

A regular meeting of the Groves City Council was held January 31, 2022 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Rob Vensel, Councilmember Mark McAdams and Councilmember Paul Oliver in attendance. Mayor Borne called the meeting to order and welcomed the attendees. Councilmember Vensel then led the prayer and pledge of allegiance.

**APPROVE THE MINUTES OF THE JANUARY 17, 2022 CITY COUNCIL MEETING:** Mayor Pro Tem Rhonda Dugas moved to approve the minutes of the January 17, 2022 City Council meeting as written and Councilmember Oliver seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne stated that the next item was for reports or citizen comments. Mayor Borne asked for reports and City Manager D.E. Sosa stated that Fire Chief Lance Billeaud would be giving the annual fire department report and Public Works Director Troy Foxworth would be giving a Public Works Report. Chief Billeaud addressed the Council and distributed annual reports. The Fire Dept. had a total of 2,145 calls for 2021. This total included 81 false alarm calls, 72 fires, 1,654 emergency medical calls and 77 service calls. Estimated fire loss for 2021 is \$268,500. Groves provided automatic aid to Nederland and Port Neches 26 times and received aid from them 12 times. Chief Billeaud stated that mutual aide is given on occasion to Port Arthur and Jefferson County Water District 10. There were no fire related deaths and 3 fire related injuries for 2021. The department also conducts commercial fire inspections for foster care and nursing home facilities.

Troy Foxworth gave a report on the Taft lift station. He stated that this project was funded from Hurricane Harvey. A new control box was built and the old one was demolished along with the old wet well. It is 95% completed and the fence was finished last week. Mayor Borne asked what contractor did the work and Mr. Foxworth stated MK Contractors and that they were the only company that bid on this job. There were no further questions and Mayor Borne thanked Mr. Foxworth for his report.

Mayor Borne asked for citizen comments and there were none.

**REVIEW, DISCUSS AND APPROVE TERMS FOR FIRE STATION LEASE:** City manager D.E. Sosa stated that the City has a new fire station that will be completed soon. JM test systems and Acadian Ambulance have both expressed interest in leasing the old fire station. Mr. Sosa stated that the City needs guidance on the

monthly lease amount. Councilmember Oliver asked what the price per square foot and Mr. Sosa responded between 50 and 60 cents per square foot, which would be around \$3,500- \$4,900 per month. The City will be advertising the property in the newspaper and lease it to whoever makes the best offer. Mr. Sosa stated that the City currently pays the water and sewer for JM Tests because it is on the same meter as City Hall, but whoever leases the fire station will be responsible for water, sewer and garbage fees. Mayor Pro Tem Dugas asked about the generator and Mr. Sosa stated that the City performs the maintenance on it. Mayor Pro Tem Dugas asked about structural changes and Mr. Sosa stated whoever leases the building will pay for any changes. Councilmember Oliver requested that any improvements made to the building remain. He also asked if the building is being leased "as is" once the fire department moves out. Mayor Borne requested that the lessee pay the City to service the generator. Mr. Sosa reminded the Council that the City does not need to price it too high and that he felt that somewhere between \$3,000 and \$3,500 would be a good place to start. Councilmember McAdams asked if Acadian gets it will it be used more for office space or for the ambulances. Chief Billeaud stated both, but that the personnel are usually posted in the Mid County cities. Councilmember Oliver asked if it would become a maintenance facility as well and Chief Billeaud stated no that Acadian does not do their own maintenance. Councilmember Oliver asked if the lease would include the separate building in back of the station and Mr. Sosa stated no, that the building will stay with the City. Mayor Pro Tem Dugas asked if the City has looked at selling the building and Mr. Sosa stated that it had not. Mayor Pro Tem Dugas stated that 65 cents/sq. ft. would be \$4,970.55. Mayor Borne suggested setting a reasonable minimum and take bids. Councilmember Oliver stated that he felt 65 cents/sq. ft was a fair price. Mayor Borne asked Mr. Sosa for his thoughts and he agreed with Mayor Borne to set a minimum price and let interested parties bid it up.

Councilmember McAdams moved to set the minimum lease price at 65 cents/sq. ft. based on 7,647 sq. ft. and Councilmember Vensel seconded. Mayor Borne asked that the price be rounded to \$4,900/month. Councilmember McAdams amended the motion to set the minimum lease price at \$4,900/month and Councilmember Vensel seconded the amended motion. Mayor Borne asked for questions and there were none. Motion passed unanimously.

**DISCUSS AND AUTHORIZE PAYMENT TO FEMA IN THE AMOUNT OF \$205,551.88 BASED ON FEMA REQUEST FROM HURRICANE IKE PILOT DEBRIS REMOVAL PROGRAM OCTOBER 2008:** Mr. Sosa asked Finance Director Lamar Ozley to assist in explaining this item. Mr. Ozley stated that this issue has been going

on since 2008 when the City was asked to be part of a pilot program. The City used just over \$500,000 of FEMA funds following Hurricane Ike. Since that time 6 FEMA auditors have audited paperwork from this event and 5 of them are asking for a reimbursement of \$205,551.88. One of the auditors has determined that the City does not owe the reimbursement. The City has been disputing the reimbursement for the past 15 years and has been assisted by different state officials. Mr. Sosa explained that due to the fact that Groves is frequently impacted by hurricanes, the reimbursement needs to be paid in order to qualify for future assistance from FEMA. Mr. Ozley stated that the city can pay ½ of this amount during FY 2021-2022 and the other half can be paid out of FY 2022-2023. Mayor Borne stated that he had participated in one of the calls with TDEM (Texas Department of Emergency Management) along with a representative from FEMA and FEMA agreed that the City's position was correct but the City still needs to pay the money back. Mr. Sosa stated that the City did not know about this issue until after the appeals window had passed and that TDEM is on the City's side but does not have the authority to rule in the City's favor. Councilmember Oliver asked if there was a contract for the pilot program and Mr. Ozley stated no, and at the time the program was brand new. Mr. Sosa explained that FEMA sends a contract to the City during a time of disaster. The contract is the paperwork that is required to get reimbursement from FEMA. Councilmember Oliver asked if FEMA would penalize Groves in the future and Mayor Borne stated that they could withhold payment altogether. Mayor Pro Tem Dugas asked about the payment to FEMA and Mr. Ozley stated that it needs to be paid in full by December 2022. He recommended paying one half now and one half out of next year's budget. He reported that the City already has the full amount reserved on the balance sheet. Mayor Pro Tem Dugas moved to authorize payment to FEMA in the amount of \$205,551.88 and Councilmember Oliver seconded. Motion passed unanimously.

**DISCUSS AND CONSIDER APPROVAL OF SIGN MATERIAL TO BE USED FOR NEW PARK SIGNS:** Mr. Sosa referred to two signs brought in as samples of the options for the material that could be used for the new signs. He stated that the signs will be 8'x4' (the size of a sheet of plywood). Mayor Pro Tem Dugas made a motion to discuss and consider approval of the sign materials to be used for the new park signs and Councilmember Vensel seconded. Mayor Borne asked for questions and Mayor Pro Tem Dugas asked how many total signs would be purchased and Mr. Sosa stated four. Councilmember Vensel asked if the sign for the John Spikes Memorial Park was included and Mr. Sosa responded that it was. Councilmember

Oliver remarked that the lighter colored sign was made out of high density foam and the dark green sign was a laminated plastic that he felt would be best. Mayor Borne agreed with Councilmember Oliver. Mayor Borne asked how long it would take to get the signs and Mr. Sosa stated about two weeks and that the sign for John Spikes would be done first so that something could be planned in recognition of John. Councilmember Oliver asked what the design would be and Mr. Sosa stated that he would email a picture to the Council. Mayor Pro Tem Dugas amended her motion for the sign material for the park signs to be dark green laminated plastic and Councilmember Vensel seconded. Motion passed unanimously.

**CONSIDER APPOINTMENT TO THE BOARD OF THE GROVES ECONOMIC DEVELOPMENT CORPORATION:** Mayor Borne reported that the City received seven letters of interest in serving on the Board of the EDC and that one of them was from someone that is not a Groves citizen, so there were 6 candidates considered. Councilmember Vensel moved to appoint Sidney Badon, Jr. to the Board of the Groves Economic Development Corporation and Mayor Pro Tem Dugas seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

**CONSIDER APPROVAL OF AN ORDINANCE AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITIES COMMISSION IN 2022:** City Attorney James Black presented proposed Ordinance No. 2022-01, reading the caption as follows: "An ordinance of the City Council of Groves, Texas, authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2022, authorizing the hiring of lawyers and rate experts; authorizing the City's participation to the full extent permitted by law at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act; and declaring an effective date".

Councilmember McAdams moved to approve proposed Ordinance No. 2022-01 authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the PUC in 2022. Councilmember Oliver seconded and Mayor Borne asked for questions. Mayor Borne asked what would happen if Council didn't pass the ordinance. Mr. Black explained that the City would have to keep track of all of Entergy's rate proceedings on its own. The Dan Lawton firm has clients all over the state and handles this for all of them. There was no further discussion and the motion passed unanimously.

INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$155,536.46 as follows:

Chameleon Industries	Polymer for water treatment	25,884.00
Durotech Inc.	January 2022 payment for construction of new fire station	101,876.69
Jared's Paint and Body	Police vehicle repairs	13,817.58
Mastercard Gold	Mastercard payment for December 2021 (Training and Misc. supplies for various departments.)	6,599.98
Siddons-Martin Emergency Group	Repair leaking valve on E36. (Fire Dept.) (3,077.77) (1,160.76) (3,119.68)	7,358.21

Mayor Pro Tem Dugas moved to approve payment of the invoices totaling \$155,536.46 and Councilmember Vensel seconded. Mayor Borne asked for questions and Councilmember Vensel questioned the repair of the leaking valve on Engine 36. Chief Billeaud explained that a leak was found on Engine 36 during annual testing and that it was a costly repair. Councilmember Oliver questioned the payment to Jared's Paint and Body and Mr. Sosa stated that a police vehicle was involved in an accident. There were no other questions and the motion passed unanimously.

Mayor Borne asked for Councilmember comments. Mayor Pro Tem Dugas reported that she and Councilmember Vensel had taken a tour of the Wastewater Plant and that they appreciated being shown around and the time employees had taken with them for the tour. Mr. Sosa announced that the City was able to amend the GLO contract and that we will be going out for bids to do \$1.7 million in street work. The bid opening will be in May.

Mayor Borne thanked everyone for their attendance and adjourned the meeting at 6:09 p.m.

  
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Mayor Borne

ATTEST:

  
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City Clerk

