

CARL HARBERT <i>Council Member, Place 1</i>	DAVID RUTLEDGE <i>Mayor</i> 	ERIC ANDRUS <i>Council Member, Place 4</i>
KIRK ROCCAFORTE <i>Council Member, Place 2</i>		TERRI GAUTHIER <i>Council Member, Place 5</i>
TAMMI FISETTE <i>Mayor Pro-Tem / Council Member, Place 3</i>		LUCY FIELDS <i>Council Member, Place 6</i>

CITY COUNCIL MEETING MINUTES
CITY OF BRIDGE CITY
February 6, 2018

The City Council of Bridge City met in a meeting on Tuesday, February 6, 2018, at the City Hall of Bridge City, 260 Rachal, Bridge City, Texas.

1. CALL TO ORDER

Mayor David Rutledge called the City Council meeting to order at 6:00 p.m.

CITY COUNCIL PRESENT:

Mayor David Rutledge
 Council Member Carl Harbert
 Council Member Kirk Roccaforte
 Mayor Pro-Tem Tammi Fisette
 Council Member Eric Andrus
 Council Member Terri Gauthier
 Council Member Lucy Fields

BRIDGE CITY HIGH SCHOOL STUDENT COUNCIL REPRESENTATIVE:

Nolan Moore

CITY STAFF PRESENT:

City Manager Jerry D. Jones
 City Secretary Sherry Tisdale
 City Attorney Paul M. Fukuda
 Finance Director Karen Morgan
 Personnel/Purchasing Director Jeanie McDowell
 Chief Paul T. Davis
 Mike Lund, Utility Superintendent
 Mike Die, Asst. Utility Superintendent
 City Employees present for Mayor's presentation - see Item No. 4(a)

2. INVOCATION AND PLEDGE TO THE UNITED STATES FLAG AND THE STATE OF TEXAS FLAG

Following the invocation given by Mr. Fukuda, Mayor Rutledge led in the pledge of allegiance to the United States flag and to the State of Texas flag. At the conclusion of the pledges, Mayor Rutledge thanked everyone for coming to the meeting in such nasty weather. He said he was glad to see so many citizens coming out for the meeting.

3. APPROVAL OF THE AGENDA

Council Member Fields made a motion to approve the agenda, seconded by Council Member Gauthier.

With no changes, additions, or deletions, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

4. PRESENTATION

(a) *Certificates of Appreciation presented to City of Bridge City employees for their work and assistance during and after Tropical Storm Harvey*

Mayor Rutledge explained this item is the best way to recognize the men and women who work real hard behind the scenes that kept everything going during the storm, and we want to take time now to acknowledge the work they have done. He said that Council has already presented Certificates of Appreciation to our police, firefighters, and emergency responders. Now that things have settled down a little bit, he said Council would like to recognize all the work these employees have done. Mayor Rutledge then presented Certificates of Appreciation to the City of Bridge City Employees.

STREET AND DRAINAGE STAFF

Richard Harmon, Street & Drainage Superintendent

Mark Stevens, Asst. Street & Drainage Superintendent

John Ramirez, Heavy Equipment Operator I

Mike Chesson, Heavy Equipment Operator II (absent)

Nathan Noyola, Light Equipment Operator I/Community Center/Sr. Citizen Center

Cody Quigley, Light Equipment Operator II

Kevin Staudenmier, Light Equipment Operator II

Ronnie Russell, Mechanic

WATER AND WASTEWATER TREATMENT PLANT STAFF

Mike Lund, Utility Superintendent

Mike Die, Asst. Utility Superintendent

Paul Morvant, Heavy Equipment Operator I

Casey Womack, Heavy Equipment Operator I (absent)

Adam Braswell, Light Equipment Operator I (absent)

Kegan DeLuna, Light Equipment Operator II

Eric Bramblett, Light Equipment Operator II (absent)

Larry Hodge, Wastewater Treatment Plant – Plant Operator

Justin Thomas, Wastewater Treatment Plant – Asst. Plant Operator
Ricky Waldrep, Light Equipment Operator II

PARKS & RECREATION STAFF

Jan Norris, Senior Citizens Director

LIBRARY STAFF

Mary Montgomery, Director of Library Services (absent)
K'Lynn Borg, Library Clerk

MUNICIPAL COURT STAFF

Bill Dixon, Municipal Judge
Ida Schossow, Associate Municipal Judge (absent)
Paul M. Fukuda, City Attorney/Prosecutor
Terry Smith, Deputy Court Clerk (absent)
Terri Ballenger, Deputy Court Clerk

CITY HALL STAFF

Jerry D. Jones, City Manager
Sherry Tisdale, City Secretary
Jeanie McDowell, Personnel/Purchasing Director
Karen Morgan, Finance Director
Brenda Scales, Community Development Coordinator
Clarence Philpott, Code Enforcement Officer (absent)
Sharon Hogg, Accounts Payable/Payroll Clerk (absent)
Mitzi Nolan, Utility Clerk
Brooke Leger, Utility Clerk (absent)

Mayor Rutledge said, “Again, we want to say thank you to all of y’all that did everything for us. The Council, I know, is very appreciative, too. I’m sure... I hope the citizens tell you that from time to time anyway.”

5. REPORTS & COMMENTS

(a) City Manager

City Manager Jerry Jones had the following report for Council:

1. Romero Well Site: City received permission to start up the filtration system at Romero Well
2. Drainage Work: guys have been out cleaning culverts and ditches as much as they can – lot of the problem in this past rain was due to leaves and debris and brush in ditches that stopped up culverts
3. Meeting with Drainage District: DD is going to try to go around and check all the City’s major outfall ditches and do some work for the City – City’s Gradall will be going out every day to get some of the silt out on the bottom of the ditches – hopefully will get the ditches to where the next time there’s rain the water can get out

(b) City Council

Council Member Carl Harbert stated that he, Council Member Andrus, and Richard Harmon are going Friday to Rayne, Louisiana, to look at a culvert tool. He said they are going to give them a demonstration and have offered to build it for the City for cost of material. He said they would get prices, come back and give Council a report, and talk to Mr. Jones.

Council Member Kirk Roccaforte said he would like to thank everyone, as well, for everything they have done. All the employees are the wheel of the City and without them we would've been in trouble.

Mayor Pro-Tem Tammi Fiset said, "Thank you so much." She said she wanted to back up what Council Member Roccaforte said. She stated, "The City employees are wonderful, wonderful." She said when she or other council members are out talking to the citizens, the employees take it upon themselves to stop and talk to the citizens with them. She stated that means so much to them. City employees can answer so many questions Council does not know. She said, "Thank you very much. Y'all do an awesome job. I'm very proud of every single one of y'all."

Mayor Pro-Tem Fiset said that, in looking over the past minutes, there are a couple of follow-ups. She wanted to see where the City is on these items. One of the meeting's minutes said there was going to be a follow-up meeting with FEMA. She asked Mr. Jones for updates on that.

Mr. Jones said that there are so many organizations with FEMA that he and staff have met with over the last few months. Right now - basically where the process is - City staff has to meet with folks and give them outlines of all the projects and damages that the City has had. He said City staff has done this. He said the City has to establish a cost of repairs, give them the exact location with a GPS, and then go back. Ms. Morgan has to upload those things on the computer into their programs, and then they send teams down to inspect the things that the City has turned in. When they do this they go back and start writing them up. Then the City has to sign-off on the project list. This is a very lengthy process and it will be several months before the City has all these things approved. Each one of these projects have to be approved before the City can get permission to start the planning on the projects. He stated that's where the City is now - in the process of turning damages in, giving them estimates, getting all the information they (FEMA) want, and Ms. Morgan is spending hours on the computer uploading these things. She has done a great job with this.

Mayor Pro-Tem Fiset stated, "So the meeting went well?" Mr. Jones replied, yes, they all went well with the different groups. He also said there is someone different each time they come in. Some of them will be doing inspections, somebody doing assessments, somebody doing feasibility studies, or somebody doing mitigation.

Mayor Pro-Tem Fiset said the other update she saw was when Mr. Nicks came to a Council Meeting with concerns about the drainage between David and Blueberry. She said, "We stated that we were going to look into it and see what the City could do underneath the hedges and through the fences." Mr. Jones stated he and staff went out and looked at this project. There will be substantial damage to that one residence as far as taking fences down and taking hedges

down and so forth. He said they looked at the entire project and are going to go in at the back end of that pipe, clean out the ditch to the road, clean it out to the major drainage ditch, go in and blow out the pipe that's in there and clean out the first pipe and see if the City can drain that without having to tear up that yard. Mr. Jones said they are going to look at this first. City staff has been trying to get in but it has rained every other day since then. As soon as the City gets a dry day, they are going to get in there. They already have the permission to do it. After all of this work is done, he said they would look at this when it rains again. Mayor Pro-Tem Fisetette asked, "So we were able to touch base with that homeowner and he does know that we are in the process of..." Mr. Jones replied yes, the City is ready to do it. It's just a matter of when it can be done. Mayor Pro-Tem Fisetette responded, "Very good."

Mayor Pro-Tem Fisetette told Mayor Rutledge she would like to give an update on the Bridge City Fire Department. She said for the year of 2017 the Bridge City Volunteer Fire and Rescue Department had:

- 29 structure fires
- 11 vehicle fires
- 26 grass and marsh fires
- 47 trash and unauthorized burning calls – this is where somebody complains that they are having trouble breathing or someone is burning after dark
- 161 motor vehicle accidents
- 2 water rescues
- 7 spills and wash downs
- The main thing the BC Volunteer Fire Department did – 1,107 first responder calls
- 60 investigations
- 76 other alarms
- 25 miscellaneous calls
- 10 mutual aid calls going to Vidor, Orange, Port Arthur, out of district, out of Bridge City
- TOTAL of 1,561 calls last year

She said they are up in between 300 to 400 calls from last year. She told the citizens at the meeting that it is a privilege to do what the volunteers do. She said she is very proud of this City, our citizens, and that's what is all about – taking care of people.

- TOTAL man-hours spent at making calls was 8,589 hours

Mayor Pro-Tem Fisetette also said that the citizens of Bridge City are about to be a proud owner of a new 110 foot platform truck. It should be in Bridge City within the next month or two.

Council Member Eric Andrus said he would like to extend his gratitude and thanks to the City employees. He said he knows how hard they work. He said he's seen it personally through a lot of the employees at the meeting tonight. He also said he wanted to thank the Volunteer Fire Department.

Council Member Terri Gauthier stated she wasn't going to miss her chance to tell everyone "Thank You". She said it's not very often that they have the opportunity to thank all those that

work for the City and volunteer. She's proud of all that they do and is proud of our City and proud to be part of the team.

Council Member Lucy Fields said "Thank you so very much." She said she's had the opportunity to see a lot of the employees do for this City ever since they moved here 20 years ago. She said she saw first-hand how hard they work and she loves each and every one of them.

She stated she also wanted to thank Council and the employees for the kindness and compassion shown to her at the funeral of her mother a few weeks ago. She said, "You have no idea how much it meant to me and my family to have you guys there... and for your calls and texts and for just being there for us."

Council Member Fields said, in talking with other citizens in the last few weeks, they have been asking how and whom they can contact about different concerns they have about the City. She said she let them know they can call City Hall, but also talked to them about the LUKE app that the City has. She was really surprised that none of the citizens knew what she was talking about. She reported that the citizens asked her to speak to City Council and asked if the City could please put another article in the paper about the LUKE app, and put it on the City's Facebook page, and possibly put it on the water bill, so that they have access to it.

She asked Mr. Jones "Do we know what the situation is on Rosen Street?" Mr. Jones said this item is going to be on the Workshop next week where the City is going to go with it. All the times have run out – it's just a matter of how and where the City is going to move it. Council Member Fields stated that she knows there is no occupancy there. Mr. Jones said City staff has sent out one more letter to make sure every notice that can possible be done has happened. He said it's time for it to be moved. He stated that he and Council would talk about the options next Tuesday.

(c) City Staff

There were no comments from City Staff.

Nolan Moore, BCHS Student Council Representative thanked the City employees for all they do. He said there has to be a functional City for them to go to High School.

(c) Mayor

Mayor David Rutledge had a few comments:

1. Looking ahead Council will be pretty busy with public hearings and workshops and meetings so "get geared up the best you can" and try to make it, if at all possible
2. Thursday, March 1, is the TML Region 16 Meeting, and Bridge City is fortunate enough to be the one hosting it. It will be held in the newly remodeled Community Center. He asked Council to mark their calendars, and he sure would like to have a large attendance. Mayor Rutledge stated that the Executive Director of the Texas Municipal League is coming down to give Region 16 an outlook of what to expect with the legislature coming up and what the cities need to do at the "grass root level".

6. CITIZEN COMMENTS

Mr. Fukuda stated that, based on the Open Meetings Act, all the items to be discussed by City Council must be posted in advance. The City Council cannot discuss items that are not on the agenda already, but citizens are given the opportunity to speak for three minutes. In order for it to be discussed, it would have to be on a future agenda. Nobody can answer the citizen's question, but they are free to talk for three minutes.

Martha Beard, 230 Bower Drive

Ms. Beard said she has lived at 230 Bower Drive for 70 something years. Now there is someone across the street that is wanting to come in and build a Recreational Vehicle Park. She said that's not going to help them at all. She said she's 71 years old and doesn't need this. She already has an apartment house next door. She stated she thinks they have had enough and if they could get some help, she would thank them with all her heart.

Council Member Roccaforte stated that there is an agenda item tonight to schedule a hearing on this item; and, at the hearing, they will be free to speak and ask questions. He said the agenda item tonight is only to set a hearing.

Shirley Lynd, 215 Bower Drive

Ms. Lynd said she is here about the same thing – the RV park. She said she will be back to address this. She said she didn't know they couldn't discuss this.

Peter Lynd, 215 Bower Drive

Mr. Lynd said he didn't realize the situation about discussion. He since he's been here since 1960. He said there's only a barbed wire fence separating their property from the RV trailers. He said he doesn't appreciate a trailer park next to his house.

He also complimented the people that picked up the garbage in the City. They did a fabulous job.

7. RESOLUTION *(Resolución)*

(a) Consideration and possible action to approve Resolution No. 2018-03(R) ordering the City of Bridge City General Election to be held on Saturday, May 5, 2018

(La Consideración y la posibilidad de acción para Resolución No 2018-03(R) ordenando la Elección General en la Ciudad de Bridge City que tendrá cabo el sábado, el 5 de mayo del 2018)

Mr. Fukuda read Resolution No. 2018-03(R) in its entirety, ordering the City of Bridge City General Election to be held on May 5, 2018.

Council Member Fields made a motion to approve Resolution No. 2018-03(R). Mayor Pro-Tem Fisette seconded the motion.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

8. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

(a) Consideration and possible action to approve minutes of the following meetings:

- 1) October 17, 2017 City Council Meeting**
- 2) November 7, 2017 City Council Meeting**
- 3) November 16, 2017 City Council Special Meeting (as amended)**

Council Member Andrus made a motion to approve the October 17, 2017 City Council Meeting, the November 7, 2017 City Council Meeting, and the November 16, 2017 City Council Special Meeting, as amended. Motion was seconded by Council Member Gauthier.

Mayor Rutledge asked if there were any changes, corrections, alterations, or deletions. With no discussion, he called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

(b) Consideration and possible action to approve City bills for the month of December 2017

Council Member Fields made a motion to approve the December 2017 City bills, seconded by Council Member Roccaforte.

Mayor Rutledge asked if there was any questions or discussion.

Mayor Pro-Tem Fisette said she had one question that she could not find an answer. She asked about the Various Miscellaneous Payable section. She wanted to know what 22-845-00-4304 at \$4,487.

Council Member Harbert asked if this was for the fence at the Sewer Plant.

Mr. Jones said 22-845-00-4304 at \$4,487 was for the Mechanic Shop Door. The City had to pay someone to come out and get the Mechanic Shop door back up and closed. The insurance company will reimburse the City for this because it is covered.

Mayor Pro-Tem Fisetto asked if Miscellaneous Payable, 22-4157, for \$18,400, was for the fence. Staff said yes. Mr. Jones said this is for the Sewer Plant.

With no more questions, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetto, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

(c) *Presentation and consideration of the 2017 Racial Profiling Report by Bridge City Police Chief Paul T. Davis*

Council Member Andrus made a motion to consider the 2017 Racial Profiling Report by Chief Davis. Motion was seconded by Council Member Gauthier.

Chief Davis asked if Council had any questions. He stated that this report is required by State law to be filed after approval of the governing body.

Mayor Rutledge asked if anyone had any questions for the Chief.

Council Member Fields asked if the total is in keeping with what the City has had in years past. Chief Davis replied yes. He said this is in no means all the traffic stops they made, but it is what is categorically required by State law.

With no further questions, Mayor Rutledge asked for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetto, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

(d) *Remove from table - Consideration and possible action regarding a request by Karah Saucier, residing at 175 W. Darby Street, concerning the roach infestation that is spreading from the trash and hoarding situation at 160 W. Darby*

Council Member Harbert made a motion to remove Item 8(e) from the table, seconded by Council Member Roccaforte.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

Mayor Rutledge asked Ms. Saucier to come up front to speak to Council.

Ms. Saucier said there is movement at the house and they are moving trash out, but the problem is they did not spray. The roaches are rampant. They did not call in an exterminator. Roaches are everywhere. She doesn't know what else to do with her. She said she talked to Pastor Paul Zoch at the Lutheran Church if they would please spray over there and he said he would. It hasn't been done and she just had to pay \$260 to exterminate her car. She said she doesn't know whom else to talk to. The trash is being moved out.

Mayor Rutledge said it's in a process that's underway, and he asked Mr. Jones to explain.

Mr. Jones said two things have happened since the last time this item was talked about:

1. Paul Zoch had some folks that were coming to clean it and actually do the work during that period of time. Dr. Messer had someone working on some of his buildings and this worker was asked to go over to this house and inspect it. Basically, what he said was he doesn't think the building can be repaired. This worker said that while they are moving the trash out they should go ahead and tear the house down.
2. Two days later Mr. Zoch called Mr. Jones and said Operation Blessing wanted to come in and take over – gut it, clean it, and re-build it. This is the last information the City has been given. He said the City will have to rely on what these people are going to do. Personally, he said - looking at it – it looks like it should be torn down, but he's not an expert.

Mr. Jones said he will call Mr. Zoch back and see if he can get somebody to do some spraying out there. Maybe he can convince him to have somebody go ahead and do some spraying while they are cleaning stuff out. They have started cleaning.

Ms. Saucier said there are full-grown rats in the house. It's just not a roach infestation – it's a rodent infestation and cat hoarding. She said she spoke to Operation Blessing and told them her problem with this situation. The owner had 30 days to clean it before they came out. She did not clean it and kept bringing more in. Ms. Saucier said she will continue to do this. Someone will come out and clean the place and she will bring trash back. She is not going to change. This is a mental disorder. Her car is so full of trash, that as she drove from her house the trash spilled down the road. This happens over and over again. There are holes everywhere in the house. They have been through this process on numerous occasions where someone would clean her house. Ms. Saucier said the house is run down. There are holes everywhere – in the back, in the front, in the roof – it is run down. She said she suggested to the Operation Blessing people that they might help this homeowner get therapy. They told her all they are going to do is fix the house and go.

Mr. Jones commented that he doesn't think Operation Blessing understands that this homeowner has four or five more houses. Mr. Jones said, "To me – that's an issue, too." He said he is going to make some phone calls. He said he tried to today. He said his building inspector says that the building needs to be torn down and so does that guy that was going to help clean it out.

Mayor Rutledge said instead of waiting for Operation Blessing to complete their work, is there anything the City could get rolling legally to run in parallel with this. Mr. Jones said City staff has already written the letter condemning the house. If Operation Blessing comes in and goes through and repairs it, the City will have to rescind the letter. Mr. Jones said he and staff think there's way too much cost involved to make it cost effective to repair the house. He said the City is headed in the right direction to get it torn down but it still has to be cleaned up regardless. He said the house can't be torn down without all that stuff out of it. Mr. Jones said if someone would just condemn it, the City could get a dumpster and haul it off. He also said that Judge Dixon is stuck in the same place he is. He can start fining her \$100 a day or \$500 a day – that's not going to do any good. Mr. Jones said he doesn't know where we go with this.

Council Member Harbert said he was over there today and there are roaches all over the road.

Mr. Jones said the City sent a machine over this past week and cleaned up all the piles in the ditches. They cleaned it up and tried to help a little bit with what's going on.

Council Member Fields said she went by there today, also, and it did look a little better than last time but she did see the rodent problem.

Council Member Roccaforte said all the trash needs to be taken out of there.

Fire danger issue was discussed because of all the boxes.

Ms. Saucier said she doesn't feel like they should have to live like this. She said that every time she talks to someone they tell her they are going to make a phone call. She said she is well past her 30 days. She can't pay her fines she already has. She said she even called Adult Protective Services.

Mayor Rutledge said the wheels of justice grind slowly but there are certain procedures the City has to follow. Ms. Saucier said, "This is six years."

Council Member Roccaforte said it is really, really, really, really difficult to get someone out of their house and off their property. The laws protect them.

Ms. Saucier explained this is costing her money. She said she has spent thousands of dollars that she shouldn't have to spend. She stated she takes care of her home and pays her taxes. She said she was told to call the County Health Department, and they told her to call the City because the City has their own Health Department. Rodents carry horrible diseases.

Mr. Jones said the City does not have a Health Department and that the County Health Department is whom the City uses and calls. He said City staff has called the County Health Inspector to go by this place.

Council Member Roccaforte asked Ms. Saucier if the amount of trash and debris is getting smaller at this point. Ms. Saucier answered it's getting smaller – it's going in her car. Council Member Roccaforte asked her if she thinks the people coming out will eventually clean it up. Ms. Saucier replied, maybe. She said every time these people move something - roaches spread. She asked could the City make her exterminate her property. Council Member Roccaforte said he did not know, but he doubts it. They City is working in that direction. Ms. Saucier said she understands that, but she feels like it should've been sprayed first. She said she told Mr. Zoch that the neighbor has a roach infestation. He said he knew and was going to have somebody spray.

At the conclusion of discussion, Mr. Jones said he will call Mr. Zoch tomorrow. He said he would also check to see if the Health Department has something that would request people to spray their property.

Mr. Fukuda said part of the problem as far as trying to get someone to do something - the law is not set up to do that. Imagine criminal law - what you want people to do is behave. The whole point is people are not doing that. It's very difficult for any law to make someone do anything. Basically, the City cannot do this. All the City can do, as far as the application of the law, is "you need to do it or you're going to be fined" or "you need to do it or you're going to be jailed." Mr. Fukuda explained this is not a jailable offense. The fine is all the City can do. It's possible to get injunctions on individuals, but that's really to stop doing things - that's not to affirmatively do things.

Council Member Roccaforte asked Ms. Saucier not to give up, and don't hesitate to come back.

Ms. Saucier said she didn't know what else to do.

Council Member Andrus said the process is going with the City. He said the City would get with Mr. Zoch and will inform him and Mr. Zoch can inform the City. If it gets to the point where the house has to come down – it will come down. It just has to go forward with this process.

Ms. Saucier thanked Council.

NO ACTION TAKEN.

POINT OF RECORD

7:05 pm: Mayor Rutledge called for a short break.

7:13 pm: Mayor Rutledge continued the meeting.

(e) *Consideration and possible action to approve a joint election agreement between the City of Bridge City, the Bridge City Independent School District, the Orange County*

Navigation and Port District, and the Orange County Drainage District for the May 5, 2018 General Election

(La Consideración y posible acción junta para el apruebo del acuerdo electoral entre la Ciudad de Bridge City, el Distrito Escolar Independiente de Bridge City, el Distrito de Navegación y Distrito del Puerto del Condado de Orange, y del Distrito de Drenaje y Desagüas del Condado de Orange, para la Elección General el 5 de mayo, del 2018)

Council Member Harbert made a motion to approve a joint election agreement with the City, Bridge City Independent School District, the Orange County Navigation and Port District, and the Orange County Drainage District for the May 5, 2018 General Election. Motion was seconded by Council Member Roccaforte.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

(f) Consideration and possible action to create a city-wide Beautification Committee and the makeup of the membership and goals of the committee

Council Member Harbert made a motion to create a city-wide Beautification Committee, seconded by Mayor Pro-Tem Fisette.

Mayor Rutledge said this has been kicking around for a while. They are getting a little more impetus from everybody now. He asked Council Member Andrus and Council Member Harbert to speak to Council about this idea.

Council Member Harbert said he and Council Member Andrus met the other day. He said, "We need to clean our town up." Trash has plugged up the drainage – that was 90% of the flooding around this town (after 10-inch rain). He said we need to take pride in our City. It's going to take the school. It's going to take all kind of organizations. He said, "It's our town. It's time to clean it up and make it look presentable again." He said he hated to say it but he filled in his ditch and put in a culvert so he could cut the grass. He stated he might be part of the problem, but he said his yard didn't flood with the last 10-inch rain. Council Member Andrus said it was close with him.

Council Member Gauthier said she spoke to our County Commissioner today, and he's going to be reaching out to the mayor. This is a County-wide concern and everybody wants to do what we need to do to get our citizens involved. Commissioner Gothia said he's meeting with Don Corona, the Orange County Drainage District Director, and he wants to get with a couple of representatives from our City Council and possibly Orange, and have a get-together and brainstorm some ideas so they can all be on the same page.

Mayor Rutledge said what he and Council Member Gauthier originally talked about was all the trash falling off the debris trucks. Once all the debris is picked up, they can mount an effort to clean our City up.

Council Member Harbert talked about all the places he's found with trash in the ditches. He then said he talked with Council Member Andrus and then with Mr. Jones, who said Community Service people could be used for this.

Council Member Andrus said this could be done along the same lines as the "Reflectors for Responders". This went off so well. School organizations, as well as the Rotary and the Chamber were involved. It's County-wide and not just concentrated on culverts.

Mayor Rutledge asked if he heard volunteers stepping up to head this committee.

Council Member Fields said she spoke to David DeRosier out of Orange. They have some kind of committee trying to get people from Bridge City to nominate some homes that were nice and well-kept or schools or businesses. This was prior to Harvey, but maybe they could get with them and see what they are working on and coordinate with them.

Mayor Rutledge stated that Council Members Fields, Andrus, and Harbert could head this up for Council, make contacts with these groups, and do whatever they have to do to pull this thing together.

Mr. Fukuda told Mayor Rutledge that it may be a good idea to limit any membership for the Council Members to two so you never get in a problem with a quorum.

Mayor Rutledge said they can decide among themselves to see who would be alternate. Council Member Harbert said he was originally contacted by Council Member Andrus, and he thinks he should be chairman and he will assist in any way he can.

Mayor Rutledge said since this is not an official function of the City this will be a citizen committee. He asked them to please get this going and be mindful of Mr. Fukuda's caveat about a quorum.

NO ACTION TAKEN. Mayor Rutledge said there is no action to take here since it isn't a City function.

(g) Consideration and possible action to approve a request from Cirrus Associates, LLC for a resolution in support of a MSD (Municipal Setting Designation) for 1500 Intracoastal Road, Port Arthur, Texas, and the MSD Ordinance approved unanimously by the City of Port Arthur, Texas

Council Member Roccaforte made a motion to approve a request from Cirrus Associates, LLC for a resolution in support of a MSD for 1500 Intracoastal Road, Port Arthur, Texas, and the

MSD Ordinance approved unanimously by the City of Port Arthur, Texas. Motion was seconded by Council Member Gauthier.

Mr. Jones said he will let Mr. Dick Record tell them what this particular designation means. It really doesn't affect the City.

Mayor Rutledge asked Mr. Record to come forward and introduce himself.

Dick Record, Professional Geo-Scientist with Cirrus Associates, which is an environmental engineering consulting firm

Mr. Record thanked Council for the opportunity to come and speak to them. He said he is working to get a MSD for his client, which is Port Arthur Barge, for 1500 Intracoastal Road, Port Arthur, Texas. A former tenant of this property had caused some contamination, and they are working on doing a clean-up and doing soil removal. As part of this clean-up through the TCEQ voluntary clean-up program, they are looking to restrict the use of the ground water to the shallow groundwater of the upper 15 feet. They are looking to restrict that so nobody can contact it and nobody can use it. This process is called a Municipal Setting Designation (MSD). The State statute for that requires anyone within five miles gets a notice but also anyone who is using water and selling it has to pass a resolution of support. He said that's what they are looking for tonight. He said this will not affect the City but State statute requires it.

Mr. Jones referred Council to the maps in their packet. Mr. Jones said one of the other things that makes it not affect the City's water is there's a river between the City and them. Even if there was some surface contamination, the direction of the flow is toward the Gulf.

Mr. Record said this is a very thorough process.

Mayor Rutledge asked for a resolution to be sent to the City so they could put it on the next agenda.

NO ACTION TAKEN.

(h) Consideration and possible approval of a recommendation from the Planning and Zoning Commission to call a Joint Public Hearing to hear public comments on a proposed zone change from R-1 (Single Family Residential) to R-3 (Multi Family Residential) as requested by owner, Milton Crooks, on property located at 200 Granger (further described as Lot Part of 17 & 18 Blk 1 Darby #1) and 195 Granger (further described as Lot Part of 18 & all of 19 Blk 1 Darby #1) so that he may build duplexes on the property

Council Member Gauthier made a motion to approve a recommendation from the Planning and Zoning Commission to call a Joint Public Hearing to hear public comments on a proposed zone change from R-1 to R-3 as requested by Milton Crooks. Council Member Fields seconded the motion.

Mr. Jones said the earliest that the Public Hearing could take place is February 26 because notices have to be sent out.

Council Member Gauthier amended her motion to have a Joint Public Hearing with the Planning and Zoning Commission on February 26, 2018. Amended motion was seconded by Council Member Fields.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

- (i) Consideration and possible approval of a recommendation from the Planning and Zoning Commission to call a Joint Public Hearing to hear public comments on a proposed zone change from R-1 (Single Family Residential) to C-3 (Third Commercial District) as requested by owners, Wesley and Ronda Dishon, on property located at 235 Bower and further described as Orange County Farms (PT in City, Fire), Block 5, Acres 19.006, Part of Lot 13 & 15 so that they may put in a recreational vehicle park site on this property*

Council Member Fields made a motion to approve a recommendation from the Planning and Zoning Commission to call a Joint Public Hearing to hear public comments on a proposed zone change from R-1 to C-3 as requested by Milton Wesley and Ronda Dishon. Council Member Andrus seconded the motion.

Mr. Jones said the earliest that the Public Hearing could take place is February 26 because of having notices sent out.

Council Member Fields amended her motion to have a Joint Public Hearing with the Planning and Zoning Commission on February 26, 2018. Amended motion was seconded by Council Member Andrus.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

- (j) Consideration and possible action to set a date for a Council Workshop and possible topics to be covered in the Workshop*

Council Member Roccaforte made a motion to set up a Council Workshop and possible topics to be covered. Motion was seconded by Council Member Fields.

Mr. Jones provided a listing of topics for the workshop. After discussion, the proposed date was set for February 13 – next Tuesday.

Council Member Roccaforte amended his motion to set up a Council Workshop on February 13, 2018 at 6:00 p.m. Council Member Fields seconded the amended motion.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

(k) *Presentation and possible action to accept the City of Bridge City Annual Audit for the year ending September 30, 2017 as prepared by Keri Michutka, C.P.A.*

Council Member Fields made a motion to accept the City of Bridge City Annual Audit for the year ending September 30, 2017, as prepared by Ms. Michutka. Motion was seconded by Council Member Andrus.

Ms. Michutka thanked Council for giving her the opportunity to do the audit for the 2017 year (may be viewed at City Hall and on City Website). She then went through the Audit with Council.

- Page 1 – Auditor’s Report: She said “It states that we have audited the accompanying financial statements of the City of Bridge City, as of and for the year ending September 30, 2017.” She referred Council to the bottom of that page to the opinion paragraph saying, “In our opinion, the financial statements present fairly, in all material respects, the respective financial position of the City as of September 30, 2017.” She said they are issuing a clean or unmodified opinion.
- Ms. Michutka went through each section giving the highlights of the City of Bridge City Audit for the fiscal year ending September 30, 2017.
- Page 15 – Exhibit C-1: Balance Sheet for Governmental Funds. As of September 30, the total fund balance for the General Fund is a deficit of \$151,000 - \$59,000 of this is restricted and unspendable and tied up in inventory. The unassigned fund balance for the General Fund is a deficit of \$211,000.
 - The goal is to have two months of expenditures in the fund balance – which would be for the City about \$757,000 so the City needs to increase the fund balance
 - This year the City needs to sell the old Police Department – that will add and go back into Fund Balance
 - Also, some Harvey expenses should be recovered from FEMA
 - This next year should look a lot better
 - Debt Service Fund - \$1.1 million - restricted for the retirement of long-term debt
 - Capital Projects Fund - \$1 million
 - Other Funds - \$1 million
 - Total Fund Balance of \$3 million
 - Page 18 and 19 – Exhibit C-3: Statement of Revenues, Expenditures, and Changes in Fund Balance

- General Fund had a decrease for the year of \$250,000 - \$253,000 of that is due to Ike – Extraordinary Item (Use) – This is the amount they think will be recovered from FEMA for Hurricane Ike
- Total Governmental Funds had a decrease of \$263,000 in total
- Page 22 – Statement of Net Position – Exhibit D-1: Utility Fund
 - Ending Net Position of \$6.3 million
 - Unrestricted Net Position is \$1.3 million
- Page 23 – Statement of Revenues, Expenses, and Changes in Fund Net Position – Exhibit D-2: Utility Fund
 - Decrease of Net Position of \$364,000 mostly due to depreciation for the year of \$521,000
 - Total Net Position in the Utility Fund is \$6.3 million

Highlights of the Notes to the Financial Statements:

- Page 30
 - As of September 30, 2017 the City's carrying amount of deposits (cash in the bank) was \$5.6 million
- Page 33 – Capital Asset Activity of Governmental Funds
 - Ending net fixed assets net of depreciation of \$13.1 million
- Page 34 – Utility Fund Fixed Assets
 - Net of depreciation was \$4.8 million
 - Long Term Debt – no new debt issued this year – ending total of \$5.8 million

Ms. Michutka said she included in Council's Packet a handout from GFOA (Governmental Finance Officers Association). They recommended a formal fund balance policy be established, and Ms. Michutka agreed. This policy states that the appropriate level of fund balance is two months' expenditures. The City should have a policy if it goes below this amount. It would include steps that need to be taken and how long it would take to increase the fund balance.

At the conclusion of Ms. Michutka's presentation, she asked if there were any questions.

Council Member Harbert asked about Page 3 - Financial Highlights. He asked her to explain this to him – "As of the end of the fiscal year, the unassigned fund balance for the general fund was a deficit of \$211,203." He asked her "Exactly what is that?" Ms. Michutka said the fund balance is the difference between the current assets and current liabilities. In government, the fixed assets are not on the balance sheet. When you do bring the fixed assets to the balance sheet, you have \$9 million in net position. On Governmental Funds (Page 15) the current assets minus current liabilities is a deficit of \$151,000. The sale of the old police department and FEMA monies would go directly into Fund Balance.

Council Member Harbert then asked about Page 21 – Original budget for fines was \$500,000 but it came up short. He asked why wasn't the actual number collected used. Ms. Michutka said that when the budget is set they didn't have the final numbers yet. This budget was adopted last year and the final numbers were not known. He then asked, so we came up \$136,000 short. Mayor Rutledge said the Court was suspended for a couple of months. That might account for some of it, but he doesn't know where all of it is. Ms. Michutka said it was probably the month of September.

Council Member Harbert then asked about Page 48. Is this where Mr. Jones had said there were “Heads in Beds” Hotel/Motel taxes that could be used? Ms. Michutka answered yes. Council Member Harbert asked if these are the funds that cannot be moved. Ms. Michutka said yes, these funds have to be used on that particular item. Council Member Roccaforte said it is very restrictive. Council Member Harbert asked what funds can you move around to different funds.

Mr. Jones said most of these fund balances are set. What he said can be done is amend the budget during the year. All of these things are projections. They are projected out over May, June, and July. He said they assumed the budget amounts are going to come out where you have them and that never happens. This is where you increase your reserves or you end up with a negative balance, which was done this year. Mr. Jones said the primary things that caused the City’s negative balance was (1) when they started the balance they thought they had - they didn’t have. Last year they bought some equipment and that started the problem. He said they thought they had it but they didn’t have it. Automatically it was a problem because the City bought approximately \$210,000 in equipment. (2) The storm (Harvey) hits us. Overtime alone was \$200,000. (3) They were going to sell the Police Department before the storm hit. They ended up using the old Police Department for people to donate things. So that \$200,000 was hung up. It was a combination of several things that happened. He said it’s never a good thing to be in a negative position at the end of the year, but don’t misunderstand that with not having money in the bank. It has nothing to do with that. There is a lot of money in the bank but it’s in different places. He used Hotel/Motel tax money as an example. Mr. Jones said if you go through the current budget, you will see a ton of line items that are cut down. This means they are not going to spend as much. He said then they had to turn down revenues so there would be a balanced budget. They designed next year’s budget to bring in a reserve. Also, the money from the sale of the police department will be put in reserves. The money that comes in from overtime will go into reserves. He said they have already started the process to rectify.

Council Member Harbert asked if the overtime spent during Harvey would be reimbursed. Mr. Jones replied yes, they will reimburse us for this. Council Member Fields asked if he had any idea when FEMA would reimburse the City. Mr. Jones replied no, but the overtime monies usually go quicker and are usually the first monies the City receives.

Mayor Pro-Tem Fisette asked if the Police Department is on the market yet. Mr. Jones said he has not done that yet. He had some things that had to be done inside of the building and people were down there passing out supplies. He said they are finally out as of last week. They will have to do some sheetrock work, and then he will start making phone calls so it will be on the market. He said he’s already had four or five people call him about it.

Mayor Pro-Tem Fisette said she had one more question. Going over the sheet that Ms. Michutka gave them, it seems to her that a big concern is the money to pay back to FEMA. She said she knows they have been told that the City has the \$494,000 – what account is that in. Where does it show on here? Mr. Jones said when Ms. Michutka does the audit it shows as an obligation the City has and is taken out immediately. Ms. Michutka said it is a liability and shows on page 15. Mayor Pro-Tem Fisette said, “I know we’ve had this discussion before.” She said she went back through all of her records that she keeps and it says on the July 25

meeting that they were talking about the money and it says that all of the money is still in the bank. It also says that the City had gotten \$125,000 back from the Dallas group. Mr. Jones said that's right. Mayor Pro-Tem Fisetta asked Mr. Jones to explain that to her – the Dallas group. Mr. Jones said Dallas sent a group down here to work. Their total cost for the storm was \$125,000. This was turned into FEMA, and FEMA says they aren't paying that because they didn't send them down there. So Dallas, out of the generosity of their heart, said they we're not going to let the City "eat this." They said they came down to help and they sent the City a check for this money. The other money is obligated. This money was taken out before the figures Council is seeing – audit wise – so we don't owe this \$400,000. It's in the bank for when they collect. Mayor Pro-Tem Fisetta asked Ms. Michutka if FEMA came today and asked for the money back – does the City have money here so we could write FEMA a check for it to pay them back what the City owes them. Ms. Michutka said she did not know what the City's bank balance is right now. Mr. Jones said yes, we have the money. Mr. Jones said we owe bond money – it's in the bank and it's set aside because it's obligated. This particular money is the same way – it's obligated. Mayor Pro-Tem Fisetta said back in July that was some of their concerns if they come and say, "Pay this tomorrow." She said she wanted to make sure the City still had the money and it's in an account if this were to happen and the City would be fine.

Mayor Pro-Tem Fisetta said looking over some of the different areas. Mr. Jones said one of the biggest things noticed was the revenues didn't come in at the end of last year like they were supposed to come in. She said there were a lot of deficits in different areas. She asked, "Do we as a City Council need to go back and look and possibly adjust?" Council Member Roccaforte said this is done every year when they do budget. Mr. Jones said, "That's our job – to get those numbers to where they are manageable". He said last year they cut revenues down and reduced services. They reduced expectations on revenues and reduced the expenditures on the other side.

Mayor Pro-Tem Fisetta said she would like to make a request to see personally if – instead of looking at this once a year – maybe looking at it more often. She said she would like to see if the City has this much to spend in this account, etc. Also, she said she would like to see year-to-date numbers. Mayor Rutledge said that maybe they could receive a quarterly report. Mr. Jones said a lot of City's do this Financial Report once a month. He said the City does not have the personnel or staff to do this, but he said they could produce them from time to time. Mr. Jones said it takes a lot of time to do this. Mr. Jones said, yes, they can do that. Mr. Jones said they are doing monthly meetings with staff to look at their numbers.

Hearing no more questions, Mayor Rutledge thanked Ms. Michutka very much. He then called for a motion.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetta, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

9. ADJOURN

Council Member Andrus made a motion to adjourn the meeting at 8:00 p.m., seconded by Council Member Gauthier.

MOTION CARRIED.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None.

Absent: None.

/s/ David Rutledge

David Rutledge, Mayor

ATTEST:

/s/ Sherry Tisdale

Sherry Tisdale, City Secretary