

A regular meeting of the Groves City Council was held September 13, 2021 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Sidney Badon, Councilmember Rhonda Dugas, Councilmember Mark McAdams, and Councilmember Paul Oliver in attendance. Mayor Borne called the meeting to order and welcomed the attendees. Councilmember Dugas led the prayer and pledge of allegiance.

APPROVE THE MINUTES OF THE AUGUST 30, 2021 CITY COUNCIL MEETING, AUGUST 30, 2021 PUBLIC HEARING, AND SEPTEMBER 3, 2021 SPECIAL MEETING: Councilmember Dugas moved to approve the minutes of the August 30, 2021 City Council Meeting, August 30, 2021 Public Hearing, and the September 3, 2021 Special Meeting as written and Councilmember Oliver seconded. Mayor Borne asked for discussion and there was none. Motion passed unanimously.

PRESENTATION ON SECTION 3 AS REQUIRED BY TEXAS DEPARTMENT OF AGRICULTURE FOR CDBG CONTRACT #7219179, SEWER IMPROVEMENTS PROJECT: Utilities Superintendent Michael Tentrup addressed the Council and stated that the presentation was a required presentation-- after the fact. The presentation was as follows: "A1024 Section 3 Presentation to City of Groves. The City of Groves recently received the following grant award: Grant Contract No. 7219179, Award Amount: \$275,000, Project: Sewer Improvements. The grant is funded through the Community Development Block Grant, via: U.S. Department of Housing and Urban Development and Texas Department of Agriculture. As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968. To the greatest extent feasible, grant recipients must direct economic opportunities generated by CDBG funds to low and very low income persons. In part, this means insuring that Section 3 businesses have the information to submit a bid or proposal for the project; and Section 3 workers have information about any available job opportunities related to the project. For precise definitions, see TxCDBG Policy Issuance 20-01. A company may qualify as a Section 3 business if: it is owned by low income persons; it is owned by Section 8 Assisted housing residents; or 75% of all labor hours for the business in a 3 month period are performed by Section 3 workers. Register at HUD's Section 3 website: <https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>. This project is expected to include the following contracting opportunities: Grant Administration Services (previously selected), Engineering Services (previously selected), Prime Contractor for Sewer Improvements, Subcontractors – as needed, Bid as one construction contract. You may qualify as a Section 3 Worker if: Your annual income is below the county threshold for your family size; You are a current or recent Youthbuild recipient. Register your information and search for opportunities at: WorkInTexas.gov, HUD's Section 3 Opportunity Portal

<https://hudapps.hud.gov/OpportunityPortal/>. Section 3 Workers that reside near the project location may also qualify as Targeted Section 3 Workers. For this project, that service area is defined by a map. The City will track all hours worked on the project based on the three categories of workers. This will require collection of certain income information. TxCDBG Policy Issuance 20-01. REVISED Policy Issuance 20-01 Section 3 v1.pdf (texasagriculture.gov). 24 CFR Part 75 Electronic Code of Federal Regulations (eCFR) – Susan Stover, Grant Administrator.”

City Manager D.E. Sosa asked Mr. Tentrup how long he had been with the City and Mr. Tentrup stated 6 years. Mr. Sosa stated that each grant is for \$275,000 and that the City has gotten a grant every year that Mr. Tentrup has been here. He thanked Mr. Tentrup for the report.

Mayor Borne asked for citizen comments. Neil David of 6316 Gonzales made comments regarding the 08/30/2021 Public Hearing, followed by complaints/concerns regarding City employees. Suzanne Williamson of 5301 Kent questioned the Public Hearing scheduled for 09/27/2021 and stated that the deadline had been missed. She objected to the City's timeline.

DISCUSS AND CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN SCOPE OF SERVICES AGREEMENT WITH ARCENEAUX WILSON & COLE FOR REPLACEMENT OF A PRIVATE SEWER LINE OFF OF LINCOLN AVENUE: Mr. Sosa stated that Michael Tentrup would discuss what is being proposed. He also recognized Ron Arceneaux of Arceneaux Wilson & Cole and stated that Mr. Arceneaux would be available to answer any questions. Mr. Tentrup stated that the downtown area of Lincoln Avenue near Sylvia's Florist, The Collection, Merle Norman, etc. was previously owned by one individual and was/is served by a single sewer line. There are now four to 5 different individual property owners and the sewer line is collapsed. There is also no sewer main. This project will allow a main sewer line and an easement so that the City will be able to maintain the line.

Councilmember Dugas moved to consider authorizing the City Manager to sign a scope of services agreement with Arceneaux Wilson & Cole for replacement of a private sewer line off of Lincoln Avenue and Councilmember Oliver seconded. Mayor Borne asked for questions and Councilmember Dugas stated that she had looked around the property and asked if the owners of the different properties had been contacted and granted the City permission to do the project. Mr. Sosa stated that the engineer would take care of contacting the owners and that it is the City's intention to own the line. Councilmember Oliver asked where the line would be installed and Mr.

Sosa responded between the building and the fence towards Jefferson Blvd. beside the hair salon. Mr. Sosa explained that right now there is a 6" concrete line that is collapsed. The City will be installing an 8" line. Ron Arceneaux of Arceneaux Wilson & Cole addressed the Council and stated that he was doing some work for Pat Holmes Real Estate Agency and found this problem. He reported that there are several areas of concern. The property is approximately 105' deep and the line will be moved closer to the back of the building. It will be located inside the property owned by four businesses between Capitol and Jefferson. Mr. Arceneaux recommended a 15' easement so that City crews will have room to maintain the line. Councilmember Oliver asked how much room there is from the back of the building to the easement and Mr. Arceneaux stated at least 15' to 20'. Councilmember McAdams remarked that the line will be close to the back of the parking lot and Mr. Arceneaux agreed. Councilmember Oliver asked if Mr. Arceneaux would be able to provide the Council with drawings and he said that he would. Mayor Borne asked if the ultimate goal is to use the taps to the building and just replace the line. Mr. Arceneaux stated that is yet to be determined. Mayor Borne stated that this item is for the Scope of Services. Mr. Sosa stated that he does not anticipate any problem with property owners paying for their tap at a cost of \$1,500 versus \$65,000 to \$70,000 in sewer repairs that were looked at years ago. The price of the tap depends on the condition of the line and what the contractor will charge. Councilmember Dugas asked if business owners would be able to ask for assistance from the EDC and Mr. Sosa stated that they will have to apply to the EDC and that the EDC has authority to help new businesses. There was no further discussion and the motion passed unanimously.

CONSIDER SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 27, 2021 AT 5:00 PM TO REVIEW THE CITY OF GROVES' PROPOSED TAX INCREASE:
Councilmember Dugas moved to schedule a public hearing at 5:00 p.m. on September 27, 2021 and Councilmember Oliver seconded. Mayor Borne asked for questions or discussion. Councilmember Oliver asked City Attorney James Black if Ms. Williamson's statements were factual. Mr. Black stated that Ms. Williamson's comments on the statute were correct, but that the final amendment was turned in on August 30, 2021. August 29, 2021 fell on a Sunday and the statute states if a deadline falls on a weekend it can roll to the following day, which would have been Monday, August 30, 2021. Councilmember McAdams stated that the Council has to stand for the right thing and discussion followed. Mr. Sosa remarked that the earlier drafts of the budget did not have the effective tax rate, as the City had not yet received it. Councilmember Dugas asked if the meeting scheduled for September 27, 2021 is legal and Mr. Black stated that it would be legal. He also stated that this

has to be looked at as substantial compliance with the statute. Mayor Borne reminded everyone that this item was not to discuss compliance, but to set a public hearing. The motion passed unanimously.

AMENDED NOTICE OF GENERAL ELECTION AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021: City Clerk Kimbra Lowery explained that the notices had been amended to reflect a change in Election Day voting locations and also revised the County Clerk's physical and mailing addresses. There were no questions.

CONSIDER APPROVAL OF AN ORDINANCE TO AMEND THE WATER AND SEWER RATE STRUCTURES: City Attorney James Black presented proposed Ordinance No. 2021-11, reading the caption as follows: "An ordinance amending Chapter 27, "Utilities. Article II. "Rates and Charges" of the Code of Ordinances, City of Groves, Texas, by amending Section 27-28. "Sewer Rates and Charges"; Section 27-28.1. "Industrial Sewer Rate and Surcharge"; and Section 27-29. "Water Rates and Charges"; revising said sections to adjust the water, and sewer rates; providing for a savings clause; providing for codification; and providing an effective date."

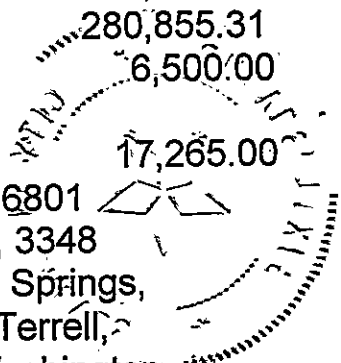
Mr. Sosa explained that the change in the average bill will be a little over \$1.00 per month. Councilmember Dugas made a motion to approve Ordinance No. 2021-11 amending the water and sewer rate structures and Councilmember McAdams seconded. Mr. Sosa recognized Troy Foxworth and Michael Tentrup and stated that they had implemented cost savings in the Sanitation Department. Mr. Tentrup is negotiating landfill fees with Port Arthur and Beaumont and Mr. Foxworth has made operational changes resulting in savings to the City. Motion passed unanimously.

CONSIDER APPROVAL OF A RESOLUTION APPROVING THE INVESTMENT POLICY FOR THE CITY OF GROVES: James Black presented proposed Resolution No. 2021-03 and read the caption as follows: "A resolution of the City Council of the City of Groves establishing a review of the Investment Policy of the City of Groves and recording changes to the Investment Policy or investment strategies." Mr. Sosa explained that this is a yearly item and offered to answer any questions. Councilmember Dugas made a motion to approve Resolution No. 2021-03 reviewing the Investment Policy and Councilmember McAdams seconded. Mayor Borne asked for questions or discussion. Councilmember McAdams asked if there were any changes and Finance Director Lamar Ozley stated that there were no changes and the policy hadn't been revised since 2009. Motion passed unanimously.

CONSIDER APPROVAL OF AN ORDINANCE AMENDING ORDINANCES 2021-06, 2021-08, AND 2021-09 CALLING FOR A GENERAL ELECTION AND A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021: James Black presented proposed Ordinance No. 2021-12, reading the caption as follows: "An ordinance amending Ordinance No. 2021-06 of the City Council of the City of Groves dated June 21, 2021, calling an election to be held in the City of Groves on November 2, 2021, for the purpose of electing a councilmember in Ward No. 1 for a two-year term and a councilmember in Ward No. 3 for a two-year term; and amending Ordinance No. 2021-08 calling a special election to be held on November 2, 2021 for the adoption of the Fire and Police Employee Relations Act, Texas Local Government Code, Chapter 174; and amending Ordinance No. 2021-09, calling a special election to be held on November 2, 2021, to amend the Groves City Charter by adding Article XIV, Section 4, "Collective Bargaining Impasse: providing for binding arbitration for firefighters; by amending the election day polling locations adopted by Jefferson County in Exhibit B of the election services agreement between the City of Groves and Jefferson County and providing information concerning Jefferson County, the authority conducting the election, and the early voting clerk, now required by amendment to the Texas Election Code effective September 1, 2021." Councilmember McAdams moved to approve Ordinance No. 2021-12 and Mayor Pro Tem Badon seconded. There was no discussion and the motion passed unanimously.

INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$339,085.31 as follows:

| | | |
|--------------------------------------|--|------------|
| Brenntag SW | Chemicals for Water Plant. | 7,728.00 |
| City of Pt. Arthur | Sludge disposal, landfill fees- partial July/Aug. 2021. | 21,577.00 |
| Gulf Coast | 2021 Street Program - Monroe. | 280,855.31 |
| Industrial and Commercial Mechanical | New Carrier 5-ton A/C unit for Water Plant. | 6,500.00 |
| Republic Svc. | Commercial dumpster collection (5,180.09) | 17,265.00 |
| | Peace and Dignity Program – 4748 Beaumont, 6801 Madison, 6601 Madison, 6420 Val, 2745 Royal, 3348 Lay, 6200 Mire, 4432 Lawndale, Monroe/Indian Springs, 5905 25 th , 5509 E. Parkway, 2811 Rose, 6199 Terrell, 3328 Pure Atlantic, 3329 Pure Atlantic, 6555 Washington, 6234 Willis, 5505 25 th , 2620 1 st , 6154 25 th (12,084.91) | |
| Watchguard Video | Software maintenance for Police Dept. (10/16/21-10/15/22) | 5,160.00 |



Mayor Pro Tem Badon moved to approve payment of the invoices totaling \$339,085.31 and Councilmember Oliver seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne asked for Councilmember comments. Councilmember Dugas stated that she wanted to make sure the budget schedule is in compliance. She also asked about limiting speakers to three minutes. Mayor Borne stated if we know in advance of an item for discussion it can be limited. Otherwise it will be at the Mayor's discretion. Mayor Borne thanked the employees for preparing for Hurricane Nicholas and stated that Fire Chief Billeaud would keep everyone informed through the City's Facebook pages. There was no further business and Mayor Borne adjourned the meeting at 6:09 p.m.



Mayor

ATTEST:



City Clerk

