

**Notice of Workshop**  
**February 5, 2025, 5:00 p.m.**  
City Council Chamber, 3947 Lincoln Ave., Groves, TX



**City  
Council**

Notice is given that the Groves City Council will hold a Workshop in person on the date, time, and location listed above. Live streaming of the meeting is available for viewing at <https://us02web.zoom.us/j/88399220690> or by scanning the QR code to the right. The City Council welcomes citizen participation at all City Council meetings on any agenda items within the limitations of law and decorum. City Council may adjourn into Executive Session to deliberate any agenda item listed if the matter for discussion meets an exception for Executive Session under Texas Government Code Chapter 551. The City Council may also deliberate in public on any item that is listed on the agenda for Executive Session.



**Opening Agenda**

1. Call meeting to order.
2. Prayer.
3. Pledge of Allegiance.
4. Roll Call.
5. Welcome and recognition of guests and news media.
6. Reports from Mayor, Council Members, or city staff.
7. Citizen comments.

**Regular Agenda**

8. Deliberate on the process and appointments for the Groves Economic Development Corporation, Planning and Zoning Commission, and Zoning Board of Adjustment.
9. Deliberate on wastewater collection and treatment alternatives for Phase II of Lady Luck RV Resort, 6579 Gulfway Drive.

**Closing Agenda**

10. Hear and deliberate on Council Member comments.
11. Adjourn.

**Special Accommodations**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact City Clerk Clarissa Thibodeaux at (409) 960-5773 or [cthibodeaux.cigrovestx.com](mailto:cthibodeaux.cigrovestx.com) at least three days before the meeting.

**Certification**

I certify that the above notice of meeting was posted on the bulletin board and front door of City Hall, 3947 Lincoln Avenue, on January 28, 2025, at \_\_\_\_\_ AM/PM.

\_\_\_\_\_  
City of Groves

**City of Groves**  
**Agenda Item Information Form**

Council Meeting Date: 2/5/2025 Department: City Manager Agenda Item No. 8

Title for Item (same as to be placed on Agenda): Deliberate on the process and appointments for Groves Economic Development Corporation, Planning and Zoning Commission, and Zoning Board of Adjustment.

Party(ies) requesting placement of this item on the agenda: Kevin Carruth, City Manager

Submitted to City Manager's Office on: Date: 2/4/25 Time: 2:00 p.m. By: C. THIBODEAUX

Explanation of Item: See accompanying memo.

Deadline for Approval: None.

Staff Recommendation: \_\_\_\_\_

Alternative (if any) for consideration: \_\_\_\_\_

Identify any attachments to this document: City Manager's 1/9/2025 memo; GEDC Bylaws; Article II of Groves Code of Ordinances, and Application for Volunteer Appointment.

Specific Council Action Requested: None (Information item only) X Motion \_\_\_\_\_

Ordinance – Number \_\_\_\_\_ Resolution – Number \_\_\_\_\_ Other – Specify: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Approved: [Signature] Date: 02/04/25  
Department Head City Manager

**FUNDING (IF APPLICABLE)**

Are sufficient funds specifically designated and currently available for this purpose? YES ☐ NO ☐

If yes, specify account no. \_\_\_\_\_ If no, explain and identify intended funding source: \_\_\_\_\_

**PAYMENT REQUEST**

Amount of requested payment \$ \_\_\_\_\_ Cumulative total of payments to date for this project/item (if applicable): \$ \_\_\_\_\_ Balance due for this project/purchase (if applicable): \$ \_\_\_\_\_

**ACTION TAKEN BY COUNCIL**

APPROVED: ☐ NOT APPROVED: ☐ Any follow-up action required? YES ☐ NO ☐

If yes, explain \_\_\_\_\_

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## MEMORANDUM

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To: Mayor and City Council

From: City Manager Kevin Carruth *kc*

Date: January 27, 2025

Re: Process and Appointments to Groves Economic Development Corporation, Planning and Zoning Commission, and Zoning Board of Adjustment

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The City has three subunits that handle important business – the Groves Economic Development Corporation (GEDC), the Planning and Zoning Commission (P&Z), and the Zoning Board of Adjustment (ZBA). With current vacancies, lapses in appointments, and two new Council Members, this is a good time to thoroughly evaluate our processes and appointments for both bodies.

### **Groves Economic Development Corporation**

As stated in its Bylaws, GEDC is organized exclusively for the purpose of benefitting and accomplishing public purposes of the City of Groves by promoting, assisting, and enhancing the economic development activities for the City. Directors are fiduciaries and act in good faith, taking actions they reasonably believe to be in the best interests of the Corporation. There are seven Directors serving two-year terms and selected for the following qualifications:

1. Must have an interest in the work of the GEDC, special expertise, and civic service;
2. Must be residents of the City;
3. Each City Council Ward shall have at least one Director representing that Ward; and
4. A minimum of three Directors cannot be employees, officers, or members of the City Council.

The GEDC Board meets regularly once a month. Failure to attend three consecutive meetings may lead to resignation or removal.

Member	Date Appointed	Ward of Residence
1. Letha Knaus (President)	6/19/23	1
2. Pete Konidis	12/04/23	3
3. Mark McAdams	12/04/23	1
4. (Vacant)		2
5. (Vacant)		4
6. (Vacant)		
7. (Vacant)		

### **Planning and Zoning Commission**

This commission was established in Article II of the Home Rule Charter. It consists of five regular members and two alternate members with two-year terms who meet monthly in addition to joint

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public hearings with the City Council, as needed. As required by Sec. 2-17 of the Code of Ordinances, members of the Commission shall:

1. Be citizens of the United States of America;
2. Be qualified voters of the State of Texas and the City of Groves;
3. Cannot be convicted of a felony while in office;
4. Shall have resided within the corporate limits of the city for at least six months prior to appointment; and
5. Must meet the same qualifications as a candidate for mayor and councilmember.

The commission's purpose is to make and recommend a master plan, as a whole or in parts, for the future development and redevelopment of the City. It also has the duty to review all current and proposed ordinances and amendments pertaining to planning and zoning and make recommendations to the City Council for action.

<b>Member</b>	<b>Date Appointed</b>	<b>Ward of Residence</b>
1. Lynette Baaheth	2/28/22	4
2. Michael Campise (Secretary & Alternate)	2/28/22	3
3. Chris Crain	2/28/22	3
4. Rodney Pacetti (Chairman)	2/28/22	2
5. Craig Plokhooy	2/28/22	2
6. Member (Vacant)		
7. Alternate (Vacant)		

#### **Zoning Board of Adjustment**

This committee is authorized by Sec. 11-100 of the Code of Ordinances and consists of five members and four alternates for terms of two years. There is no requirement for ward distribution. Members of the ZBA shall:

1. Be citizens of the United States of America;
2. Be qualified voters of the State of Texas and the City of Groves;
3. Cannot be convicted of a felony while in office; and
4. Shall have resided within the corporate limits of the city for at least six months prior to appointment.

The ZBA's purpose is to hear any person aggrieved, or any official or department of the government body of the city affected by any decision or judgment of the building official concerning the interpretation or administration of the zoning ordinance. The ZBA meets very infrequently on an as-needed basis.

<b>Member</b>	<b>Date Appointed</b>	<b>Ward of Residence</b>
1. Rowett Baaheth (Chairman)	8/29/22	4
2. Sidney Badon (Secretary)	2/28/22	3
3. Phillip Bridges (no longer wishes to serve)	2/28/22	1
4. James Carpenter	8/29/22	2
5. Jeremy Mitchel (Vice Chairman)	2/28/22	
6. Alternate (Vacant)		
7. Alternate (Vacant)		
8. Alternate (Vacant)		
9. Alternate (Vacant)		



Staff recommends that City Council make interim appointments to GEDC so that it can continue its work. P&Z and ZBA have quorums and do not need immediate appointments so the Council can take the time to workshop the appointment process first.

## GROVES ECONOMIC DEVELOPMENT CORPORATION

### CORPORATE BYLAWS

These Bylaws (referred to as the "Bylaws") govern the affairs of the Groves Economic Development Corporation, a public instrumentality and a non-profit corporation (hereinafter referred to as the "Corporation") created under Section 4B of the Development Corporation Act of 1979, Article 5190.6 of the Revised Civil Statutes of Texas (hereinafter referred to as the "Act").

#### Article I. Purpose

1.01. The Corporation is organized exclusively for the purpose of benefitting and accomplishing public purposes of the City of Groves, Texas, by promoting, assisting and enhancing economic development activities for the City as provided by the Development Corporation Act of 1979, Texas Revised Civil Statutes Annotated Article 5190.6, as amended. The Corporation has no members and is a non-stock corporation.

#### Article II. Registered Office and Agent

2.01. The registered office of the Corporation shall be maintained in the City of Groves, Jefferson County, Texas, where the Corporation shall maintain a registered office and the registered agent as provided in the Act. The Board of Directors shall be authorized to establish additional offices as well, and to change the location of any office of the Corporation.

#### Article III. Board of Directors

##### Management of the Corporation and General Powers

3.01. The affairs of the Corporation shall be managed by a Board of Directors appointed by the Mayor and City Council of the City of Groves. All voting rights shall be vested solely in the Board, whose members shall serve without compensation. In addition to the powers and authorities expressly conferred upon them by these Bylaws, the Board of Directors may exercise all such powers of the Corporation and do all lawful acts and things as are not prohibited by statute or by the Charter or by these Bylaws. Without prejudice to such general powers and other powers conferred by statute, by the Charter and by these Bylaws, it is expressly declared that the Board of Directors shall have the following powers, to-wit:

(i) To purchase, or otherwise acquire for the Corporation, any property, rights, or privileges which the Corporation is authorized to acquire, at such price or consideration and generally on such terms and conditions as they think fit; and at their discretion to pay therefore either wholly or partly in money,

stock, bonds, debentures, or other securities of the Corporation as may be lawful.

(ii) To create, make and issue notes, mortgages, bonds, deeds of trust, trust agreements and negotiable or transferable instruments and securities, secured by mortgage or deed of trust on any real property of the Corporation or otherwise, and to do every other act or thing necessary to effect the same.

(iii) To sell or lease the real or personal property of the Corporation on such terms as the Board may see fit and to execute all deeds, leases and other conveyances or contracts that may be necessary for carrying out the purposes of this Corporation.

(iv) To do all things and take all action authorized by Article 5190.6, as amended.

3.02. The Board shall be composed of seven (7) Directors who shall serve at the pleasure of the City Council. Directors will be selected based on the following:

(i) interest in the work of the Corporation, special expertise and civic service; (ii) at least three (3) of the Directors shall not be employees, officers or members of the governing body of the City of Groves; (iii) at least one (1) Director from each of the four (4) City Wards; and (iv) all Directors shall be residents of the City of Groves.

#### Terms of Office

3.03. The term of office shall be two (2) years or until successors are appointed.

#### Vacancies

3.04. Any vacancy occurring in the Board of Directors will be filled by appointment of the City Council of Groves. The vacancy will be filled for the unexpired term of the Director.

#### Board Attendance

3.05. Unless special consideration is granted by the Board to accommodate directors who are temporarily inactive for good cause, any director who is absent from three (3) consecutive regular or special meetings of the Board may be asked to resign. The Board's decision not to ask for the Director's resignation shall not negate the City Council's authority to do so.



## Duties of Directors

3.06. Directors shall exercise ordinary business judgment in managing the affairs of the Corporation. Directors shall act as fiduciaries with respect to the interests of the citizens of Groves. In acting in their official capacity as directors of the Corporation, directors shall act in good faith and take actions they reasonably believe to be in the best interests of the Corporation and that are not unlawful. In all other instances, the Board of Directors shall not take any action that they should reasonably believe would be opposed to the Corporation's best interests or would be unlawful. A director shall not be liable if, in the exercise of ordinary care, the director acts in good faith relying on written financial and legal statements provided by an accountant or attorney retained by the Corporation.

## Article IV. Officers Officer Positions

4.01. The officers of the Corporation shall be a President a Vice-President, a Secretary, and a Treasurer, all of whom shall be members of the Board. Any two or more offices may be held by the same person except the offices of President and Secretary. The officers shall have all powers specified in the Bylaws, as amended from time to time, and all powers authorized under the Act and the Texas Non-Profit Corporation Act of the State of Texas, or its successor.

## Election and Terms of Office

4.02. The officers of the Corporation shall be elected annually by the Board of Directors at the last meeting of the fiscal year and assume their duties at the first regular meeting of the new fiscal year. If the election is not held at the last meeting of the year, it shall be held as soon thereafter as conveniently possible. Each officer shall hold office until a successor is duly elected and qualified. An officer may be elected to succeed himself or herself in the same office one (1) time. Vacancies in officer positions may be filled by the Board of Directors for the unexpired portion of the officer's term.

## President

4.03. The President shall be the chief executive officer of the Corporation. He or she shall generally supervise and control all of the business and affairs of the corporation and shall preside at all meetings of the Board of Directors. The President shall perform all duties incident to the office and other duties prescribed from time to time by the Board of Directors. He or she may execute deeds, mortgages, bonds, contracts or other instruments

that the Board of Directors has authorized to be executed. However, he or she may not execute instruments on behalf of the Corporation if this power is expressly delegated to another officer or agent of the Corporation by the Board of Directors, the Bylaws, or statute. The President shall appoint the members of all standing and other committees, unless composition is otherwise provided for by the Bylaws, and shall appoint all committee chairs.

#### Vice-President

4.04. A Vice-President shall be elected or appointed by the Board of Directors. The Vice-President shall perform such duties as assigned to him by the Board of Directors; provided, however, that the Vice-President shall be responsible for matters involving marketing and financial incentives. In the absence of the President, or if the President is unable or refuses to act the Vice-President shall perform the duties of President and have all the powers and be subject to all the restrictions of that office.

#### Secretary

4.05. The Secretary shall be the custodian of the Corporate records. The Secretary shall record and keep or cause to be recorded and kept all votes and minutes of the meetings of the Board. The Secretary shall further give or cause to be given notice of all meetings of the Board of Directors and its committees, and shall perform such other duties as may be prescribed by the Board of Directors or President. The Secretary may designate one or more Assistant Secretaries who may be employees of the Corporation to assist in the administration of the Corporate records.

#### Treasurer

4.06. The Treasurer shall perform such duties as are usually incumbent upon such office. He or she shall see that proper and accurate accounts are kept of the financial condition of the Corporation and that proper books are maintained for their orderly entry. He or she shall insure that the financial policies adopted by the Board are duly followed and that an independent audit is made of the accounts of the Corporation at the end of each fiscal year. He or she shall report the financial condition of the Corporation at each regular meeting of the Board and City Council from time to time for approval, and shall perform any other duties the President assigns from time to time. Disbursements of the funds of the Corporation shall be by check, and all checks shall be signed in a manner consistent with the guidelines recommended by the Treasurer and approved by the Board of Directors. All persons authorized to disburse or manage the funds of the Corporation shall be bonded in such sum as the Board of Directors may require.



## Other Officers

4.07. The Board of Directors shall name such other officers and assistant officers, as may be deemed necessary, including an Executive Director.

4.08. The Executive Director, if named, shall be the general manager and chief administrative officer of the Corporation, and subject to the supervision of the Board, shall perform such duties as may be incident to his or her office or specifically delegated to him or her by the board. The Executive Director shall serve at the pleasure of the Board and receive such compensation as the Board may determine from time to time. The Executive Director, as general manager and chief administrative officer, shall be responsible for policy and program implementation and for all operations of the agency, including hiring, supervising and dismissing employees as well as defining and assigning their work. The Executive Director shall be a non-voting, ex-officio member of the Board of Directors and any other committees created by the Board of Directors. The Executive Director shall compile and submit to the Board regular reports and recommendations regarding the programs, policies and business affairs of the Corporation.

## Article V. Board Committees

### Committees Authorized

5.01. The Board of Directors may establish and delegate specified authority to additional standing and ad hoc committees from time to time. A committee may include persons who are not directors of the Corporation. The Board of Directors may establish qualifications for membership on a committee.

In addition, the Board of Directors may authorize subcommittees from time to time and charge them with clear and specific duties. Subcommittees will operate under the general rules governing the Board committees and the general oversight of the Executive Director and Vice-President or Board Committee Chair.

The establishment of a committee shall not relieve the Board of Directors, or any individual director of any responsibility imposed by the Bylaws or otherwise imposed by law. No committee shall have the authority of the Board of Directors to:

- (a) Amend the articles of incorporation.
- (b) Adopt a plan of merger or a plan of consolidation with another corporation.



- (c) Authorize the sale, lease, exchange or mortgage of any of the property and assets of the Corporation.
- (d) Authorize the voluntary dissolution of the Corporation.
- (e) Revoke proceedings for the voluntary dissolution of the Corporation.
- (f) Adopt a plan for the distribution of the assets of the Corporation.
- (g) Amend, alter, or repeal the Bylaws.
- (h) Elect, appoint or remove a member of a committee or director or officer of the Corporation.
- (i) Approve any transaction to which the Corporation is a party or undertake any action that involves a potential conflict of interest as defined in paragraph 7.07 below.
- (j) Take any action outside the scope of authority delegated to it by the Board of Directors.
- (k) Take formal action on a matter that requires the approval of the Board of Directors.
- (l) Commit Corporation funds without the prior approval of the Board of Directors.
- (m) Undertake any other matters appropriate to the authority of the Board of Directors.

#### Committee Tenure

5.02. The members of each standing committee shall serve until the next annual meeting of the Board and/or until successors are appointed by an incoming President, unless the committee is terminated or a member is removed, resigns or ceases to qualify as a member. Vacancies on committees may be filled in the same manner as the original appointment.

#### Rules

5.03. Each committee or subcommittee may adopt rules for its own operation not inconsistent with the Bylaws or with rules adopted by the Board of Directors.

## Article VI. Meetings

### Regular Meetings

6.01. The Board of Directors shall provide for at least one (1) regular meeting annually by resolution stating the time and place of such meeting, which may be the Annual meeting as hereinafter provided. All regular meetings will be held in the corporate city offices of the City of Groves, provided that such meetings shall be held in a facility sufficient in size to accommodate the public attending.

### Annual Meeting

6.02. The last meeting of the Corporation's fiscal year shall be designated as the Annual Meeting. It shall be held at a time and place designated by the Board.

### Special Meetings

6.03. Special meetings of the Board of Directors may be called by the President or upon written request of at least three (3) directors. Any notice of a special meeting, shall contain a summary of the business or proposals to be brought before the special meeting. Should a director's request for a special meeting be submitted to the President and filed in the Executive Director's office by three (3) directors, the President shall determine and notify all directors in writing of the date, time, and place of the special meeting within three (3) days of the receipt of the directors' request, and the meeting shall be held within ten (10) days of the receipt of the directors' request.

### Notice

6.04. Written or printed notice of each regular meeting of the Board of Directors shall be delivered to each director by mail, fax or other means not less than three (3) days before the date of the meeting. If mailed, a notice shall be deemed to be delivered when deposited in the U. S. mail addressed to the person at his or her address as it appears in the records of the Corporation, with postage paid. The notice shall state the place, day and time of the meeting. In the case of special meetings, notice may be issued to directors by mail, telephone, fax or in person at least three (3) days before the date of the meeting, and in addition to place, date and time, shall include who called the meeting and the purpose for which the special meeting is called. Attendance of a Director at a meeting shall constitute a waiver of notice of that meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

#### Quorum

6.05. Four (4) directors currently serving shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

#### Action of Board of Directors

6.06. No action of the Corporation shall be valid or binding unless adopted by the affirmative vote of four (4) or more of the Directors.

#### Proxies

6.07. A director may not vote by proxy.

#### Open Meetings

6.08. All meetings and deliberations of the Board shall be called, convened, held and conducted in accordance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes Annotated.

#### Article VII.

##### Corporate Duties, Transactions, and Responsibilities

##### Annual Work Plan and Performance Evaluation

7.01. The Board of Directors shall research, develop, prepare, and submit to the City Council for its approval an annual work plan which shall set out goals and objectives of the Corporation including, but not limited to, short-term and long-term goals for the economic development of the City, proposed methods for the elimination of unemployment and underemployment, goals and objectives for the utilization of funds to promote the expansion and development of a sound industrial and manufacturing base for and within the City, and any other similar goals and objectives deemed appropriate by the Board and the City Council. The Board shall review and update the plan each year prior to submission of the annual budget required by other provisions of these Bylaws. In addition, the Board shall accompany each subsequent work plan following the initial work plan with a performance evaluation detailing the Board's achievements of its prior goals and objectives during the course of the previous fiscal year.



### Annual Corporate Budget

7.02. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until the same has been approved by the City Council.

### Limitations on Expenditures

7.03. The Corporation shall spend no more than ten percent (10%) of the Corporate revenues for promotional purposes and may contract with other existing private corporations to carry out industrial development programs consistent with the purposes and duties as set out in these Bylaws and as set out in the Act.

### Deposit and Investment of Corporate Funds

7.04. All proceeds from the issuance of bonds, notes, or other debt instruments issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture or other documents authorizing or relating to their issuance. All other monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City of Groves. The Board shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation upon the signature of its treasurer and such other members as the Board shall designate. The Board shall also provide for the reconciliation and investment of such funds and accounts, which services, upon authorization of the Board, may be performed by the finance department of the City of Groves. The Corporation shall pay reasonable compensation for such services to the City.

### Contracts

7.05. The Board of Directors may by official action as specified herein, authorize any officer or agent of the Corporation to enter into a contract or execute and deliver any instrument in the name of, and on behalf of, the Corporation. This authority may be limited to a specific contract or instrument or it may extend to any number and type of possible contracts and instruments.

### Gifts

7.06. The Board of Directors may accept on behalf of the Corporation any gift or bequest provided for the general purposes

of or for any special purpose of the Corporation. Special funds shall include all funds from government contracts and gifts designated by a donor for special purposes. All other funds shall be general funds.

#### Potential Conflicts of Interest

7.07. The Corporation shall not make a loan to a director or officer of the Corporation. A director, officer or committee member of the Corporation may lend money to and otherwise transact business with the Corporation except as otherwise provided by the Bylaws, Articles of Incorporation and all applicable laws. Such a person transacting business with the Corporation has the same rights and obligations relating to those matters as other persons transacting business with the Corporation. The Corporation shall not borrow money from or otherwise transact business with a director, officer or committee member of the Corporation unless the transaction is described fully in a legally binding instrument and is in the best interests of the Corporation. The Corporation shall not borrow money from or otherwise transact business with a director, officer or committee member of the Corporation without full disclosure of all relevant facts and without the approval of the Board of Directors, not including the vote of any person having personal interest in the transaction.

#### Prohibited Acts

7.08. As long as the Corporation is in existence, no director, officer or committee member of the Corporation shall:

- (a) Do any act in violation of the Bylaws or a binding obligation of the Corporation.
- (b) Do any act with the intention of harming the corporation or any of its operations.
- (c) Do any act that would make it impossible or unnecessarily difficult to carry on the intended or ordinary business of the Corporation.
- (d) Receive an improper personal or business benefit from the operation of the Corporation..
- (e) Use the assets of the Corporation, directly or indirectly, for any purpose other than carrying on the business of the Corporation.
- (f) Wrongfully transfer or dispose of Corporation property, including intangible property such as good will.



- (g) Use the name of the Corporation (or any substantially similar name) or any trademark or trade name adopted by the Corporation except on behalf of the Corporation in the ordinary course of the Corporation's business.
- (h) Disclose any of the Corporation business practices, trade secrets or any other information not generally known to the business community to any person not authorized to receive it.
- (i) Commit Corporation funds without the prior approval of the Board of Directors.

Provided further, however, that the Corporation shall not have the power to own or operate any project as a business other than as lessor, seller, or lender or pursuant to the requirements of any trust agreement securing the credit transaction. In addition, the user pursuant to any lease, sale, or loan agreement relating to a project shall be considered to be the owner of the project for the purposes of the application of any ad valorem, sales, and use taxes or any other taxes levied or imposed by the State of Texas or any political subdivision of the State of Texas. The purchase and holding of mortgages, deeds of trust, or other security interests and contracting for any servicing thereof shall not be deemed the operation of a project.

#### Article VIII. Books, Records, Audits

##### Maintenance of Records

8.01. The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs. In addition to proper financial records, the Corporation shall keep correct and complete minutes of all board and committee meetings and all records required by the City of Groves, by contracting agents, or by funding sources.

##### Compliance with State Law

8.02. All records shall be kept and administered in accordance with the Texas Open Records Act, Article 6252-17a, Chapter 552, Government Code, and Subtitle C to Title 6 of the Texas Local Government Code.



## Inspection

8.03. Any member of the City Council of Groves, director or officer of the Corporation may inspect and receive copies of all books and records of the Corporation required to be kept by the Bylaws. Any person entitled to inspect and copy the Corporation's books and records may do so through his or her attorney or other fully authorized representative. The Board of Directors may establish reasonable fees for copying the Corporation's books and records by members. Consistent with the obligations and limitations of the Texas Open Records Act the Corporation shall provide requested copies of books or records no later than ten (10) working days after the Corporation's receipt of proper written notice.

## Audits

8.04. The Corporation shall cause its books, records, accounts, and financial statements, and all other activities for the previous fiscal year to be audited at least once each fiscal year by an outside independent certified public accounting firm selected by the Corporation and approved by the City Council. Any such audit shall be performed in accordance with generally accepted auditing procedures (GAAP) and shall include a written management letter which details suggested management controls and operating efficiencies. The management letter shall include, but not be limited to, recommendations for improving cost reductions, recommendations for increasing revenues, and recommendations for increasing productivity and safeguarding assets. Each audit shall be prepared and submitted annually to the City Council of the City of Groves, Texas, for approval within one hundred twenty (120) days after the end of the Corporation's fiscal year. Any such audit shall be performed at the expense of the Corporation.

As an alternative to the foregoing audit provision, the Board of Directors may authorize by resolution the use and acceptance of the independent audit of the City of Groves (required by Article VI, Section 11 of the Charter of the City), as the audit of the Corporation, provided that said City audit includes the audit of the Corporation's financial records as provided in the foregoing paragraph.

## Article IX. Fiscal Year

9.01. The fiscal year of the Corporation shall run concurrently with the City of Groves beginning on the first day of October and ending on the last day in September in each year.

## Article X. Amendments to Bylaws

10.01. The Board of Directors, by the affirmative vote of a majority of the Board, may alter, amend, or repeal the Bylaws or adopt new Bylaws at any regular meeting, or any special meeting providing that notice be given not less than three (3) days prior to such meeting and that such notice contain a copy of the proposed amendment or amendments. Said amendments shall be effective only upon approval by the City Council of the City of Groves, Texas.

### Legal Construction

10.02. If any Bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not effect any other provision and the Bylaws shall be construed as if the invalid, illegal or unenforceable provision had not been included in the Bylaws.

## Article XI. Indemnification and Insurance

### Corporation to Indemnify

11.01. The corporation shall indemnify any director or officer or former director or officer of the Corporation for expenses and costs (including attorneys fees) actually and necessarily incurred by said officer or director in connection with any claim asserted against said officer or director by action in court or otherwise by reason of such person being or having been a director or officer, except in relation to matters as to which said person shall have been guilty of negligence or misconduct in respect of the matter in which indemnity is sought.

### Corporation May Provide Insurance

11.02. The Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, or agent of the Corporation to insure such person against any liability asserted against said person by reason of such person being or having been a director, officer, employee, or agent of the Corporation. The premiums for such insurance shall be paid for by the Corporation.

## Article XII. Parliamentary Authority

12.01. Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all matters of procedure not specifically covered by the Bylaws or any specific rules of procedure adopted by this Board.




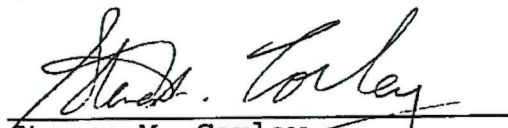
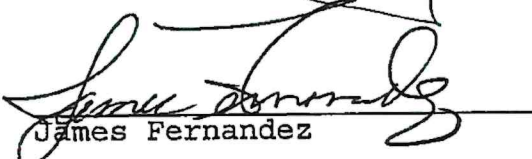
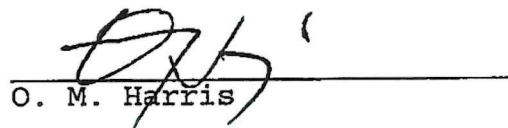
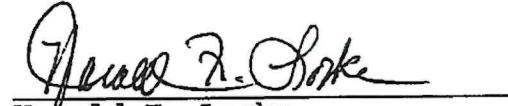
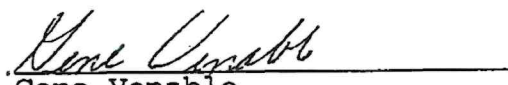
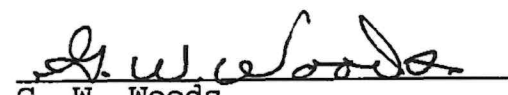
Article XIII. Dissolution of the Corporation

13.01. The Corporation is a non-profit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the City of Groves.

Article XIV. Effective Date

14.01. These Bylaws shall become effective upon the occurrence of the following events: (i) the adoption of these Bylaws by the Board; and (ii) the approval of these Bylaws by the City Council.

These Bylaws were ADOPTED by the Board of Directors on the 11th day of July, 1996.

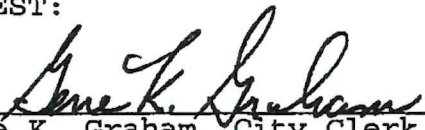
<u>Name</u>	<u>Address</u>
 Joseph P. Arisco	4701 Graves Groves, TX 77619
 Steven M. Corley	2849 Magnolia Groves, TX 77619
 James Fernandez	6835 Capitol Groves, TX 77619
 O. M. Harris	6141 Adams Groves, TX 77619
 Harold F. Locke	4301 McKinley Groves, TX 77619
 Gene Venable	6233 Howe Groves, TX 77619
 G. W. Woods	3135 High Groves, TX 77619



APPROVED at a regular meeting of the City Council of the  
City of Groves held on the 26th day of August,  
1996.

  
Sylvester Moore, Mayor

ATTEST:

  
Gene K. Graham, City Clerk

## ARTICLE II. - PLANNING AND ZONING COMMISSION

*Footnotes:**--- (3) ---***Charter reference**— *Zoning regulations authorized, Art. XVIII.***Cross reference**— *Zoning ordinance, App. A.*

## Sec. 2-14. - Definition.

For the purposes of this article, the word "commission" shall mean the planning and zoning commission of the city.

(Ord. No. 272, § 1, 8-12-63)

## Sec. 2-15. - Created.

There is hereby created and established by the city a planning and zoning commission.

(Ord. No. 272, § 1, 8-12-63)

## Sec. 2-16. - Composition.

The commission shall be composed of five (5) regular members and two (2) alternate members who shall serve in the absence of regular members when requested to do so. All matters to be considered by the planning and zoning commission shall be heard by a minimum number of three (3) regular members or alternate members in the absence of regular members.

(Ord. No. 272, § 1, 8-12-63; Ord. No. 06-20, § 1, 10-16-06)

## Sec. 2-17. - Qualifications of members.

The members of the commission shall be citizens of the United States of America, qualified voters of the State of Texas and the City of Groves. Each shall have resided within the corporate limits of the city for at least six (6) months prior to their appointment. Any member of the Commission ceasing to possess any of these qualifications, or convicted of a felony while in office, shall immediately forfeit his/her position on the commission. He/she must meet the same qualifications as a candidate for mayor and councilmember.

(Ord. No. 272, § 1, 8-12-63; Ord. No. 2022-03, § 1, 4-11-22)

**Editor's note**— Ord. No. 2022-03, § 1, adopted April 11, 2022, amended § 2-17 and in doing so changed the title of said section from "Qualification of members" to "Qualifications of members," as set out herein.

Sec. 2-18. - Appointment of members.

Members of the commission shall be appointed as follows: One (1) member and two (2) alternate members shall be appointed by the mayor; one (1) member shall be appointed by each of the four (4) city councilmembers; all such appointments shall be subject to confirmation by the city council.

(Ord. No. 272, § 1, 8-12-63; Ord. No. 564, § 1, 5-5-75; Ord. No. 06-20, § 1, 10-16-06)

Sec. 2-19. - Term of office.

Members of the commission shall serve for terms of two (2) years or until their successors are appointed and qualified.

(Ord. No. 272, § 1, 8-12-63)

Sec. 2-20. - Vacancies.

All vacancies on the commission shall be filled for the unexpired term in the same manner as provided in this article for the original appointments. All expired terms shall be filled for terms as provided for the original appointments and in the same manner.

(Ord. No. 272, § 1, 8-12-63)

Sec. 2-21. - Removal of members.

Members of the commission may be removed by the mayor, with the consent of the city council, after public hearing and for cause assigned in writing.

(Ord. No. 272, § 1, 8-12-63)

Sec. 2-22. - Members serve without compensation.

The members of the commission shall serve without compensation.

(Ord. No. 272, § 1, 8-12-63)

Sec. 2-23. - Ex officio members.

One member of the city council shall serve on the commission as an ex officio member and shall be appointed by the mayor subject to approval of the council. Such ex officio member shall serve for the remainder of his term of office unless removed and another member of the council appointed in his place by the mayor with the approval of the council.



(Ord. No. 272, § 1, 8-12-63)

Sec. 2-24. - Officers elected.

The commission shall elect a chairman, vice chairman and secretary from its membership.

(Ord. No. 273, § 3, 8-12-63)

Sec. 2-25. - Employment of personnel.

The commission shall have the power to employ such qualified persons as may be necessary for the proper conduct and undertakings of the commission.

(Ord. No. 273, § 3, 8-12-63)

Sec. 2-26. - Authorized expenses.

The commission is hereby authorized to pay for the services of employees and to incur other necessary expenses, provided that the costs of such services and expenses shall not exceed the amount appropriated by the city council for the use of the commission.

(Ord. No. 273, § 3, 8-12-63)

Sec. 2-27. - Rules, regulations, bylaws.

The commission shall have the power to make rules, regulations and bylaws for its own government which shall conform as nearly as possible with those governing the city council, and the same shall be subject to the approval of such council. Such bylaws shall include, among other items, provisions for:

- (a) Regular and special meetings open to the public.
- (b) Records of its proceedings to be open for inspection by the public.
- (c) Reporting to the governing body and the public from time to time and annually.
- (d) Holding of public hearings on its recommendations.

(Ord. No. 273, § 3, 8-12-63)

Sec. 2-28. - Powers and duties generally.

The commission shall have the power, and it shall be its duty, to make and recommend for adoption a master plan, as a whole or in parts, for the future development and redevelopment of the municipality and its environs. It shall also have power, and it shall be its duty, to prepare a comprehensive plan and ordinance for zoning the city in accordance with Chapter 283, Acts of the regular session of the Legislature

1927 (Arts. 1011a to 1011j RCS of Texas 1925) and amendments thereto. The commission shall perform such other duties as may be prescribed by applicable provisions of this Code, by city ordinance, rule or regulation, or by state law.

(Ord. No. 272, § 4, 8-12-63)

Sec. 2-29. - Fees—Zoning ordinance amendment; specific use permit application.

Each application or request by a property owner to the Groves City Planning and Zoning Commission for an amendment to the zoning ordinance of the City of Groves as contained in the Code of Ordinances of the city and each application or request for a specific use permit to the Groves City Planning and Zoning Commission shall be accompanied by a fee of two hundred fifty dollars (\$250.00) to cover administrative and processing costs, as provided in section 10-506 and section 14-102 of the said zoning ordinance as contained in the Code of Ordinances; provided, however, that if the applicant withdraws his application or request prior to publication of public hearing by the city council, one-half (½) of the fee shall be refunded.

(Ord. No. 501, § 1, 5-7-73; Ord. No. 658, § 1, 8-21-78; Ord. No. 8612, § 1, 2-24-86)

**Note**—See ed. note, § 2-30.

Sec. 2-30. - Same—Appeals from decision or judgment on zoning ordinance.

Any person aggrieved, or any official or department of the governing body of the city affected by any decision or judgment of the building official concerning interpretation or administration of the zoning ordinance of the city, who appeals such decision or judgment to the board of adjustment shall pay a fee of seventy dollars (\$70.00) to the city before such appeal shall be considered perfected. Such fee is hereby established in accordance with the provisions of section 11-102 of the zoning ordinance of the city as contained in the Code of Ordinances of the city.

(Ord. No. 501, § 2, 5-7-73; Ord. No. 684, § 1, 10-1-79; Ord. No. 86-12, § 2, 2-24-86)

**Editor's note**— Ord. No. 501, not expressly amending the Code, was added as §§ 2-29 and 2-30 at the editor's discretion.

Sec. 2-31. - Purchasing limits.

- (a) The city manager shall have authority to approve expenditures for budgeted items not exceeding five thousand dollars (\$5,000.00).
- (b) Purchases or expenditures exceeding five thousand dollars (\$5,000.00) shall be approved in advance by the city council; however, expenditures for employee payroll and payroll related expenses, utility payments, debt payments and non-discretionary expenses required by the state or federal government shall be exempt from this requirement of prior council approval.



- (c) In the event the city manager determines that an urgent public necessity exists, the cost of which does not exceed the constitutional and statutory requirement for competitive bidding, the city manager may authorize the necessary expenditures without prior approval of the city council. Any such expenditure(s) shall be presented to the city council, with an explanation of the urgent public necessity, for approval at the first regular meeting of the city council following the date the expenditure was authorized.
- (d) Checks for expenditures exceeding five thousand dollars (\$5,000.00), excluding payroll related checks, must be hand-signed by the mayor and the city manager, or other city officials duly authorized to sign in their absence.

(Ord. No. 00-03, § 1, 3-6-00)

**Editor's note—** Ord. No. 00-03, § 1, adopted March 6, 2000, did not specifically amend the Code. Hence its inclusion as section 2-31 was at the discretion of the editor.

**Charter reference—**Finance administration, Art. VIII, § 4

Secs. 2-32—2-38. - Reserved.

**Application for  
Volunteer Appointment**  
GEDC, Planning & Zoning Commission, and  
Zoning Board of Adjustment



**City  
Council**

The City of Groves relies on and benefits from engaged citizens. A constructive way for citizens to impact their community is to volunteer to serve on the Groves Economic Development Corporation, the Planning and Zoning Commission, or the Zoning Board of Adjustment. Descriptions of each entity and the requirements to serve can be found on the reverse side. If interested in serving, please complete this form and return to the City Clerk.

ALL INFORMATION MUST BE FURNISHED TO BE CONSIDERED

**Area of Interest**

- ☐ Economic Development Corporation  
☐ Planning and Zoning Commission

- ☐ Zoning Board of Adjustment  
☐ Other \_\_\_\_\_

(please specify)

I have previously attended one or more meetings of the entity for which I have applied: ☐ Yes ☐ No

**Applicant Information**

Name: \_\_\_\_\_ Age (Optional): \_\_\_\_\_

Home Address: \_\_\_\_\_ Ward No: ☐ 1 ☐ 2 ☐ 3 ☐ 4

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Resident of City for \_\_\_\_\_ years and \_\_\_\_\_ months Occupation: \_\_\_\_\_

Are You Registered to Vote? ☐ Yes – Voter Registration No.: \_\_\_\_\_ ☐ Not Registered

Education: ☐ High School ☐ Technical ☐ Undergraduate ☐ Graduate/Professional ☐ Other: \_\_\_\_\_

Special Knowledge or Experience Applicable to Volunteer Function (attach additional information if needed):

- ☐ Banking/Finance  
☐ Building/Construction  
☐ Business Development  
☐ Industrial Training  
☐ Law/Contract Administration

- ☐ Manufacturing/Industrial Operations  
☐ Promotion/Marketing  
☐ Real Estate/Development  
Other: \_\_\_\_\_

**Certification:** I certify that I am qualified to serve on the selected entity and will attend, participate, and be a good steward and fiduciary for the City of Groves.

Date: \_\_\_\_\_ Applicant Signature: \_\_\_\_\_



## **Statement of Interest**

Briefly explain your interest in serving on the selected entity and why you would be a good choice.

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## **Descriptions of Volunteer Entities**

**Groves Economic Development Corporation (GEDC)** – As stated in its Bylaws, GEDC is organized exclusively for the purpose of benefitting and accomplishing public purposes of the City of Groves by promoting, assisting, and enhancing the economic development activities for the City. Directors are fiduciaries and act in good faith, taking actions they reasonably believe to be in the best interests of the Corporation. There are seven Directors serving two-year terms and selected for the following qualifications:

1. Must have an interest in the work of the GEDC, special expertise, and civic service;
2. Must be residents of the City;
3. Each City Council Ward shall have at least one Director representing that Ward; and
4. A minimum of three Directors cannot be employees, officers, or members of the City Council.

The GEDC Board meets regularly once a month. Failure to attend three consecutive meetings may lead to resignation or removal.

**Planning and Zoning Commission** – This commission was established in Article II of the Home Rule Charter. It consists of five regular members and two alternate members with two-year terms who meet monthly in addition to joint public hearings with the City Council, as needed. As required by Sec. 2-17 of the Code of Ordinances, members of the Commission shall:

1. Be citizens of the United States of America;
2. Be qualified voters of the State of Texas and the City of Groves;
3. Cannot be convicted of a felony while in office;
4. Shall have resided within the corporate limits of the city for at least six months prior to appointment; and
5. Must meet the same qualifications as a candidate for mayor and councilmember.

The commission's purpose is to make and recommend a master plan, as a whole or in parts, for the future development and redevelopment of the City. It also has the duty to review all current and proposed ordinances and amendments pertaining to planning and zoning and make recommendations to the City Council for action.

**Zoning Board of Adjustment (ZBA)** – This committee is authorized by Sec. 11-100 of the Code of Ordinances and consists of five members and four alternates for terms of two years. Members of the ZBA shall:

1. Be citizens of the United States of America;
2. Be qualified voters of the State of Texas and the City of Groves;
3. Cannot be convicted of a felony while in office; and
4. Shall have resided within the corporate limits of the city for at least six months prior to appointment.

The ZBA's purpose is to hear any person aggrieved, or any official or department of the government body of the city affected by any decision or judgment of the building official concerning the interpretation or administration of the zoning ordinance. The ZBA meets very infrequently on an as-needed basis.

**PLEASE RETURN THE COMPLETED FORM TO THE CITY CLERK'S OFFICE**

Email to: [cthibodeaux@cigrovestx.com](mailto:cthibodeaux@cigrovestx.com) or drop off/mail to 3947 Lincoln Avenue, TX, 77619.

**City of Groves**  
**Agenda Item Information Form**

Council Meeting Date: 2/5/2025 Department: City Manager Agenda Item No. 9

Title for Item (same as to be placed on Agenda): Deliberate on wastewater collection and treatment alternatives for Phase II of Lady Luck RV Resort, 6579 Gulfway Drive.

Party(ies) requesting placement of this item on the agenda: Kevin Carruth, City Manager

Submitted to City Manager's Office on: Date: 2/4/25 Time: 2:00 p.m. By: C. THIBODEAUX

Explanation of Item: See the accompanying 2/04/25 memo from the City Manager and documents from Lady Luck RV Resort.

Deadline for Approval: None.

Staff Recommendation: Not an action item.

Alternative (if any) for consideration: \_\_\_\_\_

Identify any attachments to this document: City Manager's 2/04/25 memo; Lady Luck Phase II description 1/21/25; Lady Luck Phase II Power Point Presentation; alternative force main map; Jefferson County and TCEQ Septic System Applications.

Specific Council Action Requested: None (Information item only) ☒ Motion \_\_\_\_\_

Ordinance – Number \_\_\_\_\_ Resolution – Number \_\_\_\_\_ Other – Specify: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Approved:  Date: 02/04/25  
Department Head City Manager

**FUNDING (IF APPLICABLE)**

Are sufficient funds specifically designated and currently available for this purpose? YES ☐ NO ☐

If yes, specify account no. \_\_\_\_\_ If no, explain and identify intended funding source: \_\_\_\_\_

**PAYMENT REQUEST**

Amount of requested payment \$ \_\_\_\_\_ Cumulative total of payments to date for this project/item (if applicable): \$ \_\_\_\_\_ Balance due for this project/purchase (if applicable): \$ \_\_\_\_\_

**ACTION TAKEN BY COUNCIL**

APPROVED: ☐ NOT APPROVED: ☐ Any follow-up action required? YES ☐ NO ☐

If yes, explain \_\_\_\_\_



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## MEMORANDUM

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To: Mayor and City Council  
From: City Manager Kevin Carruth *KC*  
Date: February 4, 2025  
Re: Lady Luck RV Proposed Park Phase II

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Lady Luck RV Park received their certificate of occupancy for 53 RV slots in Phase I on January 31, 2024, and it has been very successful. The Park plans to add a second phase with 47 RV slots, a gym, a pool, and a public area. While Phase I is connected to the City's water and wastewater services, and Phase II is also within connection distance of city utilities, the existing wastewater main cannot serve the entirety of Phase II. The accompanying aerial image shows the two phases.

According to Section 27-45 of the Code of Ordinances (adopted in March 1956):

"All owners or occupants of buildings, or agents for the owners, situated within two hundred fifty (250) feet of a sanitary sewer are hereby required to construct or cause to be constructed suitable water closets on their property, and connect the same with the city sanitary sewer system under the direction and supervision of the city."

It is standard practice across the United States for developers to be responsible for any capital improvements needed for their development, which is fundamentally fair to existing wastewater customers. The current wastewater mains were extended in a similar manner, and altering this policy would mean that current customers would be subsidizing private businesses. Additionally, if the City Council, in its role as fiduciary for the wastewater system, deviates from the requirement of Section 27-45, it would set a precedent that could financially handicap the system in the future.

Staff agrees that the proposed Phase II of Lady Luck RV Park is a suitable use of this lot and that increasing the capacity of the existing main is not feasible in the short term. However, Section 27-44 of the Code of Ordinances provides an opportunity for an interim solution. Section 27-44 states:

"It shall be unlawful for any person to build, construct, dig, maintain or use any dry toilet, surface privy, cesspool or septic tank within the city; provided, however, when connection to the City's sanitary sewer system is impossible or impractical at any time, the construction, maintenance and use of a septic tank constructed in conformity to state law and approved by the building inspector *may be permitted until such time as connection to the sewer system may be made*[emphasis added]."

This allows for the possibility of developing an agreement allowing Lady Luck to install an approved on-site sewage facility (OSSF) for a fixed term. During this interim period, the City and Lady Luck would collaborate on the necessary capital improvements to provide wastewater service to Phase II, and once these improvements are completed, Lady Luck would transition from their OSSF to the city's wastewater system. Lady Luck would need to agree to this concept, and the legal and technical details of such an agreement would be discussed and presented to the Council for approval.

Please contact me if you have any questions.

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3947 Lincoln Avenue, Groves, Texas 77619 Phone: (409) 960-5773 Fax: (409) 963-3388

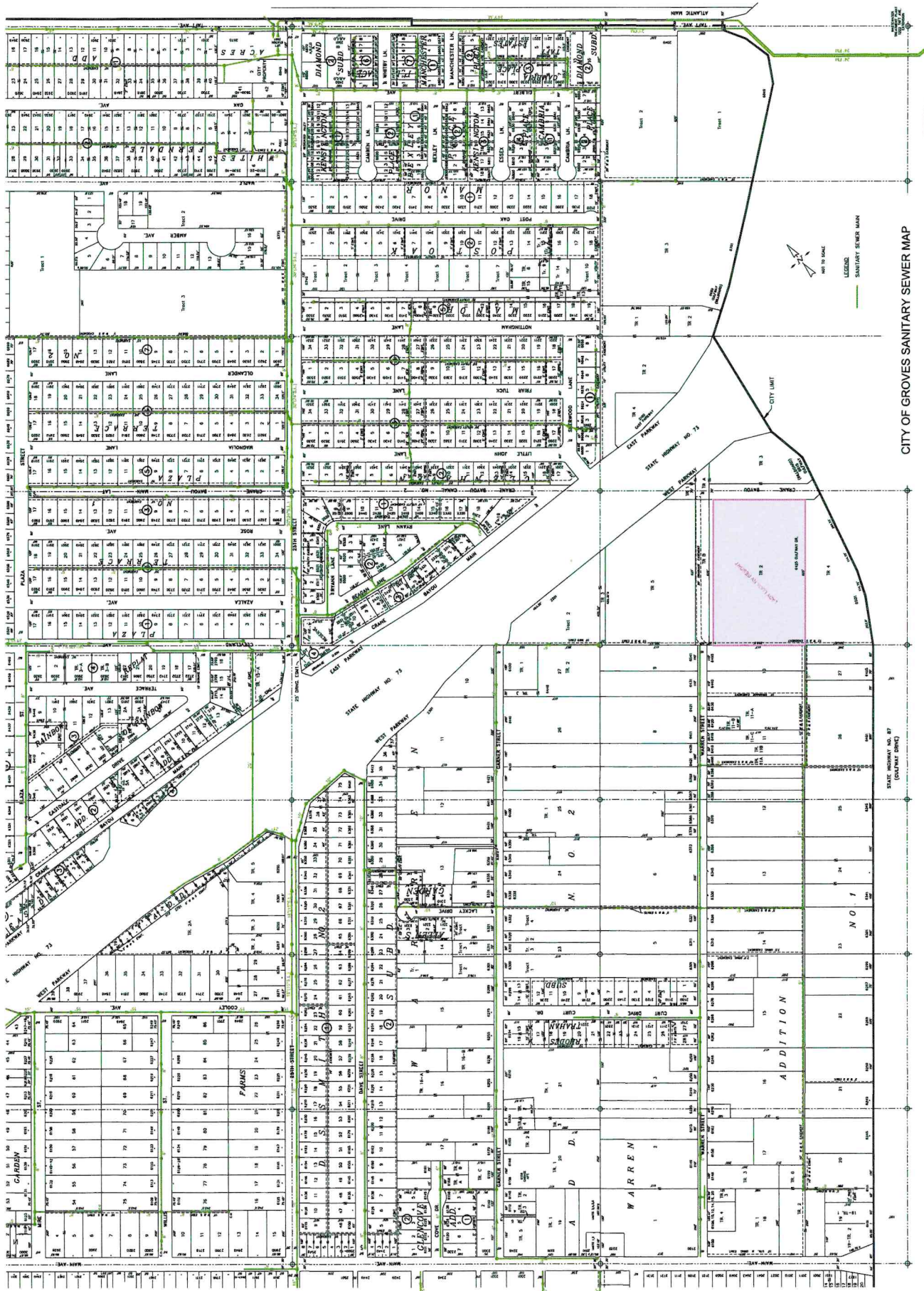
**[www.cigrovestx.com](http://www.cigrovestx.com)**



## City of Groves







CITY OF GROVES SANITARY SEWER MAP

# Lady Luck RV Resort Phase II

January 21, 2025



## City of Groves & The Lady Luck RV Resort – Phase II

Request to grant installation of On-Site Sewer Facility (OSSF) system, aeration treatment followed by drip system.

- Aeration drip systems have been used for many years and provide water quality discharge that meet State and Federal regulations.
- This aeration system is proposed because the City does not have sanitary sewer service at this time.
- Once City system has been upgraded to accommodate this project the owner will connect to the City's sewer collection system.
- Lady Luck RV Resort Phase II will provide quality living for travelers, workers and citizens.
- Lady Luck RV Resort Phase II will provide sales and property taxes to the City of Groves.

City of Groves Code of Ordinance, Chapter 27, Article III, Sec. 27-44-45:

### ▲ **Sec. 27-44. Privies, cesspools, septic tanks.**

It shall be unlawful for any person to build, construct, dig, maintain or use any dry toilet, surface privy, cesspool or septic tank within the city; provided, however, when connection to the city's sanitary sewer system is impossible or impractical at any time, the construction, maintenance and use of a septic tank constructed in conformity to state law and approved by the building inspector may be permitted until such time as connection to the sewer system may be made.

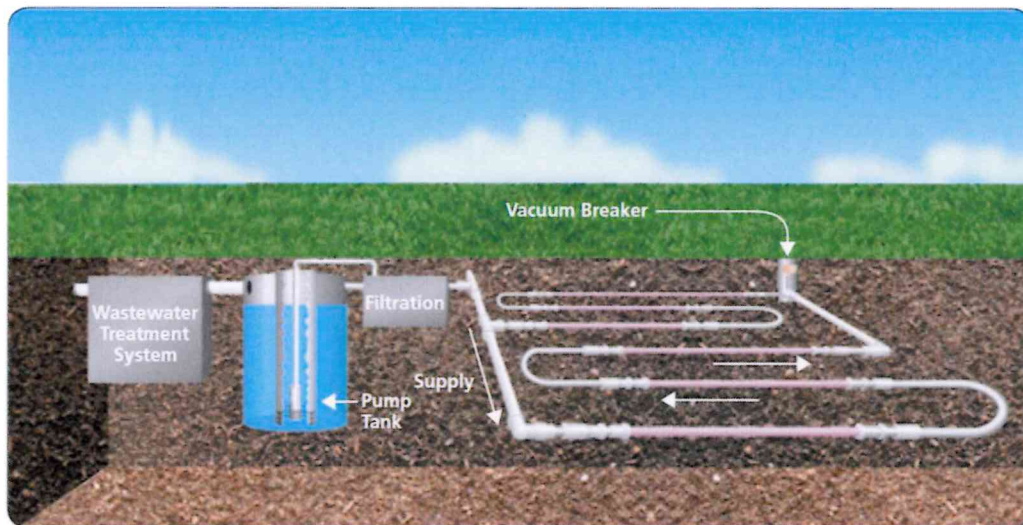
### **Sec. 27-45. Sewer connections—Required.**

All owners or occupants of buildings, or agents for the owners, situated within two hundred fifty (250) feet of a sanitary sewer are hereby required to construct or cause to be constructed suitable water closets on their property, and connect the same with the city sanitary sewer system under the direction and supervision of the ~~Due~~ to the City of Groves not having the capacity in the nearest sanitary sewer, which is over 250ft, it would require connection directly to the main sewer line to the wastewater plant.

(Ord. No. 88, §§ 1-3, 5-26-98)



Due to feasibility the request is to accept the installation of an On-Site Sewer Facility, OSSF.



*Figure 3 - Typical Treatment System & Drip Dispersal System Layout. Illustration provided by Texas Cooperative Extension.*

The system will be installed under the soil surface and meet effluent quality that will not pollute the soil. Designs are approved by the State, TCEQ, see example below.

Per the Texas Commission on Environmental Quality, TCEQ regulations:

Each On-Site Sewer Facility, OSSF is required to obtain a permit from the TCEQ and/or its registered authorized agent, Jefferson County Environmental Health Division. To comply with the regulations and be issued a permit a licensed Professional Engineer or Registered Sanitarian for residential, Site Evaluator, Installer, and Maintenance Provider must be hired.

**REQUIRES:**


Design by Professional Engineer.

Installed by a TCEQ licensed Installer.

Maintained by a TCEQ licensed Maintenance Provider.

Applications require affidavit of a maintenance contract signed by the owner of the property before discharge can even occur. Maintenance is performed by a TCEQ licensed Maintenance Provider.

Enforcement of the OSSF falls on the TCEQ Authorized Agent and for City of Groves would be Jefferson County and TCEQ


**TEXAS COMMISSION  
ON ENVIRONMENTAL QUALITY**

[Questions or Comments: oars@tceq.texas.gov](#)

[OARS Home](#)
[OSSF Home](#)
[TCEQ Home](#)
[Logout](#)

### OSSF Contacts Search Results

2 record(s) in this database matched your query.

[view Search Results](#)

If more than one record appears below, then a city or special district has been approved within the county you are searching. To determine which one to contact, follow the instructions of the first question you answer yes to:

- Do you live in a subdivision that contains property within 2000' of a lake or river? Find the name of the lake under the area served column. If the lake is not listed, contact the county.
- Do you live within the limits of a city? Find the name of the city under the Authorized Agent column. If the city is not listed, contact the county.
- Do you live in the county? Find the name of the county under the Authorized Agent column.

#### Search Results

Authorized Agent	Area Served
JEFFERSON COUNTY AUTHORIZED AGENT	unincorporated County
REGION 10 - BEAUMONT	

[Return to top of page](#)  
[More Information about the Texas OSSF Program](#)

The maintenance provider is responsible for fulfilling the requirements of the **maintenance contract**.

At a minimum, the maintenance company or maintenance provider shall:

- Install a tag, or some other form of identification, on the system at the beginning of each maintenance contract;
  - The identification shall either be punched or marked at the time of each visit, including responses to owner complaints, to provide the owner with a record of the visit.
- Inspect components of the system and note whether or not every component is working during each site visit;
  - If a component is not operating properly, the property owner must have it repaired.
- Test the system as required in **30 TAC §285.91(4)** [↗](#) ;
- Submit a report to the permitting authority and owner at least once every four months [see [📎 30 TAC §285.90\(3\)](#) [↗](#) for a sample report];
  - The reporting frequency may be reduced to once every *six months* if the system uses an electronic monitor, automatic radio or telephone to notify the maintenance provider of your system or component failure and to monitor the amount of disinfection in the system;
  - The maintenance provider is responsible for ensuring that the electronic monitoring and automatic radio or telephone access systems are working properly.
  - Your report must include all responses to property owner complaints and electronic monitoring notices;
  - Your report must be submitted within 14 days after the test is performed.

**Table IV. Required Testing and Reporting.**

Type and Size of Treatment Unit	Testing Frequency	Required Tests	Minimum Acceptable Test Results
Any Treatment Method in Conjunction with Surface Application	At least once every four months	One BOD <sub>5</sub> and TSS Grab Sample Per Year (non-single family residences only)  Total Chlorine Residual or Fecal Coliform at Each Required Test	BOD <sub>5</sub> and TSS Grab Samples Not To Exceed 65 mg/l  0.1 mg/l Residual in Pump Tank or Fecal Coliform Not To Exceed 200 MPN/100 ml (CFU/100 ml)
Any Secondary Treatment System	At least once every four months	None	None
Non Standard	Permit Specific	Permit Specific	Permit Specific

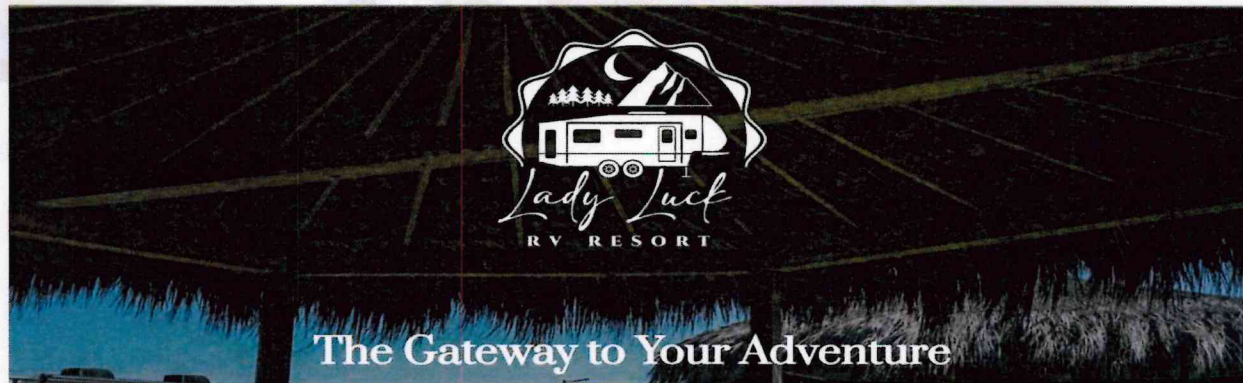
**Attachments:**

- I. Proposed sewer connection to City of Groves Wastewater Plant
- II. TCEQ application and Jefferson County application
- III. Affidavit to the Public to maintain the system



# Lady Luck RV Resort Phase II

August 19, 2024



# Proposed Lady Luck RV Resort -Phase II

47 RV spots  
Gym  
Public Area  
Pool











## Proposed Sanitary Sewer Services

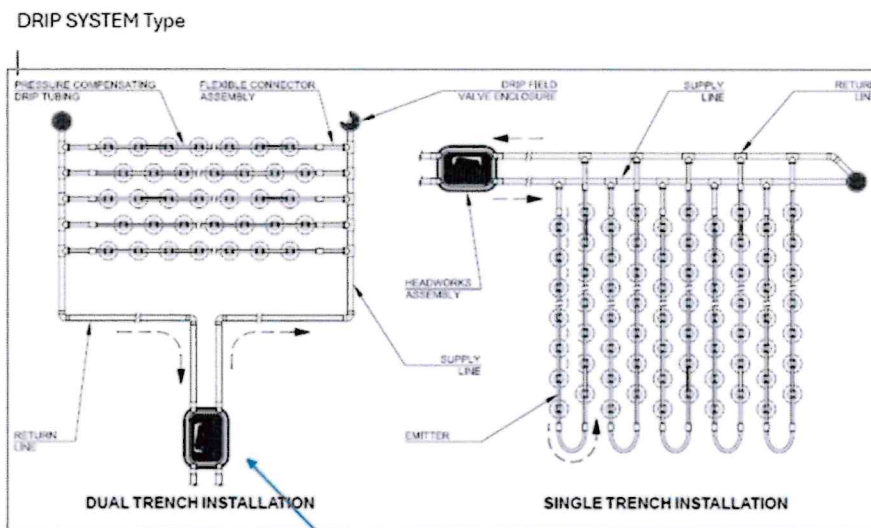
- The Drip Irrigation with Secondary Treatment and Filter is suitable for the soils in the Groves area. The groundwater will not be affected due to the depth of the lines and the vegetation that will take up the water and nutrients from the dripping irrigation system.
- There will be no commercial or industrial wastewaters only domestic.



# Regulations

- The Texas Commission on Environmental Quality, TCEQ and Jefferson County regulates On-Site Sewage Facility, OSSF.
- OSSFs are required to have a maintenance contract with a licensed provider which conduct quarterly maintenance on the systems.
- The Quality of Wastewater discharged from OSSF has to meet the regulatory requirements, just like a Wastewater Treatment Plant does.

# Schematic of an OSSF System

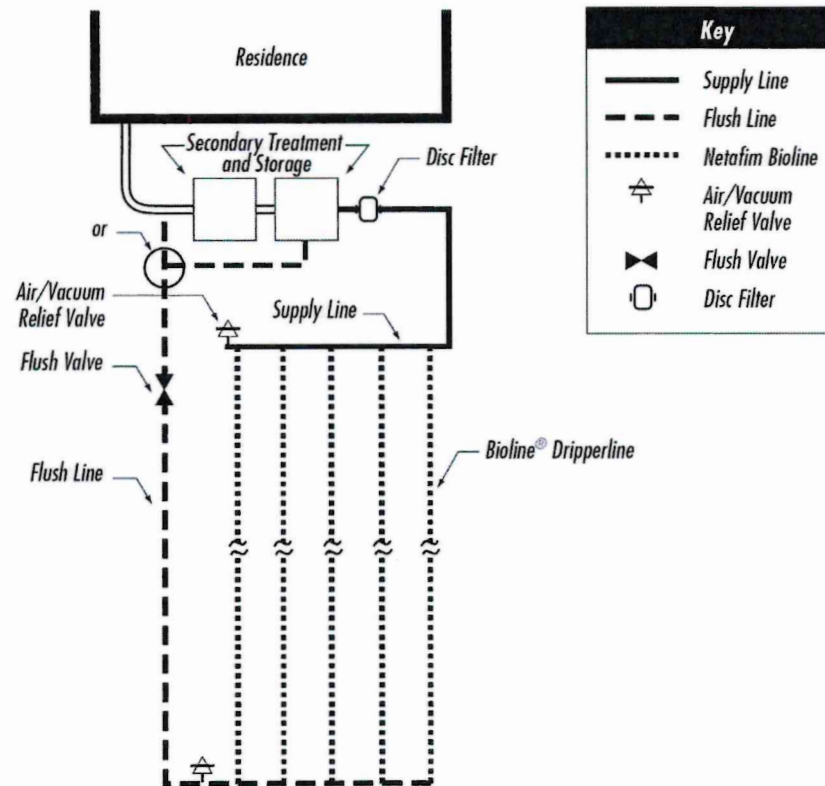


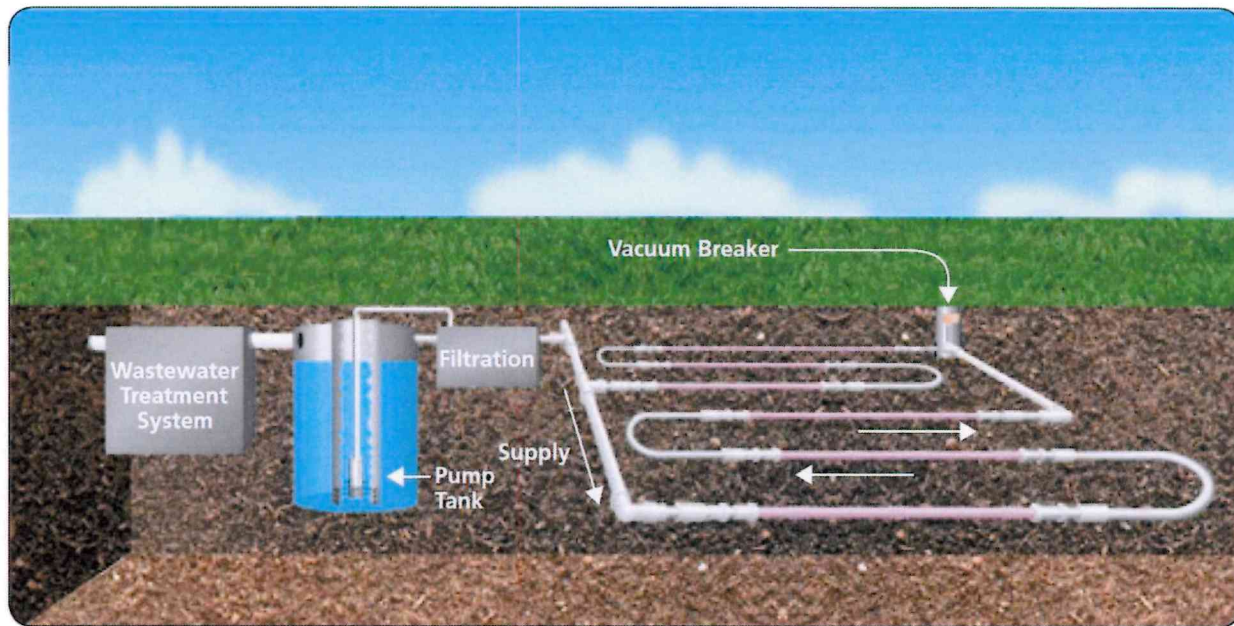
Aerobic Treatment System Tanks with Secondary Treatment



# Example of System Components

## SYSTEM COMPONENTS





**Figure 3 - Typical Treatment System & Drip Dispersal System Layout.** *Illustration provided by Texas Cooperative Extension.*



# Landscaping

- Plants or grass in portions of the field holds the soil in place and assists in the absorption of nutrients, preventing soil erosion and ensuring the proper functioning of the On-site system.
- Growing plants also promote oxygen exchange and encourage the necessary soil moisture removal through transpiration.

- Vegetation Examples

Daisy  
Texas Indian Paintbrush  
Sundrops  
Blue Phlox  
Indian Blanket  
Purple Coneflower  
Begonia  
Grasses



# Sanitary Discharge of Proposed Project

- 1,880 gal/day for 47 RV Spots
- 564 gal/day Bathroom shower volume.
- 2,444 gal/day Total volume.
- 24,440 square feet area for drip system.





# Sales and Property Taxes for the City of Groves

- *Up-Scale RV Living for travelers, workers and families*
- *Residents spending their money to live, eat and play in Groves, TX*
- *Promotion of local events for nationwide exposure*
- *Providing housing for incoming workers for the future*





## Revenue for Groves

Previous Tax Value of \$68,122 will increase exponentially

Previous tax value of existing Lady Luck went from \$22,480 to over \$2 million

Increasing tax base of undeveloped land in the land locked City of Groves

Once city services are available, we will connect to them



# Summary

- Aeration drip systems have been used for many years and provide the better water quality discharge.
- This aeration system is proposed because the City does not have sanitary sewer service at this time.
- Once City system has been upgraded to accommodate this project the owner will connect to the City's sewer collection system.
- Lady Luck RV Resort Phase 2 will provide quality living for travelers, workers and citizens.
- Lady Luck RV Resort Phase 2 will provide sales and property taxes to the City of Groves.







# Jefferson County Environmental Control

## Septic System Permit Application

Permit will not be issued if form is not filled out completely.  
All permit fees are non-refundable. Permit is good for one year from date of issue.

Property Owner \_\_\_\_\_  
(Last) (First) (MI)

or  
Company \_\_\_\_\_

Mailing Address \_\_\_\_\_  
(# & Street name) (City) (Zip code)

Home phone \_\_\_\_\_ Other/Work \_\_\_\_\_

Site Address \_\_\_\_\_  
(# & Street name) (City) (Zip code)

Property Tax ID# \_\_\_\_\_ Acreage \_\_\_\_\_ ☐ new home / structure ☐ existing home / structure

Subdivision \_\_\_\_\_ lot \_\_\_\_\_ blk. \_\_\_\_\_

Source of water ☐ private well ☐ public water \_\_\_\_\_

Single Family Residence: No. of bedrooms \_\_\_\_\_ Square footage \_\_\_\_\_

Commercial / Institutional (other than single family residence) Type: \_\_\_\_\_

Business / Institutional Name: \_\_\_\_\_

Contact name \_\_\_\_\_ No. of employees / Units \_\_\_\_\_

Treatment Type: ☐ Aerobic ☐ Conventional ☐ Holding tank Disposal Type: \_\_\_\_\_

Model #: \_\_\_\_\_

Treatment Tank: \_\_\_\_\_ (gal) Pre-Treatment Tank: \_\_\_\_\_ (gal)

Pump Tank: \_\_\_\_\_ (gal) Effluent Pump: \_\_\_\_\_ (hp)

Water saving devices: ☐ Yes ☐ No Affidavit filed: ☐ Yes ☐ No

Maintenance Contract: ☐ Yes ☐ No Initial Maintenance Company: \_\_\_\_\_

Site Evaluator \_\_\_\_\_ License No. \_\_\_\_\_

Installer \_\_\_\_\_ License No. \_\_\_\_\_

Designer \_\_\_\_\_ License type / No. \_\_\_\_\_

I certify that the above statements are true and correct to the best of my knowledge. Authorization is hereby given to Jefferson County Environmental Control to enter upon the above described property for the purpose of lot evaluation and inspection of the on-site sewage facility and related activities.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Installer: \_\_\_\_\_ Date: \_\_\_\_\_

Office use only

Flood zone \_\_\_\_\_ Community No. 480385 Panel \_\_\_\_\_ DP # \_\_\_\_\_ Received \_\_\_\_\_

Approved by: \_\_\_\_\_ / \_\_\_\_\_



# AFFIDAVIT TO THE PUBLIC

THE COUNTY OF JEFFERSON  
STATE OF TEXAS

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_  
PRINTED NAME OF HOMEOWNER(S)

\_\_\_\_\_  
CURRENT MAILING ADDRESS

who, after being by me duly sworn, upon oath states that he/she is the owner of record of that certain tract or parcel of land lying and being situated in Jefferson County, Texas, and being more particularly described as follows:

Legal description to property: \_\_\_\_\_

\_\_\_\_\_  
The undersigned further states that a surface application on-site wastewater treatment system has been installed in accordance with the permitting provisions of Jefferson County. The undersigned has entered into a maintenance agreement, as required by this permitting entity, with an approved maintenance company for services and repairs to the surface application system.

Furthermore, the undersigned states that he /she will, upon any sale or transfer of the above-described property, request a transfer of the permit to operate such surface application system to the buyer or transferee. Any buyer or transferee is hereby notified that a maintenance contract with an approved maintenance company will be required for use of the system. All maintenance on this Onsite Sewage Facility (OSSF) must be performed by an approved maintenance company, and a signed maintenance contract must be submitted to Jefferson County Environmental Control **within 30 days** after the property has been transferred.

**A buyer or transferee must not alter or obstruct the designed spray field of their Onsite Sewage Facility without first contacting Jefferson County Environmental Control.** These alterations include swimming pools, buildings, fences, water wells, etc. Any homeowner is hereby notified that a permit is required to make any such alterations and failure to do so is a violation of Texas State Law.

\_\_\_\_\_  
(Homeowner(s) Signature)

-----  
STATE OF TEXAS  
COUNTY OF JEFFERSON

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_.  
Name(s) of Homeowner(s)

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's Printed Name

My Commission Expires: \_\_\_\_\_





Texas Commission on Environmental Quality

ON-SITE SEWAGE FACILITY  
TECHNICAL INFORMATION FOR PERMIT

PROFESSIONAL DESIGN REQUIRED?: ☐ Yes ☐ No If yes, professional design attached: ☐ Yes ☐ No

Designer Name: \_\_\_\_\_ License Type and No. \_\_\_\_\_

Phone No. (\_\_\_\_) \_\_\_\_\_ Other or Fax No. (\_\_\_\_) \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

I. TYPE AND SIZE OF PIPING FROM: (EXAMPLE: 4" SCH 40 PVC)

Stub out to treatment tank: \_\_\_\_\_

Treatment tank to disposal system: \_\_\_\_\_

II. DAILY WASTEWATER USAGE RATE: Q= \_\_\_\_\_ (gallons/day)

Water Saving Devices: ☐ Yes ☐ No

III. TREATMENT UNIT(S): ☐ Septic Tank ☐ Aerobic Unit

A. • Tank Dimensions: \_\_\_\_\_ • Liquid Depth (bottom of tank to outlet): \_\_\_\_\_

• Size Proposed: \_\_\_\_\_ (gal) • Manufacturer : \_\_\_\_\_

• Material/Model #: \_\_\_\_\_

• Pretreatment Tank : ☐ Yes SIZE : \_\_\_\_\_ (gal) ☐ No ☐ NA

• Pump/Lift Tank : ☐ Yes SIZE : \_\_\_\_\_ (gal) ☐ No ☐ NA

B. OTHER ☐ Yes ☐ No If yes, please attach description.

IV. DISPOSAL SYSTEM:

Disposal Type: \_\_\_\_\_

Manufacturer and Model: \_\_\_\_\_

Area Proposed : \_\_\_\_\_ square feet

V. ADDITIONAL INFORMATION:

NOTE - THIS INFORMATION MUST BE ATTACHED FOR REVIEW TO BE COMPLETED.

A. Soil/Site evaluation B. Planning materials (If Applicable)

**DO NOT BEGIN CONSTRUCTION PRIOR TO OBTAINING AUTHORIZATION TO CONSTRUCT.  
UNAUTHORIZED CONSTRUCTION CAN RESULT IN CIVIL AND/OR ADMINISTRATIVE  
PENALTIES.**

SIGNATURE OF INSTALLER OR DESIGNER: \_\_\_\_\_ DATE: \_\_\_\_\_

*If you have questions on how to fill out this form or about the on-site sewage facility program, please contact us at your local regional office or at 512/239-3799. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.*

This application may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any executed signature on this agreement may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this application shall constitute an original signature for all purposes.