The proposed plan consists of:

- \$61,878 in Planning & Administration
- \$46,000 provided to Public Services providers
- \$35,000 for Code Enforcement
- \$166,512 for a Public Facility Improvement

17 Staff: Wilson

7. RESOLUTIONS

- a) Consider a resolution authorizing and directing City Manager, Shawn Oubre, to submit on behalf of the City of Orange the Year 3 Annual Action Plan of the City's Five Year Consolidated Plan to the U. S. Department of Housing and Urban Development.

19 Staff: Wilson

- b) Consider a resolution declaring the intent of the City of Orange to annex into the city limits the hereinafter described territory and to extend the boundary limits of said city so as to include said property; providing written notice 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.

21 Staff: Knauf

8. REPORTS

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

9. 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 }

July 26, 2016

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, July 26, 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
Cheryl Zeto Director of Finance
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
Lee Anne Brown Deputy Fire Chief
Hillary Haynes S o c i a l M e d i a
Coordinator
Sandy Wilson Grants Planner
Michael Patterson Engineering Tech
John Cash Smith City Attorney

STAFF MEMBERS ABSENT: David Frenzel Fire Chief

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

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

APPROVAL OF MINUTES

Council Member Pernell moved to approve the minutes of the July 12, 2016 Regular Meeting of the Orange City Council. Second to the motion was made by Council Member Pullen which carried unanimously.

CITIZEN COMMENTS

Ms. Haynes invited everyone to International Dance Day on Saturday, July 30, 2016 at the Riverfront Pavilion. The SPORT Tunnel Boat Races will be held September 16 -18, 2016 at the Orange Boat Ramp.

Chuck Peterson, 802 Cherry is concerned about the railroad tracks located on Front Street; would like for the skate park proposed for Sunset Park to have two parks, one for younger children and one for older children and advised Mr. Trahan is doing a great job.

DISCUSSION/ACTION

MOTION APPOINTING ASHLEY M. TARVER TO THE CONVENTION AND VISITORS BUREAU ADVISORY BOARD FOR A TERM ENDING JULY 26,2018.

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

MOTION APPOINTING JACQUELINE M. SINGLETON TO THE CONVENTION AND VISITORS BUREAU ADVISORY BOARD FOR A TERM ENDING JULY 26, 2018.

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

PRESENTATION

PRESENTATION BY FINANCIAL ADVISOR AND BOND COUNSEL ON PROPOSED TAX & REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016.

Guy Goodson, Germer PLLC, advised this is the second phase for the improvements to the City of Orange water and wastewater systems.

Jim Gilley, U.S. Capital Advisors, gave a brief overview of the bond procedure.

RESOLUTION

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.

Council Member Bellfield 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 2016-42.

ORDINANCE

ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ORANGE, TEXAS TAX & REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016 (THE "CERTIFICATES") IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$5,110,000; 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.

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 2016-17.

DISCUSSION/ACTION

CONSIDER AND POSSIBLE ACTION TO ENGAGE GERMER PLLC AS BOND COUNSEL.

Council Member Pullen moved to engage Germer PLLC as bond counsel. Second to the motion was made by Council Member Mello which carried unanimously.

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 WILL CONSIST OF:

THE REALLOCATION OF \$1,477.45 REMAINING IN A 2011 STREET PROJECT THAT CAME IN UNDER BUDGET, COMPLETING THAT PROJECT AND CLOSING OUT 2011 GRANT PROGRAM YEAR.

THE REALLOCATION OF \$70,000.00 REMAINING IN A 2013 WATER/SEWER PROJECT THAT WENT THROUGH THE FULL PROCUREMENT PROCESS WITHOUT RECEIVING ANY BIDDERS, CANCELLING THAT PROJECT AND CLOSING OUT THE 2013 GRANT PROGRAM YEAR.

THE INCREASE IN FUNDING FOR THE 2014 PARK IMPROVEMENTS PROJECT, SUNSET PARK, PROPOSED SKATE PARK, FROM \$60,000.00 TO \$131,794.45.

THE ADDITION OF EMERGENCY SERVICES FOR UTILITY DISCONNECTION AND MORTGAGE & RENTAL ASSISTANCE TO PREVENT HOMELESSNESS OR THE THREAT OF HOMELESSNESS TO THE 2014 ANNUAL ACTION PLAN. EMERGENCY SERVICES WILL BE PROVIDED THROUGH A CHANGE IN THE SCOPE OF WORK OF A PUBLIC SERVICE AGENCY, CHRISTIAN WOMEN'S JOB CORP., CURRENTLY FUNDED IN THAT GRANT PROGRAM YEAR. SCOPE OF WORK/FUNDING, FROM EDUCATION & JOB TRAINING, PAYING SALARY OF A SITE COORDINATOR TO THE PROVISION OF EMERGENCY SERVICES AND USING THE FUNDS FOR THOSE SERVICES.

The public hearing began at 5:48 P.M.

Mr. Peterson asked if the skate park will be for little and big kids.

Ms. Wilson advised there will only be one skate park, but will be divided into different skill levels.

The public hearing ended at 5:52 P.M.

RESOLUTION

RESOLUTION FORMALLY ADOPTING THE SUBSTANTIAL AMENDMENT TO THE FIVE YEAR CONSOLIDATED PLAN INCREASING THE 2014 PARK IMPROVEMENTS PROJECT TO \$131,794.45 THROUGH THE REALLOCATION OF FUNDS FROM A 2011 STREET IMPROVEMENTS PROJECT, \$1,477.45 AND THROUGH THE REALLOCATION OF FUNDS FROM A 2013 WATER/SEWER PROJECT, \$70,000.00. ADDITIONALLY, ADDING EMERGENCY SERVICES FOR UTILITY DISCONNECTION, MORTGAGE ASSISTANCE TO PREVENT FORECLOSURE, RENTAL ASSISTANCE TO PREVENT EVICTION AND/OR HOUSING TO PREVENT HOMELESSNESS WILL BE ADDED TO THE 2014 ANNUAL ACTION PLAN THROUGH A PUBLIC SERVICE AGENCY CURRENTLY FUNDED.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2016-43.

ORDINANCE

FIRST READING:

ORDINANCE GRANTING A FRANCHISE TO PINEY WOODS SANITATION, INC. TO OPERATE A COMMERCIAL CLOSED CONTAINER GARBAGE COLLECTION SERVICE IN THE CITY OF ORANGE; PROVIDING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS OF SUCH SERVICE; PROVIDING INDEMNITY TO THE CITY, RETAINING AUTHORITY TO REGULATE RATES; PROVIDING FOR FRANCHISE PAYMENTS; AND PROVIDING FOR SEVERABILITY.

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

RESOLUTIONS

RESOLUTION AWARDING A CONTRACT TO EXCAVATION & CONSTRUCTION, LLC IN THE AMOUNT OF \$164,107.66 FOR THE SH 62 WATER EXTENSION, 900' N OF IH-10 TO TXDOT OFFICE.

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 2016-44.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SFY2016 ILL LENDING REIMBURSEMENT PROGRAM GRANT AGREEMENT TO RECEIVE REIMBURSEMENT FOR POSTAGE AND PROCESSING OF INTERLIBRARY LOANS MADE TO OTHER TEXAS LIBRARIES.

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 2016-45.

DISCUSSION/ACTION

MOTION APPROVING THE ORANGE ECONOMIC DEVELOPMENT CORPORATION'S MOTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR INFRASTRUCTURE AT EAGLE POINT, INTERSTATE 10 IN ORANGE, TEXAS IN AN AMOUNT NOT TO EXCEED \$650,000.00 FOR THE PURPOSE OF ECONOMIC DEVELOPMENT.

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

MOTION ACKNOWLEDGING RECEIPT OF THE ORANGE ECONOMIC DEVELOPMENT CORPORATION FINANCIAL REPORT FOR THE QUARTER ENDING JUNE 30, 2016.

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

MOTION ACKNOWLEDGING RECEIPT OF THE ORANGE ECONOMIC DEVELOPMENT CORPORATION INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2016.

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

CITY MANAGER REPORT

No report was given.

CITY COUNCIL REPORT

Council Member Pullen advised: good things are happening in Orange; need to come together as a community.

Council Member Guidry advised: the Beaumont Enterprise had a great article about the direction Orange is going; the Natatorium is a great place for families to enjoy.

Council Member Bellfield advised: the water tower on Turrett Street needs to have identifier; Cooper's Gully needs to be cleaned; concerned about Third Street sidewalk and Second Street paving.

Council Member Mello: encouraged citizens to attend the International Dance Day; appreciates the citizens who volunteer their time.

ADJOURN TO CLOSED EXECUTIVE SESSION

- a) Deliberation regarding Personnel Matters pursuant to Chapter 551 of the Texas Government Code:
 - (1) Deliberation regarding personnel matters as authorized by subsection 551.074 involving City Manager's Contract.

The Council met in closed executive session at 6:30 P.M.

RECONVENE IN OPEN SESSION

The Council reconvened in open session at 7:23 P.M.

TAKE ACTION AS NECESSARY REGARDING ITEM 17 A (1) ABOVE.

Mayor Sims read the following motion.

MOTION EXTENDING CITY MANAGER, SHAWN OUBRE'S, SEVERANCE PAY FROM ONE YEAR TO TWO YEARS.

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

ADJOURNMENT

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

The meeting adjourned at 7:24 P.M.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

STATE OF TEXAS }

July 27, 2016

COUNTY OF ORANGE }

BE IT REMEMBERED THAT a Special Call Meeting of the City Council of the City of Orange, Orange County, Texas, was held in the Bush Clinton Training Room inside the Central Fire Station on Wednesday, July 27, 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
	Patricia Anderson	Deputy City Secretary
	Lane Martin	Chief of Police
	Cheryl Zeto	Director of Finance
	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
	Wade Robinson	Police Major
	Sherry Jackson	Accounting Manager
	Hillary Haynes	S o c i a l M e d i a Coordinator

STAFF MEMBERS ABSENT:	Rhonda Haskins	City Secretary
	David Frenzel	Fire Chief

Mayor Sims called the meeting to order at 2:00 P.M.

Mayor Sims led the invocation.

BUDGET WORKSHOP

DISCUSSION OF 2016-2017 FISCAL BUDGET.

Dr. Oubre advised that Council asked staff to get prices on several short and long term projects. At this point, none of these projects are cast in stone. He advised Council will need to come together to identify which projects they would like to pursue.

Mr. Knauf, Mr. Wolf and Mr. Trahan presented a Power Point Presentation on Short and Long Term Goals 2016. A copy of this presentation is included in and being made a part of these minutes.

These goals include:

Public Works Projects: 16th Street Lights; Sidewalks on Sunset Drive; Sidewalks on Park Avenue; Water Tower Logo/Seal/Advertising; Skate Park; and Landscaping and Beautification.

After discussion, it was the consensus of Council to place a fence around Sunset Park. Dr. Oubre advised staff will get a cost estimate and bring it back to Council for discussion.

Quality of Life Projects: Covered Shelter at Lions Den Park; Covered Pavilion at Boat Ramp; Splash Pad; and Recreational Complex.

After discussion, it was the consensus of Council to get a cost estimate on a smaller scale foot plan for a recreational complex to be located at Memorial Park area.

Marketing/Branding Projects: Flags on 16th Street; and Marketing/Branding.

Dr. Oubre advised there are two options regarding placing a logo on the water towers located in the City. The first option is to go out to the market place and get funding from businesses for advertisement. The second option is to place the City Logo on the towers paid for by the City. He advised staff will bring this item back to Council for its direction.

Street Projects

Dr. Oubre advised improvements need to be made to some of the main arteries to the City. Funds need to be set aside for hot/mix overlay. Approximately \$2,000,000.00 is needed for the improvements.

Dr. Oubre advised staff needs direction from Council on planning the Fiscal Year 2017 Budget.

Dr. Oubre advised there are three options the City has regarding the Nativity Scene displayed at City Hall: Option one, display the Nativity Scene at City Hall along with other Christmas decorations with a disclosure next to the Nativity Scene; Option two, do not display the Nativity Scene; and Option three, partner with a non-profit organization to display the Nativity Scene.

After discussion, it was the consensus of Council to purchase a Nativity Scene with other Christmas decorations to be placed at City Hall.

Dr. Oubre advised of the following information regarding the Fiscal Year 2017 Budget: there is a 5% increase included in the budget for employee health care. Staff will meet tomorrow with the consultant regarding the proposals that were received; the City was approached by Orange County regarding a part-time contract individual to do community service work within the City. It was the

consensus of Council to include this in budget; there is no increase in water and sewer rates included in the budget. This will be the second year in a row that there has not been an increase; TMRS contribution amount went down from 17.87 to 17.26; Water and Sewer Fund is called a balanced budget; he gave an overview of the Capital Outlay request; a \$200,000.00 Contingency Fund has been included; and a 2.75% cost of living raise has been included in the budget.

After discussion, it was the consensus of Council to wait before making a decision regarding the tax rate until more information is received regarding health care insurance and capital improvements.

It was the consensus of Council to hold another Budget Workshop Wednesday, August 3, 2016.

ADJOURNMENT

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

The meeting adjourned at 4:16 P.M.

Jimmy Sims, Mayor

ATTEST:

Patricia Anderson, Deputy City Secretary

MEMORANDUM
August 1, 2016

TO: Dr. Shawn Oubre Ph.D., City Manager

FROM: Kelvin Knauf, Director of Planning and Community Development
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.

This is the second and final Public Hearing held during City Council. The Comment period ends at 5:00 p.m. Tuesday, August 9th, 2015. The Substantial Amendment will be submitted to the U. S. Department of Housing & Urban Development, Wednesday, August 10th, 2016.

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

City Council Agenda
August 9, 2016
9:00 a.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.

This is the final Public Hearing. The comment period for the Substantial Amendment ends at 5:00 p.m. at the close of business today, August 9, 2016.

MEMORANDUM

August 1, 2016

TO: Dr. Shawn Oubre Ph.D., City Manager
FROM: Kelvin Knauf, Director of Planning and Community Development
Sandra Wilson, Grants Planner
RE: Proposed 2016 Annual Action Plan – Year 3 of the Five Year Consolidated Plan

Please place this Public Hearing on the City Council agenda for Tuesday, August 9, 2016 to receive Public Comments concerning the 2016 Annual Action Plan. This is year 3 of the City's Five Year Consolidated Plan. This Annual Plan begins October 1, 2016 and ends September 30, 2017.

This is the last of 3 public hearings to receive comments on the proposed Annual Action Plan. Comment Period ends at 5:00 p.m. or close of business today. The Annual Action Plan will be submitted to the U. S. Department of Housing & Urban Development on August 16, 2016.

City Council Agenda

August 9, 2015

9:00 a.m.

Public Hearing:

Conduct a public hearing to receive citizen's comments on the City's proposed use of Community Development Block Grant funds in its Annual Action. This Plan is for Year 3 of the Five Year Consolidated Plan.

This is the last of 3 public hearings to receive comments on the proposed Annual Action Plan. Comment Period ends at 5:00 p.m. or close of business, today, August 9, 2016. The Plan will be submitted to the U. S. Department of Housing & Urban Development on August 16, 2016.

The proposed plan consists of

\$61,878 in Planning & Administration

\$46,000 provided to Public Services providers

\$35,000 for Code Enforcement

\$166,512 for a Public Facility Improvement

MEMORANDUM

August 1, 2016

TO: Dr. Shawn Oubre, Ph.D.
FROM: Kelvin Knauf, Director of Planning and Community Development
Sandra Wilson, Grants Planner

RE: 2016 Annual Action Plan – Year 3 of the City’s Five Year Consolidated Plan

Please place the attached Resolution to formally adopt the 2016 Annual Action Plan which is Year 3 of the City’s Five Year Consolidated Plan, and authorize Shawn Oubre as City Manager to submit the funding request to the U. S. Department of Housing and Urban Development.

The Citizen Participation plan was followed. Funding requests were received from various City Departments and from Nonprofit Organizations. Three public hearings were held before the Annual Action Plan was developed. Motion approving the proposed Annual Action Plan budget was passed July 14, 2016. The budget was published in the Orange Leader on June 19, 2016. Three public hearing were held after the plan budget was published. The allowed citizens an opportunity to have a say in what was included in the Annual Action Plan and to comment on the budget and plan after the proposed budget was approved by City Council.

The plan if approved, will be formally submitted to the U. S. Department of Housing and Urban Development through its Integrated Disbursement and Information System on or before August 16, 2016. The Funding request (HUD Form SF-424) and attached certifications are part of the Annual Action Plan.

The attached Application for Federal Assistance and Non-State Certifications must be signed and submitted to the U. S. Department of Housing & Urban Development with the Year 3 Annual Action Plan.

A RESOLUTION AUTHORIZING AND DIRECTING CITY MANAGER, SHAWN OUBRE, TO SUBMIT ON BEHALF OF THE CITY OF ORANGE THE YEAR 3 ANNUAL ACTION PLAN OF THE CITY'S FIVE YEAR CONSOLIDATED PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the City of Orange, Texas possesses the legal authority to submit an application for Community Development Block Grant (CDBG) funds, as described in 24 CFR Part 570.302, in the amount of \$309,390 and to execute the Community Development Block Grant Program as outlined in the Year 3 Annual Action Plan of the City's Five Year Consolidated Plan with these funds and the utilization of the Section 108 Program; and

WHEREAS, the City Council of the City of Orange understands the composition of this application and recognizes the responsibilities accepted by a recipient and use of the CDBG Program and Section 108 Program funds; and

WHEREAS, the City Manager, Shawn Oubre, is the Chief Executive Officer of the City of Orange and is responsible for the submission of an acceptable CDBG Program, and Section 108 Program; now therefore

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

THAT, the City Manager, Shawn Oubre, be and is hereby authorized and directed to submit on behalf of the City of Orange, Year 3 Annual Action Plan of the City's Five Year Consolidated Plan, Grant Program Year 2016, and Section 108 authority to the U. S. Department of Housing and Urban Development including all understandings and assurances contained therein and be designated to represent and act for the City of Orange in connection with the application and to provide such additional information as may be requested by the U. S. Department of Housing and Urban Development.

PASSED, APPROVED and ADOPTED on this 9th day of August, 2016.

Jimmy Sims, Mayor

ATTEST:

APPROVED AS TO FORM:

Rhonda Haskins, City Secretary

John Cash Smith, City Attorney

MEMORANDUM

To: Dr. Shawn Oubre Ph.D., City Manager

From: Kelvin Knauf, Director of Planning and Community Development

Subject: Consider a resolution declaring the intent of the City of Orange to annex into the city limits certain property owned by Jerry W. Peveto, Joe Don Hubbard, Charles Ray Peveto, Barbara Peveto, the heirs of Flurry Joe Peveto being Joanna Lynn Peveto, Angela Mae Uecker, and Natalie Jan Wheeler and the heirs of Perry Allen Peveto being Elizabeth Peveto, Scott Allen Peveto, and Kim Peveto Williams 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.

Date: August 1, 2016

An annexation petition has been received from multiple owners of a 5.289 acre tract of property located near the northeast corner of the intersection of Highway 62 and Interstate 10 (see attached map). The owners of the property are requesting this annexation as part of an arrangement to sell the property to Blue Beacon International, Inc. Blue Beacon International is a company that has a facilities all over the nation including Beaumont. They want to close their Beaumont facility and re-locate to Orange. They anticipate hiring 60 employees at the facility and would give preference to Orange residents.

This property is close to the Flying J Truck Stop and the Pilot Truck Stop as well as convenience stores and fast food restaurants. Staff believes that the Blue Beacon Truck Washing facility is very compatible with surrounding uses. The City's zoning ordinance requires that newly annexed property is automatically zoned R-1 Low Density Residential until a more suitable zoning is adopted. I will recommend to the Planning and Zoning Commission and the City Council that if the property is annexed, that the property be re-zoned to IDC Interstate Development Corridor zoning district. Truck washing facilities are allowed in the IDC zoning district by right.

The resolution is the first step in the annexation and re-zoning process. If adopted, I propose the following tentative schedule:

Annexation

August 31, 2016	Publish notice of first public hearing and place on Website
September 13, 2016 (Regular Council Meeting)	Conduct first public hearing
September 18, 2016	Publish notice of second public hearing
September 29, 2016 (Special Meeting)	Conduct second public hearing

October 25, 2016 (Regular Council Meeting)	First reading of annexation ordinance
November 8, 2016 (Regular Council Meeting)	Second reading of annexation ordinance

Re-zoning

October 30, 2016	Publish notice of joint Council/P&Z meeting
November 15, 2016 (Special Council/P&Z Meeting)	Conduct joint public hearing on the re-zoning. P&Z votes on recommendation to Council
November 22, 2016 (Regular Council Meeting)*	First reading of re-zoning ordinance
November 29, 2016 (Special Council Meeting)**	Second reading of re-zoning ordinance

* If a quorum of the Council is not present at the joint meeting, this date becomes December 6, 2016 (Special Council Meeting)

** If a quorum of the Council is not present at the joint meeting, this date becomes December 13, 2016 (Regular Council Meeting)

Recommendation

I recommend that the City Council adopt a resolution declaring the intent of the City of Orange to annex into the city limits certain property owned by Jerry W. Peveto, Joe Don Hubbard, Charles Ray Peveto, Barbara Peveto, the heirs of Flurry Joe Peveto being Joanna Lynn Peveto, Angela Mae Uecker, and Natalie Jan Wheeler and the heirs of Perry Allen Peveto being Elizabeth Peveto, Scott Allen Peveto, and Kim Peveto Williams 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.

RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENT OF THE CITY OF ORANGE TO ANNEX INTO THE CITY LIMITS THE HEREINAFTER DESCRIBED TERRITORY AND TO EXTEND THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID PROPERTY; PROVIDING WRITTEN NOTICE 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.

WHEREAS, the City of Orange has authority to annex property in its extraterritorial jurisdiction pursuant to Chapter 43 of the Texas Local Government Code; and,

WHEREAS, the property to be annexed consists of the following:

A 5.289 acre tract of land out of the Claiborne West Survey, Abstract No. 27, Orange County, Texas, being out of and a part of those certain 10.860 acre tract of land described in an instrument to Allen W. Peveto, et al, of record in Volume 54, Page 604 of the Deed Records of Orange County, Texas and called 44.010 acre tract of land described in an instrument to Charles Ray Peveto, et al, of record in Volume 475, Page 196 of said Deed Records, said 5.289 acre tract being more fully described as follows:

Note: All bearings referenced hereon are based on the Texas State Plane Coordinate System-4203-Texas Central Zone, with a scale factor of 0.999999926 and convergence mapping angle of 03°21'14 at

N:10,066,521.83 & E: 4,354,449.90; all areas and distances are based on surface measurements.

Called bearings () from deed.

Beginning at a capped rod set in the West right-of-way line of State Highway 62 (120' ROW), in the East line of said 10.860 acre tract, for the Northeast corner of the herein described tract, from which a found ½" iron rod bears N 04°36'28" W 484.76';

Thence S 04°36'28" E along and with the West right-of-way line of State Highway 62, the East line of the herein described tract for a distance of 147.00 feet (S 01°15'00" W) to a capped iron rod set at the Northeast corner of that certain tract of land described in an instrument to Inayat J. Khoja, of record in Volume 1097, Page 648 of said Deed Records, for the most easterly Southeast corner of the herein described tract;

Thence N 78°36'16" W over and across said 10.860 acre tract, along and with North line of the said Khoja tract, for the most easterly South line of the herein described tract, for a distance of 256.13 feet

(N 73°01'00" W 255.43') to a capped iron rod set at the Northwest corner of said Khoja tract, being an interior corner of the herein described tract;

Thence S 04°55'16" E over and across said 10.860 acre tract, along and with said Khoja tract, for the most southerly East line of the herein described tract, for a distance of 168.00 feet (S 00°40'00" E 168.05') to a capped iron rod set in the North right-of-way line of I.H. 10 (ROW width varies), in the South line of said 10.860 acre tract, at the Southwest corner of said Khoja tract, for the most southerly Southeast corner of the herein described tract;

Thence northwesterly along I.H. 10 right-of-way with a curve to the right having a radius of 5729.65 feet, chord bearing of N 74°19'36" W, a chord of 562.32 feet and a distance of 562.55 feet along the acre to a

capped iron rod set at the Southeast corner of that certain Kathleen Swope tract of land bearing PID No. R15645, per OCAD, at the Southwest corner of said 44.010 acre tract, for the Southwest corner of the herein described tract;

Thence N 15°24'05" W along and with the East line of said Swope tract, the West line of said 44.010 acre tract, for the West line of the herein described tract for a distance of 369.76 feet (N 10°09.78' W) to a capped iron rod set in the East line of said Swope tract, in the West line of said 44.010 acre tract, for the Northwest corner of the herein described tract;

Thence S 74°10'15" E over and across said 44.010 acre tract and said 10.860 acre tract, for the North line of the herein described tract for a distance of 898.55 feet to the POINT AND PLACE OF BEGINNING, containing 5.289 acres of land, more or less.

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

1. Before the City institutes annexation proceedings, it shall provide written notice to each property owner in the area to be annexed, each public entity or private entity that provides services in the area to be annexed and to each railroad company which owns, right-of-way in the area to be annexed, thirty (30) days prior to the date of the first public hearing.

2. The City shall conduct two public hearings at which times persons interested in the annexation shall be given the opportunity to be heard.

3. Notice of these public hearings shall be published in the Orange Leader on August 31, 2016 and September 18, 2016. The notice will also be posted on the City's Internet website on August 31, 2016 and shall remain posted until the dates of the hearings.

4. The City Manager shall prepare a Service Plan meeting the requirements of Section 43.065 of the Texas Local Government Code.

5. This resolution shall become effective from after the date of its passage.

Passed and adopted the 9th day of August, 2016.

Jimmy Sims, Mayor

ATTEST:

Rhonda Haskins, City Secretary

APPROVED:

John Cash Smith, City Attorney

PETITION REQUESTING ANNEXATION BY AREA LAND DEVELOPER

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF ORANGE, TEXAS

Blue Beacon International, Inc. is under contract to purchase a portion of two tracts (R16659 & R16410) of land shown on the included attachment. Blue Beacon hereby waives the requirement to be offered a development agreement pursuant to Section 43.035 of the Texas Local Government Code and petitions your honorable Body to extend the present city limits so as to include as part of the City of Orange, Texas the following described territory to wit:

Being a 5.289 acre tract of land out of the Claiborne West Survey, Abstract No. 27, Orange County, Texas, being out of and a part of those certain 10.860 acre tract of land described in an instrument to Allen W. Peveto, et al, of record in Volume 54, Page 604 of the Deed Records of Orange County, Texas and called 44.010 acre tract of land described in an instrument to Charles Ray Peveto, et al, of record in Volume 475, Page 196 of said Deed Records, said 5.289 acre tract being more fully described as follows;

Note: All bearings referenced hereon are based on the Texas State Plane Coordinate System – 4203 - Texas Central Zone, with a scale factor of 0.999999926 and convergence mapping angle of 03°21'14 at

*N: 10,066,521.83 & E: 4,354,449.90; all areas and distances are based on surface measurements.
Called bearings () from deed.*

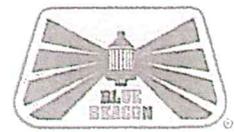
Beginning at a capped rod set in the West right-of-way line of State Highway 62 (120' ROW), in the East line of said 10.860 acre tract, for the Northeast corner of the herein described tract, from which a found 1/2" iron rod bears N 04°36'28" W 484.76';

Thence S 04°36'28" E along and with the West right-of-way line of State Highway 62, the East line of the herein described tract for a distance of 147.00 feet (S 01°15'00" W) to a capped iron rod set at the Northeast corner of that certain tract of land described in an instrument to Inayat J. Khoja, of record in Volume 1097, Page 648 of said Deed Records, for the most easterly Southeast corner of the herein described tract;

BLUE BEACON

P.O. BOX 856
SALINA, KANSAS 67402-0856
(785) 825-2221 / FAX (785) 825-0801
www.BlueBeacon.com

DELIVERIES TO: 500 GRAVES BOULEVARD/SALINA, KANSAS 67401



TRUCK WASHES

Thence N 78°36'16" W over and across said 10.860 acre tract, along and with North line of the said Khoja tract, for the most easterly South line of the herein described tract, for a distance of 256.13 feet

(N 73°01'00" W 255.43') to a capped iron rod set at the Northwest corner of said Khoja tract, being an interior corner of the herein described tract;

Thence S 04°55'16" E over and across said 10.860 acre tract, along and with said Khoja tract, for the most southerly East line of the herein described tract, for a distance of 168.00 feet (S 00°40'00" E 168.05') to a capped iron rod set in the North right-of-way line of I.H. 10 (ROW width varies), in the South line of said 10.860 acre tract, at the Southwest corner of said Khoja tract, for the most southerly Southeast corner of the herein described tract;

Thence northwesterly along I.H. 10 right-of-way with a curve to the right having a radius of 5729.65 feet, chord bearing of N 74°19'36" W, a chord of 562.32 feet and a distance of 562.55 feet along the acre to a capped iron rod set at the Southeast corner of that certain Kathleen Swope tract of land bearing PID No. R15645, per OCAD, at the Southwest corner of said 44.010 acre tract, for the Southwest corner of the herein described tract;

Thence N 15°24'05" W along and with the East line of said Swope tract, the West line of said 44.010 acre tract, for the West line of the herein described tract for a distance of 369.76 feet (N 10°09.78' W) to a capped iron rod set in the East line of said Swope tract, in the West line of said 44.010 acre tract, for the Northwest corner of the herein described tract;

Thence S 74°10'15" E over and across said 44.010 acre tract and said 10.860 acre tract, for the North line of the herein described tract for a distance of 898.55 feet to the POINT AND PLACE OF BEGINNING, containing 5.289 acres of land, more or less.

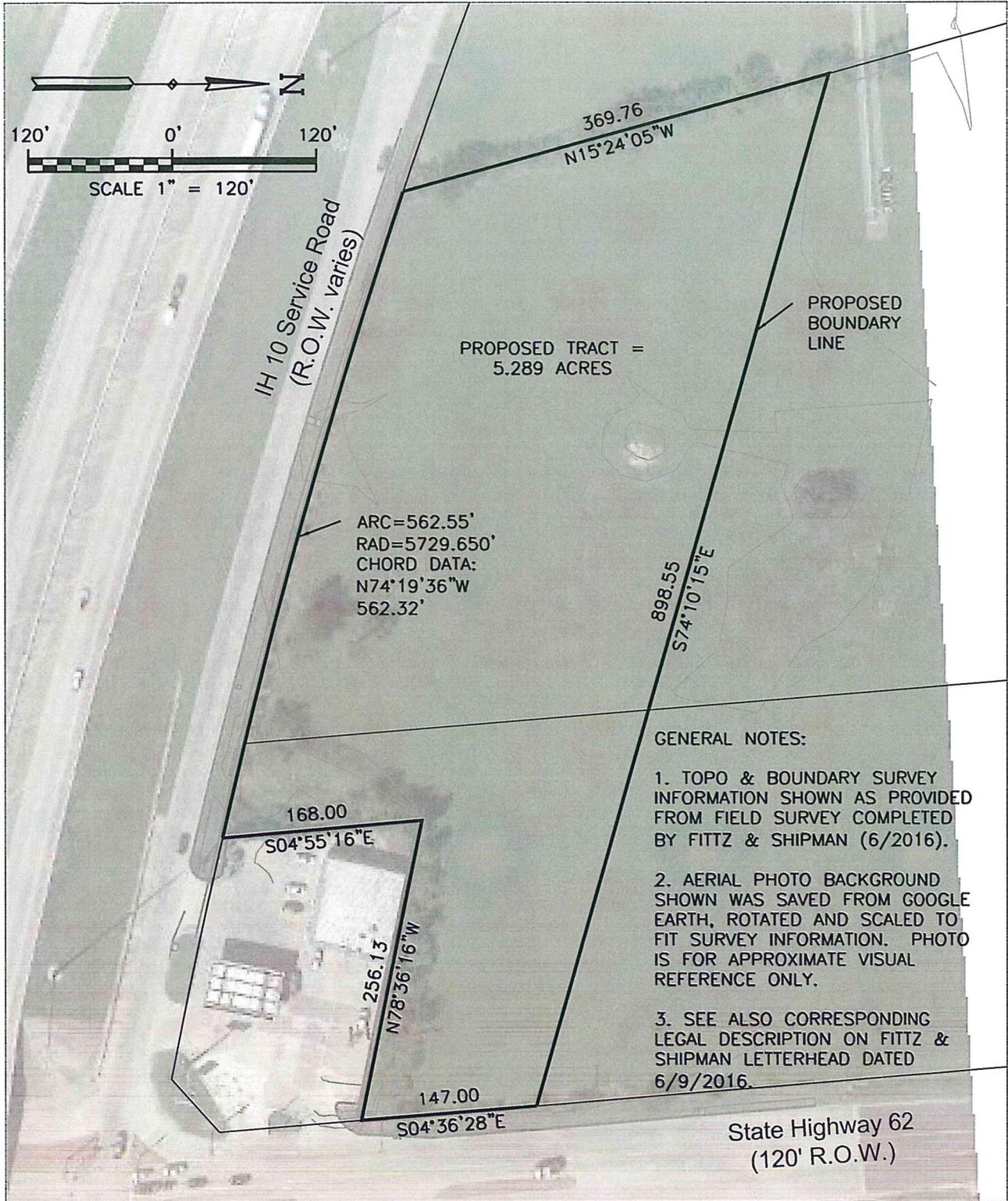
Respectfully,
Blue Beacon International, Inc.

Dana Morse

Dana Morse, Director of Real Estate & Construction



John W. Johnson, Creighton, Fox, Johnson & Mills, PLLC, Tx Bar No. 10757650,
as Attorney in Fact for Sellers, JERRY W. PEVETO, JOE DON HUBBARD,
CHARLES RAY PEVETO, BARBARA PEVETO, the heirs of Flurry Joe Peveto
being JOANNA LYNN PEVETO, ANGELA MAE UECKER, AND NATALIE
JAN WHEELER and the heirs of Perry Allen Peveto being Elizabeth Peveto, Scott
Allen Peveto, and Kim Peveto Williams



SURVEY EXHIBIT A (PROPOSED BOUNDARY SKETCH)

PROJECT: ORANGE, TX TRUCK WASH
 SHEET TITLE: ANEXATION SKETCH
 FILE DATE: 6/22/2016
 JOB NO.: TRUCK WASH #?
 FILE NAME: ps-org-LegalExhA.dwg



**BLUE BEACON
INTERNATIONAL INC.**

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

Consulting Engineers and Land Surveyors
Donald R. King, P.E.
Mitchell Lee Brackin R.P.L.S.

**Field Note Description:
5.289 Acre Tract Out Of The
Claiborne West Survey, Abstract No. 27
Orange County, Texas
June 9, 2016**

Being a 5.289 acre tract of land out of the Claiborne West Survey, Abstract No. 27, Orange County, Texas, being out of and a part of those certain 10.860 acre tract of land described in an instrument to Allen W. Peveto, et al, of record in Volume 54, Page 604 of the Deed Records of Orange County, Texas and called 44.010 acre tract of land described in an instrument to Charles Ray Peveto, et al, of record in Volume 475, Page 196 of said Deed Records, said 5.289 acre tract being more fully described as follows;

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Beginning at a capped rod set in the West right-of-way line of State Highway 62 (120' ROW), in the East line of said 10.860 acre tract, for the Northeast corner of the herein described tract, from which a found 1/2" iron rod bears N 04°36'28" W 484.76';

Thence S 04°36'28" E along and with the West right-of-way line of State Highway 62, the East line of the herein described tract **for a distance of 147.00 feet** (S 01°15'00" W) to a capped iron rod set at the Northeast corner of that certain tract of land described in an instrument to Inayat J. Khoja, of record in Volume 1097, Page 648 of said Deed Records, for the most easterly Southeast corner of the herein described tract;

Thence N 78°36'16" W over and across said 10.860 acre tract, along and with North line of the said Khoja tract, for the most easterly South line of the herein described tract, **for a distance of 256.13 feet** (N 73°01'00" W 255.43') to a capped iron rod set at the Northwest corner of said Khoja tract, being an interior corner of the herein described tract;

Thence S 04°55'16" E over and across said 10.860 acre tract, along and with said Khoja tract, for the most southerly East line of the herein described tract, **for a distance of 168.00 feet** (S 00°40'00" E 168.05') to a capped iron rod set in the North right-of-way line of I.H. 10 (ROW width varies), in the South line of said 10.860 acre tract, at the Southwest corner of said Khoja tract, for the most southerly Southeast corner of the herein described tract;

Thence northwesterly along I.H. 10 right-of-way with a curve to the right having a **radius of 5729.65 feet, chord bearing of N 74°19'36" W, a chord of 562.32 feet and a distance of 562.55 feet** along the acre to a capped iron rod set at the Southeast corner of that certain Kathleen Swope tract of land bearing PID No. R15645, per OCAD, at the Southwest corner of said 44.010 acre tract, for the Southwest corner of the herein described tract;

Thence N 15°24'05" W along and with the East line of said Swope tract, the West line of said 44.010 acre tract, for the West line of the herein described tract **for a distance of 369.76 feet** (N 10°09.78' W) to a capped iron rod set in the East line of said Swope tract, in the West line of said 44.010 acre tract, for the Northwest corner of the herein described tract;

Thence S 74°10'15" E over and across said 44.010 acre tract and said 10.860 acre tract, for the North line of the herein described tract **for a distance of 898.55 feet to the POINT AND PLACE OF BEGINNING, containing 5.289 acres of land, more or less.**