

**Special Session, September 21, 2009**

**BE IT REMEMBERED** that on **September 21, 2009**, there was begun and holden a Special Session of the Commissioners Court of Jefferson County, Texas, with the following members and officers present and participating except those absent as indicated:

ABSENT:

Honorable Ronald L. Walker, County Judge -

Commissioner Eddie Arnold, Commissioner Pct. No. 1

Commissioner Mark L. Domingue, Commissioner Pct. No. 2

Commissioner Michael Shane Sinegal, Commissioner Pct. No. 3

Commissioner Everette D. Alfred, Commissioner Pct. No. 4

Honorable G. Mitch Woods, Sheriff

Honorable Carolyn L. Guidry, County Clerk -

-the following proceedings were had and orders made, to-wit:



**NOTICE OF MEETING, AGENDA AND MINUTES  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
September 21, 2009**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **21<sup>st</sup> day of September 2009** at its regular meeting place in the Commissioners' Courtroom, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas.

Said meeting will be a Special Meeting for the purpose of transacting the routine business of the County. Persons with disabilities requiring auxiliary aids for services who wish to attend this meeting should contact the County Judge's Office to arrange for assistance.

In addition to the routine business of the County, the subject of said meeting will be the following:

**INVOCATION: Eddie Arnold, Commissioner, Precinct No. 1**

**PLEDGE OF ALLEGIANCE: Mark L. Domingue, Commissioner, Precinct No. 2**

**PURCHASING:**

1. Approve Specifications for IFB 09-142/KJS, Rebid Term Contract for Crushed Slag and Asphalt Products.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

2. Approve Specifications for IFB 09-138/KJS, Leased Property -217.892 Acres at Section 263, Abstract No. 358 for Jefferson County.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

3. Receive and File bids for IFB 09-128/KJS, Seal Coat for Ford Park Softball Field Parking Lot.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 11 - 75**

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4. Award IFB 09-128/KJS, Seal Coat for Ford Park Softball Field Parking Lot to LD Construction in the amount of \$121,500.00.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

5. Consider and possibly approve professional service agreement (PROF 09-144/KJS) with Dikita for Architectural/Engineering services for a maintenance/restroom and shower facility at Walter Umphrey Park for a lump sum fee of \$26,000.00 and reimbursable rate will be cost plus ten (10) percent.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

6. Receive and file professional service agreement (PROF 09-144/KJS) with Dikita for Architectural/Engineering services for a maintenance/restroom and shower facility at Walter Umphrey Park for a lump sum fee of \$26,000.00 and reimbursable rate will be cost plus ten (10) percent.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 76 - 83**

7. Consider and possibly approve Job Order Contract (JOC 09-143/KJS) with Jamail & Smith for additional repairs to the south loop pole lights at Walter Umphrey Park due to Hurricane IKE in the amount of \$22,922.92. This is in accordance with TXMAS Contract #5-56060.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

8. Receive and file Job Order Contract (JOC 09-143/KJS) with Jamail & Smith for additional repairs to the south loop pole lights at Walter Umphrey Park due to Hurricane IKE in the amount of \$22,922.92. This is in accordance with TXMAS Contract #5-56060.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 84 - 94**

9. Consider and possibly approve Job Order Contract (JOC 09-141/KJS), with Centerline Construction Services, Inc, for the improvements to the Ford Park Drive Gates in the amount of \$24,495.71. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Action: Tabled

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10. Receive, and file Job Order Contract (JOC 09-141/KJS), with Centerline Construction Services, Inc, for the improvements to the Ford Park Drive Gates in the amount of \$24,495.71. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Action: Tabled

11. Receive and file Change Order #1 to IFB 09-077/KJS Bridge Replacement South Pine Island Road at Green Pond Gully with APAC Texas, Inc. for concrete pile cut-offs in accordance with plans and specifications. An increase of \$13,130.10 brings the contract price from \$401,737.76 to \$414,867.86.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 95 - 100**

12. Execute, receive and file IBM Maintenance Renewal 9406-810, Serial 454TM with Sirius Computer Solutions, Inc for 10/06/2009 to 10/05/2010 in the amount of \$16,521.54. This in accordance with DIR-SDD-286 Contract.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 101**

13. Receive and file the Jefferson County Courthouse Restoration Project Completion Report, Roof and Spire Phase 1 submitted by Bailey Architects.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 102 - 638**

14. Consider and possibly approve an auction of surplus property as authorized by Local Government Code §263.152(a) to Horn Auction, Inc. The auction is scheduled for Saturday, October 3, 2009 at 9:00 A.M.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

15. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.152 (a) (4) by donating it to a charitable organization, Goodwill Industries.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**COUNTY AIRPORT:**

16. Consider and possibly approve FAA Airport Improvement Program Grant #26 in the amount of \$289,474, for runway improvements and planning for a second airport access road. The grant amount includes a 5% local match.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

17. Execute, receive and file FAA Airport Improvement Program Grant #26 in the amount of \$289,474, for runway improvements and planning for a second airport access road.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

**SEE ATTACHED PAGES: 639 - 670**

**COUNTY COMMISSIONERS:**

18. Consider authorizing the County Judge to enter a Burn Ban Order or to Rescind an existing Burn Ban Order regarding the danger of wildfire occurrence and drought indices.

Action: Tabled

19. Receive and file County Title IV- E Legal Services contract with the Texas Department of Family and Protective Services.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 671 - 682**

20. Receive and file County Title IV-E Child Welfare Services contract with the Texas Department of Family and Protective Services.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 683 - 689**

21. Hear presentation regarding potential Interlocal Agreement between Jefferson County and the City of Port Arthur relating to the sale of delinquent tax properties to the City of Port Arthur.

Action: None

22. Hear presentation from Judge Robert Eckels relating to the potential participation of Jefferson County in a Local Government Corporation designed to address Coastal Protection issues.

Action: None

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23. Consider monetary participation with City of Port Arthur for Local matching funds for the acquisition of right of way for the FM 365 widening project. Funding will come from available capital projects allocations. This will be a project totaling approximately \$14 million which will be funded primarily by Federal Recovery and TXDOT dollars.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**Note:** Monetary participation not to exceed \$250,000 per amendment by Comm. Domingue.

**COUNTY AUDITOR:**

24. Consider and approve budget transfer – Road & Bridge, Precinct 4 – additional cost.

114-0405-431-4009 Buildings & Grounds \$ 500

114-0405-431-3051 Motor Oil & Grease \$ 500

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

25. Consider and approve budget transfer – Parks & Recreation – additional cost.

116-0611-452-4009 Buildings & Grounds \$ 4,000

116-0611-452-3001 Asphalt \$ 3,200

116-0611-452-3016 Chemicals & Sprays \$ 800

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

26. Consider and approve budget transfer – Library – additional repairs.

121-4072-455-4008 Automobiles & Trucks \$ 3,200

121-4072-455-3037 Gasoline \$ 3,200

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

27. Consider and approve budget transfer – Purchasing – additional cost.

120-1022-415-3078 Office Supplies \$ 1,000

120-1022-412-5021 Dues & Subscriptions \$ 1,000

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

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28. Consider and approve budget amendment – Printing – additional cost.

120-1018-419-3078 Office Supplies \$ 5,000

120-1022-415-1002 Assistants & Clerks \$ 5,000

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

29. Consider and possibly approve budget transfer – 60<sup>th</sup> District Court – additional cost

120-2034-412-2002 Employees \$ 220

Retirement

120-2034-412-1094 Longevity \$ 220

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

30. Consider and approve budget amendment – 136<sup>th</sup> District Court – additional cost.

120-2035-412-3010 Books \$ 2,600

120-2055-412-5077 Contractual Services \$ 2,600

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

31. Receive and file order from Board of District Judges approving County Auditor's budget and Court Reporters' compensation for fiscal year 2009/2010.

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGE: 690**

32. Regular County Bills – check #321744 through check #322062.

Motion: Commissioner Arnold

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 691 - 700**

**ENGINEERING:**

33. Execute, receive and file Amendment No. 4 to the Cooperative Research and Development Agreement between the U.S. Army Engineer Research and Development Center, Coastal and Hydraulics Laboratory and Jefferson County. This amendment extends the term of the agreement to December 31, 2011. No additional funds are required by the amendment. This is in reference to development of a hydrodynamic, salinity, and sediment transport model for Keith Lake and the surrounding water area. The project is in Precinct No. 3.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 701 - 702**

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34. Request approval to release retainage to Allco for erosion control work to the Cajun Cabins at Pleasure Island in the amount of \$33,106.40—Application No. 5.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

35. Request approval to release retainage to Gulf Star Roofing for the Jefferson County Roof and Spire Restoration in the amount of \$27,847.15—Application No. 8.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

**\*\*\*DISCUSSION ON ANY OTHER ITEM NOT ON AGENDA WITHOUT TAKING ACTION.**

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Ronald L. Walker  
County Judge





**ADDENDUM TO  
NOTICE OF MEETING AND MINUTES  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS**

Notice having been heretofore posted of a **Special Meeting** to Commissioners' Court of Jefferson County, Texas, on the **21<sup>st</sup>** day of **September 2009** in the Commissioners' Courtroom, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas, notice is hereby given of the following additional subject to be considered:

**COMMISSIONERS COURT:**

36. Consider and approve allocation of \$25,000 of JP Technology Fee funds for participation with PAISD for Attendance Improvement Management (AIM) monitoring system to be utilized by Judge Gillam's Truancy Court.

Action:           Tabled

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Ronald L. Walker  
County Judge

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**Special Session, September 21, 2009**

**There being no further business to come before the Court at this time,  
same is now here adjourned on this date, September 21, 2009.**