

# ORANGE ECONOMIC DEVELOPMENT CORPORATION AGENDA

Orange Public Library Auditorium  
220 N. Fifth Street  
Orange, Texas

January 13, 2015  
8:30 A.M.

1. **CALL TO ORDER** President Mortimer
  
2. **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 resolutions on this agenda and that the reading of such items be confined to the caption of the resolutions. 1 Directors
  
3. **APPROVAL OF MINUTES**
  - a) November 11, 2014 Economic Development Corporation Meeting 3 Directors
  - b) December 09, 2014 Joint Meeting of City Council and Economic Development Corporation 6 Directors
  
4. **DISCUSSION/ACTION**
  - a) Consider a motion accepting the EDC audit as presented by Charles E. Reed & Associates, P.C. for the fiscal year ending September 30, 2014. 13 Charles E. Reed & Associates, P.C.
  
5. **REPORTS FROM DIRECTORS** Directors
  
6. **ADJOURN TO CLOSED EXECUTIVE SESSION**
  - a) Deliberation Regarding Economic Development Negotiations:
    - (1) Deliberation regarding real estate development project proposal as authorized by Section 551.087 of the Texas Government Code involving acquisition of right-of-way at 15<sup>th</sup> Street and IH-10. Directors
    - (2) Deliberation regarding real estate development project proposal as authorized by Section 551.087 of the Texas Government Code. Directors

**7. RECONVENE IN OPEN SESSION**

- a) Take action as necessary regarding Item 6 a (1) and (2) above.

Directors

**8. ADJOURNMENT**

STATE OF TEXAS }  
COUNTY OF ORANGE }

November 11, 2014

**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, November 11, 2014.

<b>EDC MEMBERS PRESENT:</b>	George Mortimer Dean Granger Theresa Beauchamp Ebb Moore Jimmy Sims Mary McKenna David Meaux	President Vice-President Secretary Treasurer Director Director Director
<b>DIRECTORS ABSENT:</b>	None	
<b>COUNCIL MEMBERS PRESENT:</b>	Essie Bellfield Bill Mello Larry Spears Jr.	Council Member (arrived 8:54 A.M.) Council Member Council Member
<b>COUNCIL MEMBERS ABSENT:</b>	Tommy Ferguson	Council Member
<b>STAFF MEMBERS PRESENT:</b>	Dr. Shawn Oubre Jay Trahan  Rhonda Haskins Patricia Anderson Gail English Jim Wolf Andrew Culpepper John Cash Smith	City Manager Assistant City Manager, Director of Economic Development City Secretary Deputy City Secretary Director of Finance Director of Public Works City Attorney City Attorney (arrived 9:02 A.M.)

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.**

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Secretary Beauchamp moved to approve the motion. Second to the motion was made by Treasurer Moore which carried unanimously.

**APPROVAL OF MINUTES**

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Director McKenna moved to approve the minutes of the October 28, 2014 Orange Economic Development Corporation Meeting. Second to the motion was made by Vice-President Granger which carried unanimously.

**DISCUSSION/ACTION**

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DISCUSSION AND POSSIBLE ACTION REGARDING AN ECONOMIC DEVELOPMENT INCENTIVE AND PERFORMANCE AGREEMENT WITH BRAZOS URBAN, LLC, A TEXAS LIMITED LIABILITY COMPANY AND A DEED OF TRUST WITH BRAZOS URBAN, LLC, A TEXAS LIMITED LIABILITY COMPANY.

Jay Trahan explained Michael Wray, Brazos Urban, is here today to explain his concerns about a requested deed of trust and to possibly have that request removed from the project. Michael Wray briefed the EDC on the history of the contract process to date. Mr. Wray stated he feels the deed of trust is problematic and he does not agree with the request of a deed of trust. Mr. Wray then stated he would like to withdraw his application for the residential portion of the proposed project and will revisit that at a later date. Vice-President Granger asked what brought us to this new request, to which Mr. Wray stated the deed of trust is too problematic and it will not improve the City's position. Mr. Wray stated he would like to proceed with the commercial part of the project first and the residential part will come later. President Mortimer asked Mr. Wray if he is asking for the removal of the residential portion of the project and the deed of trust. Mr. Wray stated he wants a simpler project and no deed of trust. After short discussion, President Mortimer explained there can be no action today.

**REPORTS FROM DIRECTORS**

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President Mortimer and Director McKenna thanked Veterans for their service.

**ADJOURN TO CLOSED EXECUTIVE SESSION**

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- a) Deliberation Regarding Economic Development Negotiations:
  - (1) Deliberation regarding real estate development project proposal as authorized by Section 551.087 of the Texas Government Code.

The Corporation met in closed executive session at 8:57 A.M.

**RECONVENE IN OPEN SESSION**

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The Corporation reconvened in open session at 9:11 A.M.

TAKE ACTION AS NECESSARY REGARDING ITEM 5 a (1) ABOVE.

No action was taken.

President Mortimer welcomed David Meaux to the Economic Development Commission.

**ADJOURNMENT**

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There being no further business before the Corporation, Secretary Beauchamp moved to adjourn the meeting. Second to the motion was made by Vice-President Granger which carried unanimously.

The meeting adjourned at 9:11 A.M.

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George Mortimer, President

**ATTEST:**

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Theresa Beauchamp, Secretary

STATE OF TEXAS }  
COUNTY OF ORANGE }

December 9, 2014

**BE IT REMEMBERED THAT** a Joint Meeting of the City Council and the Economic Development Corporation of the City of Orange, Orange County, Texas, was held in the Library Auditorium on Tuesday, December 9, 2014.

**COUNCIL MEMBERS PRESENT:**

Jimmy Sims	Mayor
Theresa Beauchamp	Mayor Pro Tem (left 9:56 A.M.)
Essie Bellfield	Council Member (arrived 8:53 A.M.)
Mary McKenna	Council Member
Bill Mello	Council Member
Larry Spears Jr.	Council Member

**COUNCIL MEMBERS ABSENT:** Tommy Ferguson Council Member

**EDC MEMBERS PRESENT:**

George Mortimer	President
Dean Granger	Vice-President
Theresa Beauchamp	Secretary
Ebb Moore	Treasurer
Jimmy Sims	Director
Mary McKenna	Director
David Meaux	Director

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:**

Dr. Shawn Oubre	City Manager
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 Knau	Director of Planning and Community Development
Gail English	Director of Finance
Brenna Manasco	Library Director
Mike Zeto	CIS Manager
Kelly Griffin	Police Evidence & ID Tech
John Cash Smith	City Attorney
Andrew Culpepper	City Attorney

Mayor Sims called the meeting to order at 8:30 A.M.

Council Member McKenna 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.**

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

**ADJOURN TO CLOSED EXECUTIVE SESSION**

a) Deliberation Regarding Economic Development Negotiations:

- (1) Deliberation regarding real estate development project proposal as authorized by section 551.087 of the Texas Government Code.
- (2) Deliberation regarding real estate development project proposal as authorized by section 551.087 of the Texas Government Code involving the downtown project known as "Southern Printers Development" with Brazos Urban.

The Council and EDC met in closed executive session at 8:36 A.M.

Council Member Bellfield arrived at the meeting at 8:53 A.M.

**RECONVENE IN OPEN SESSION**

The Council and EDC reconvened in open session at 9:36 A.M.

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

**EDC MOTION**

MOTION TO DISCONTINUE NEGOTIATIONS AND SUPPORT OF THE DOWNTOWN PROJECT KNOWN AS "SOUTHERN PRINTERS DEVELOPMENT" WITH BRAZOS URBAN.

President Mortimer moved to approve the motion. Second to the motion was made by Secretary Beauchamp which carried unanimously.

**COUNCIL MOTION**

MOTION TO DISCONTINUE NEGOTIATIONS AND SUPPORT OF THE DOWNTOWN PROJECT KNOWN AS "SOUTHERN PRINTERS DEVELOPMENT" WITH BRAZOS URBAN.

Council Member McKenna moved to approve the motion. Second to the motion was made by Council Member Mello which carried with the following vote:

COUNCIL MEMBERS VOTING AYE: Mayor Sims, Mayor Pro Tem Beauchamp, Council Member Bellfield, Council Member McKenna, and Council Member Mello

COUNCIL MEMBERS VOTING NO: Council Member Spears

**ADJOURNMENT**

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There being no further business before the EDC, Mayor Sims adjourned the EDC Meeting which carried unanimously.

The meeting adjourned at 9:38 A.M.

**APPROVAL OF MINUTES**

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Mayor Pro Tem Beauchamp moved to approve the minutes of the November 11, 2014 Regular Meeting of the City Council. Second to the motion was made by Council Member Bellfield which carried unanimously.

**CITIZEN COMMENTS**

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Addie Allen, NAACP - Orange Branch, thanked the City for approving a parade permit for Black History Program on December 13, 2014. She encouraged citizens to participate in the parade.

**PRESENTATIONS**

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INTRODUCTION OF MS. ASHLEY MAHANA AS THE NEW CONVENTION AND VISITORS BUREAU (CVB) COORDINATOR FOR THE CITY OF ORANGE, TEXAS.

Mr. Trahan introduced Ashley Mahana.

Ms. Mahana expressed appreciation to Dr. Oubre and Mr. Trahan for hiring her. She advised of the following upcoming events: Mardi Gras Concert at the Pavilion, February 7, 2015, "Art in the Park", March 21, 2015, Music Fest at the Pavilion, April 18, 2015, DSRA Boat Races, May 30<sup>th</sup> and 31<sup>st</sup>, 2015, July 4<sup>th</sup> Fireworks and Concert at the Pavilion, and SPORT Tunnel Boat Races in September, 2015.

**RESOLUTIONS**

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RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE ORANGE MUNICIPAL POLICE ASSOCIATION AND THE CITY OF ORANGE, TEXAS AND A CONTRACT BETWEEN THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1432 AND THE CITY OF ORANGE, TEXAS.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-76.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE DEEP SOUTH RACING ASSOCIATION (DSRA) FOR A BOAT RACES EVENT TO BE HELD IN ORANGE, TEXAS - MAY 30 THROUGH MAY 31, 2015.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-77.

RESOLUTION APPROVING A PURCHASE ORDER IN THE AMOUNT OF \$61,680.00 FOR WORK PERFORMED AT THE JACKSON STREET WASTEWATER TREATMENT PLANT TO RADIANT SOLUTIONS OF HOUSTON, TEXAS.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-78.

Mayor Pro Tem Beauchamp left the meeting at 9:56 A.M.

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 WITH ALLCO FOR ADDITIONAL WORK TO BE PERFORMED AT COOPER'S GULLY PUMP STATION FUNDED THROUGH THE TEXAS GENERAL LAND OFFICE, HURRICANE IKE DISASTER RECOVERY PROGRAM, DRS 210131 AND CONTRACT NUMBER 12-206-00-5506.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-79.

RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT THROUGH PUMP & POWER EQUIPMENT LLC FOR COOPER'S GULLY PUMP STATION FUNDED THROUGH HURRICANE IKE DISASTER RECOVERY PROGRAM DRS 210131 AND GLO NO. 12-206-00-5506.

Council Member Spears 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 2014-80.

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF 444 SINGLE FREQUENCY RADIO-READ METERS TO MK CONSTRUCTORS IN THE AMOUNT OF \$78,500.00.

Dr. Oubre advised the resolution is for the installation of 444 single frequency radio-read meters.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-81.

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 WITH MK CONSTRUCTORS FOR THE RADIO-READ METER CHANGE-OUT PROJECT FOR FY 2015.

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

A copy of this resolution is being made a part of these minutes as Resolution Number 2014-82.

### **DISCUSSION/ACTION**

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MOTION RE-APPOINTING WILLIAM J. LOVE TO THE PLANNING AND ZONING COMMISSION FOR A TERM ENDING SEPTEMBER 12, 2016.

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

### **CITY MANAGER REPORT**

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Dr. Oubre introduced Kelvin Knauf as the new Director of Planning and Community Development. He advised the City received fifteen applications and he interviewed three applicants.

### **CITY COUNCIL REPORT**

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Council Member Bellfield thanked the Fire Department for the Christmas dinner last night, the City did well this past year and wished everyone a Merry Christmas and good health.

Council Member McKenna wished everyone Happy Holidays, appreciates Orange, Texas, and invited citizens to the Southeast Texas Hospice Open House Toilet Paper Tea on Thursday, December 11, 2014 from 10:00 A.M. until 2:00 P.M..

Council Member Mello advised he appreciates the Police and Fire Departments, the Fire Department hosted its 41<sup>st</sup> Christmas dinner last night, wished everyone Happy Holidays and to keep Christ in Christmas.

Council Member Spears thanked citizens for their support, encouraged citizens to attend the Council Meetings, welcomed Ms. Mahana, and challenged businesses owners and citizens to show support for the West Orange Stark Mustangs football team.

Mayor Sims thanked the Kiwanis Club for sponsoring the Christmas Parade, welcomed Ms. Mahana and Mr. Knauf, encouraged citizens to get out and support the Mustangs, wished everyone a safe and Happy Holidays.

**ADJOURN TO CLOSED EXECUTIVE SESSION**

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- a) Deliberation with City Attorney pursuant to Chapter 551 of the Texas Government Code:
  - (1) Deliberation with City Attorney regarding pending or contemplated litigation as authorized by subsection 551.071 involving a Fire Department grievance.

The Council met in closed executive session at 10:17 A.M.

**RECONVENE IN OPEN SESSION**

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The Council reconvened in open session at 10:23 A.M.

TAKE ACTION AS NECESSARY REGARDING ITEM 13 a (1) ABOVE.

MOTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO SETTLE THE CURRENT LITIGATION BETWEEN THE CITY OF ORANGE AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1432 ("THE ASSOCIATION"). THIS SUIT IS IN REFERENCE TO THE SUIT DEALING WITH JOB ASSIGNMENT BY THE FIRE CHIEF. THE CITY WILL PAY \$3,500.00 TO THE ASSOCIATION.

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

**ADJOURNMENT**

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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 McKenna which carried unanimously.

The meeting adjourned at 10:23 A.M.

**ATTEST:**

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Jimmy Sims, Mayor

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Rhonda Haskins, City Secretary

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George Mortimer, President

**ATTEST:**

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Theresa Beauchamp, Secretary

## MOTION

Motion accepting the EDC audit as presented by Charles E. Reed & Associates, P.C. for the fiscal year ending September 30, 2014.

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George Mortimer, President

**ATTEST:**

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Theresa Beauchamp, Secretary

January 13, 2015