

**SPECIAL, 2/24/2014 1:30:00 PM**

BE IT REMEMBERED that on February 24, 2014, 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:

Honorable Jeff Branick, County Judge

Commissioner Eddie Arnold, Commissioner Pct. No. 1

Commissioner Brent Weaver, Commissioner Pct. No. 2

Commissioner Michael Sinegal, Commissioner Pct. No. 3

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

Honorable G. Mitch Woods, Sheriff

Honorable Carolyn L. Guidry , County Clerk

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

*Notice of Meeting and Agenda and Minutes*  
*February 24, 2014*

Jeff R. Branick, County Judge  
Eddie Arnold, Commissioner, Precinct One  
Brent A. Weaver, Commissioner, Precinct Two  
Michael S. Sinegal, Commissioner, Precinct Three  
Everette "Bo" Alfred, Commissioner, Precinct Four



**NOTICE OF MEETING AND AGENDA  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
February 24, 2014**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 PM**, on the **24th** day of **February 2014** at its regular meeting place in the Commissioner's Courtroom, 4th Floor, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas.

Said meeting will be a **Special** 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: Brent A. Weaver, Commissioner, Precinct Two**

**PLEDGE OF ALLEGIANCE: Michael S. Sinegal, Commissioner, Precinct Three**

## **COUNTY AUDITOR:**

1. Consider and approve budget transfer - Constable, Precinct 1 - additional cost for travel.

120-3065-425-5062	TRAVEL EXPENSE	\$1,500.00	
120-3065-425-1098	OVERTIME ALLOWANCE		\$1,500.00

**SEE ATTACHMENTS ON PAGES 6 - 6**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Sinegal**  
**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**  
**Action: APPROVED**

2. Regular County Bills - check #390584 through check #390748.

**SEE ATTACHMENTS ON PAGES 7 - 14**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Sinegal**  
**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**  
**Action: APPROVED**

## **COUNTY COMMISSIONERS:**

3. Consider authorizing the County Judge to enter/terminate a Burn Ban Order.

**Action: TABLED**

4. Consider and possibly approve a Resolution adopting the Amended Jefferson County Fair Housing Activity Statement Action Plan (FHASt).

**SEE ATTACHMENTS ON PAGES 15 - 32**

**Motion by: Commissioner Arnold**  
**Second by: Commissioner Weaver**  
**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**  
**Action: APPROVED**

*Notice of Meeting and Agenda and Minutes*  
*February 24, 2014*

5. Consider and possibly approve a Resolution regarding the Keystone XL Pipeline.

**SEE ATTACHMENTS ON PAGES 33 - 36**

**Motion by: Commissioner Arnold**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

6. Consider, possibly approve and authorize the County Judge to execute an Inter-Governmental Agreement between Jefferson County and Jefferson County Drainage District # 6 for hauling asphalt.

**SEE ATTACHMENTS ON PAGES 37 - 39**

**Motion by: Commissioner Arnold**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

7. Receive and file executed Termination of Travelers Casualty and Surety Company of America bond for Right-of-Way Surety Bond for TransCanada Keystone Pipeline LP.

**SEE ATTACHMENTS ON PAGES 40 - 45**

**Motion by: Commissioner Arnold**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

8. Consider and possibly approve a resolution for the Jefferson County Crime Victims' Clearinghouse/Victims Assistance Center to apply for grant funding from the Office of the Governor, Criminal Justice Division.(Grant Application Number 2103206)

**SEE ATTACHMENTS ON PAGES 46 - 47**

**Motion by: Commissioner Arnold**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**



9. Consider and approve Resolution for application of Juvenile Accountability Incentive Block Grant from the Office of The Governor, Criminal Justice Division.

**SEE ATTACHMENTS ON PAGES 48 - 49**

**Motion by: Commissioner Arnold**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

## **ADDENDUMS**

10. Consider filling the vacancy on the bench of County Court at Law # 3 created by the death of Judge John Paul Davis.

**NOMINATION OF RICHARD HUGHES BY COMMISSIONER ARNOLD, NO SECOND---MOTION FAILED**

**NOMINATION OF LANSTON ADAMS BY COMMISSIONER ALFRED, SECOND BY COMMISSIONER SINEGAL**

**Motion by: Commissioner Alfred**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

## **HUMAN RESOURCES:**

11. Consider and possibly approve, receive and file revisions to the Jefferson County Personnel Policies and Procedures Manuel, Section 9 – Emergency Closing.

**SEE ATTACHMENTS ON PAGES 50 - 54**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Alfred**

**In favor: County Judge Branick, Commissioner Arnold, Commissioner Weaver, Commissioner Sinegal, Commissioner Alfred**

**Action: APPROVED**

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**Jeff R. Branick**  
**County Judge**

# JEFFERSON COUNTY CONSTABLE



**PRECINCT-1**  
**COLEY "NICK" SALEME**  
*Joe "QB" Stevenson, Chief Deputy*



## Memo

Date: February 19, 2014  
 To: Fran Lee, Financial Manager  
 From: Constable's Office Precinct 1 Fax #: (409) 839-2369  
 RE: Transfer Line Item  
 Priority: [Urgent]

### Line-item Transfer Amendment

DATE: February 19, 2014

Honorable Commissioners Court of Jefferson County:

I submit to you for your consideration the following line-item transfers:

	FUND	DEPT.	ACCT.	AMT.
From:	Overtime Allowance	120 3065 425	10-98	1500.00
To:	Travel Expense	120 3065 425	50-62	-.00
Reason:	Amount to cover upcoming Travel Claims and Registration Invoices \$1,460.67			

*Coley Nick Saleme*

\_\_\_\_\_  
 Department Head

\_\_\_\_\_  
 Approved: County Judge for Commissioners Court

\_\_\_\_\_  
 Attest: County Clerk

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 1 7	TOTAL
NAME	AMOUNT	CHECK NO.	
JURY FUND			
TRI-CITY COFFEE SERVICE	167.70	390654	
WARREN'S DO-NUTS	42.23	390698	
			209.93**
ROAD & BRIDGE PCT.#1			
CARQUEST AUTO PARTS # 96	75.64	390597	
M&D SUPPLY	16.85	390622	
SMART'S TRUCK & TRAILER, INC.	570.70	390644	
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726	
			736.55**
ROAD & BRIDGE PCT.#2			
APAC, INC. - TROTTI & THOMSOM	582.62	390592	
COBURN'S GROVES (5)	108.48	390601	
MUNRO'S	32.40	390628	
RITTER @ HOME	90.21	390639	
ROGERS AUTO PARTS, INC.	647.23	390640	
WASTE MGT. GOLDEN TRIANGLE, INC.	79.12	390656	
NEDERLAND HARDWARE SUPPLY	4.08	390658	
LOWE'S HOME CENTERS, INC.	489.59	390683	
CENTERPOINT ENERGY RESOURCES CORP	270.94	390696	
DE LAGE LANDEN PUBLIC FINANCE	104.00	390726	
LONE STAR TRENCHER PARTS LLC	1,311.00	390735	
MEMBER'S BUILDING MAINTENANCE LLC	149.50	390739	
			3,869.17**
ROAD & BRIDGE PCT. # 3			
BEAUMONT TRACTOR COMPANY	422.61	390594	
FARM & HOME SUPPLY	37.49	390607	
ENTERGY	28.17	390612	
MUNRO'S	12.45	390628	
SMART'S TRUCK & TRAILER, INC.	57.85	390644	
TRI-CON, INC.	16,187.25	390653	
MATHESON TRI-GAS	160.38	390655	
W. JEFFERSON COUNTY M.W.D.	25.13	390657	
AUTO ZONE	45.20	390663	
HOWARD'S AUTO SUPPLY	25.71	390666	
WALMART COMMUNITY BRC	45.96	390672	
CENTERPOINT ENERGY RESOURCES CORP	25.59	390696	
ATSCO	163.48	390708	
DRAGO SUPPLY	26.68	390720	
DE LAGE LANDEN PUBLIC FINANCE	154.80	390726	
ASCO	152.68	390733	
TEXAS FACILITIES COMMISSION	150.00	390745	
			17,721.43**
ROAD & BRIDGE PCT.#4			
CASH ADVANCE ACCOUNT	103.08	390617	
M&D SUPPLY	24.78	390622	
MUNRO'S	68.05	390628	
NAPA AUTO PARTS	131.97	390629	
SANITARY SUPPLY, INC.	114.28	390642	
ZEE MEDICAL SERVICE	138.77	390661	
UNITED STATES POSTAL SERVICE	3.21	390674	
SIERRA SPRING WATER CO. - BT	10.75	390676	
DE LAGE LANDEN PUBLIC FINANCE	45.68	390726	
ASCO	189.83	390733	
			830.40**
ENGINEERING FUND			
OFFICE DEPOT	65.84	390631	
UNITED STATES POSTAL SERVICE	2.45	390674	
DE LAGE LANDEN PUBLIC FINANCE	105.34	390726	
			173.63**
PARKS & RECREATION			
MOORE SUPPLY, INC.	216.05	390627	
BUBBA'S AIR CONDITIONING	140.00	390662	
LOWE'S HOME CENTERS, INC.	37.94	390683	
FIVE STAR FEED	23.50	390689	
SPRINT WASTE SERVICES LP	310.80	390747	
			728.29**
GENERAL FUND			
TAX OFFICE			

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 2 8	TOTAL
NAME	AMOUNT	CHECK NO.	
UNITED STATES POSTAL SERVICE	3,193.02	390674	
DE LAGE LANDEN PUBLIC FINANCE	506.82	390726	3,699.84*
COUNTY HUMAN RESOURCES			
UNITED STATES POSTAL SERVICE	19.30	390674	
DE LAGE LANDEN PUBLIC FINANCE	105.34	390726	124.64*
AUDITOR'S OFFICE			
FRAN M. LEE	251.00	390664	
UNITED STATES POSTAL SERVICE	22.99	390674	
DE LAGE LANDEN PUBLIC FINANCE	148.43	390726	422.42*
COUNTY CLERK			
UNITED STATES POSTAL SERVICE	326.22	390674	326.22*
COUNTY JUDGE			
JAN GIROUARD & ASSOCIATES	800.00	390609	
UNITED STATES POSTAL SERVICE	28.98	390674	
LUKE NICHOLS	500.00	390699	
GRACE NICHOLS	1,600.00	390712	
RICHARD N EVANS II	500.00	390713	
HARVEY L WARREN III	1,600.00	390719	
DE LAGE LANDEN PUBLIC FINANCE	105.34	390726	5,134.32*
RISK MANAGEMENT			
SALGBA MEMBERSHIP	300.00	390586	
UNITED STATES POSTAL SERVICE	39.87	390674	
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726	417.27*
COUNTY TREASURER			
JOLEEN E. FREGIA	150.00	390585	
UNITED STATES POSTAL SERVICE	251.80	390674	
DE LAGE LANDEN PUBLIC FINANCE	105.34	390726	507.14*
PRINTING DEPARTMENT			
OLMSTED-KIRK PAPER	247.98	390632	
STAR GRAPHICS COPIERS, INC.	450.76	390648	
DE LAGE LANDEN PUBLIC FINANCE	1,198.98	390726	1,897.72*
PURCHASING DEPARTMENT			
OFFICE DEPOT	52.98	390631	
UNITED STATES POSTAL SERVICE	1.96	390674	
DE LAGE LANDEN PUBLIC FINANCE	105.34	390726	160.28*
GENERAL SERVICES			
CASH ADVANCE ACCOUNT	120.00	390617	
OLMSTED-KIRK PAPER	2,786.25	390632	
TEXAS ASSN. OF COUNTIES	2,440.00	390652	
TEXAS CONFERENCE OF URBAN COUNTIES	8,540.00	390685	
NETCJCA	125.00	390723	14,011.25*
DATA PROCESSING			
OFFICE DEPOT	63.06	390631	
CDW COMPUTER CENTERS, INC.	859.32	390667	
SHI GOVERNMENT SOLUTIONS, INC.	22.30	390677	
DE LAGE LANDEN PUBLIC FINANCE	148.43	390726	1,093.11*
VOTERS REGISTRATION DEPT			
UNITED STATES POSTAL SERVICE	88.58	390674	
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726	161.94*
ELECTIONS DEPARTMENT			

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 3 9	TOTAL
NAME	AMOUNT	CHECK NO.	
OFFICE DEPOT	24.94	390631	
CDW COMPUTER CENTERS, INC.	309.15	390667	
ELECTION SYSTEMS & SOFTWARE, INC.	6,331.48	390669	
UNITED STATES POSTAL SERVICE	213.56	390674	
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726	6,952.49*
DISTRICT ATTORNEY			
HERNANDEZ OFFICE SUPPLY, INC.	785.50	390615	
MANNINGS SCHOOL SUPPLY	19.95	390624	
UNITED STATES POSTAL SERVICE	270.46	390674	
CHILD ABUSE & FORENSIC SERVICES	125.00	390680	
RECALL TOTAL INFORMATION MANAGEMENT	484.11	390690	
PATRIOT GROUP	186.99	390701	
CULLEN KIKER	1,232.08	390716	
DE LAGE LANDEN PUBLIC FINANCE	636.38	390726	
THOMSON REUTERS-WEST	1,034.44	390734	
HEALTHPORT	19.92	390738	4,794.83*
DISTRICT CLERK			
UNITED STATES POSTAL SERVICE	175.87	390674	
DE LAGE LANDEN PUBLIC FINANCE	125.46	390726	301.33*
CRIMINAL DISTRICT COURT			
JIMMY D. HAMM	900.00	390614	
CHARLES ROJAS	800.00	390668	
UNITED STATES POSTAL SERVICE	.48	390674	
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726	
JAMES R. MAKIN, P.C.	7,077.50	390727	
STEVEN GREENE	826.71	390740	9,682.09*
58TH DISTRICT COURT			
UNITED STATES POSTAL SERVICE	1.62	390674	
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726	79.02*
60TH DISTRICT COURT			
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726	73.36*
136TH DISTRICT COURT			
UNITED STATES POSTAL SERVICE	10.56	390674	
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726	83.92*
172ND DISTRICT COURT			
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726	77.40*
252ND DISTRICT COURT			
THOMAS J. BURBANK, P.C.	900.00	390596	
RIFE KIMLER, LAW OFFICE OF	600.00	390619	
KIRKSEY'S SPRINT PRINTING	106.00	390621	
NATHAN REYNOLDS, JR.	800.00	390638	
UNITED STATES POSTAL SERVICE	79.28	390674	2,485.28*
279TH DISTRICT COURT			
DE LAGE LANDEN PUBLIC FINANCE	285.95	390726	285.95*
317TH DISTRICT COURT			
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726	77.40*
JUSTICE COURT-PCT 1 PL 1			
CASH ADVANCE ACCOUNT	325.60	390617	
UNITED STATES POSTAL SERVICE	23.07	390674	
DE LAGE LANDEN PUBLIC FINANCE	125.00	390726	473.67*
JUSTICE COURT-PCT 1 PL 2			

PGM: GMCOMMV2	DATE 02-24-2014	AMOUNT	CHECK NO.	PAGE: 4 10 TOTAL
NAME				
DE LAGE LANDEN PUBLIC FINANCE		73.36	390726	73.36*
JUSTICE COURT-PCT 2				
MANNINGS SCHOOL SUPPLY		19.95	390624	19.95*
JUSTICE COURT-PCT 4				
CLASSIC FORMS AND PRODUCTS		165.00	390687	
DE LAGE LANDEN PUBLIC FINANCE		104.00	390726	269.00*
JUSTICE COURT-PCT 6				
UNITED STATES POSTAL SERVICE		24.81	390674	
DE LAGE LANDEN PUBLIC FINANCE		73.36	390726	98.17*
JUSTICE OF PEACE PCT. 8				
DE LAGE LANDEN PUBLIC FINANCE		265.00	390726	265.00*
COUNTY COURT AT LAW NO.1				
LEXIS-NEXIS		43.00	390675	
DE LAGE LANDEN PUBLIC FINANCE		73.36	390726	116.36*
COUNTY COURT AT LAW NO. 2				
KARLA J. M. ROGERS		250.00	390641	
UNITED STATES POSTAL SERVICE		44.25	390674	294.25*
COUNTY COURT AT LAW NO. 3				
UNITED STATES POSTAL SERVICE		63.39	390674	63.39*
COURT MASTER				
UNITED STATES POSTAL SERVICE		.81	390674	
DE LAGE LANDEN PUBLIC FINANCE		104.00	390726	104.81*
MEDIATION CENTER				
UNITED STATES POSTAL SERVICE		15.01	390674	
DE LAGE LANDEN PUBLIC FINANCE		73.36	390726	88.37*
COMMUNITY SUPERVISION				
DE LAGE LANDEN PUBLIC FINANCE		332.16	390726	332.16*
SHERIFF'S DEPARTMENT				
UNITED STATES POSTAL SERVICE		1,148.22	390674	
DE LAGE LANDEN PUBLIC FINANCE		977.64	390726	2,125.86*
CRIME LABORATORY				
DE LAGE LANDEN PUBLIC FINANCE		104.00	390726	104.00*
JAIL - NO. 2				
CITY OF BEAUMONT - WATER DEPT.		13,769.24	390599	
PETTY CASH - SHERIFF'S OFFICE		248.00	390634	
WORLD FUEL SERVICES		693.00	390718	
DE LAGE LANDEN PUBLIC FINANCE		1,366.16	390726	
KROPP HOLDINGS INC		734.07	390737	16,810.47*
JUVENILE PROBATION DEPT.				
ELAINE MADOLE		108.08	390623	
UNITED STATES POSTAL SERVICE		33.73	390674	
DE LAGE LANDEN PUBLIC FINANCE		221.79	390726	363.60*
JUVENILE DETENTION HOME				

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 5
NAME	AMOUNT	CHECK NO. TOTAL
LABATT FOOD SERVICE	1,918.88	390593
CITY OF BEAUMONT - WATER DEPT.	2,515.27	390599
OVERHEAD DOOR CO.	231.00	390633
SOUTHWEST BUILDING SYSTEMS	698.78	390645
OAK FARM DAIRY	238.90	390665
FLOWERS FOODS	78.35	390691
CENTERPOINT ENERGY RESOURCES CORP	1,204.44	390696
VACUUM CITY	99.90	390700
CONSTABLE PCT 1		6,985.52*
TEXAS STATE UNIVERTY/SAN MARCOS	50.00	390646
UNITED STATES POSTAL SERVICE	73.82	390674
TASER INTERNATIONAL	297.36	390695
DE LAGE LANDEN PUBLIC FINANCE	332.00	390726
COLEY "NICK" SALEME	175.00	390746
CONSTABLE-PCT 2		928.18*
CASH ADVANCE ACCOUNT	327.24	390617
PHILPOTT MOTORS, INC.	2,155.64	390636
CONSTABLE-PCT 4		2,482.88*
CASH ADVANCE ACCOUNT	810.40	390617
DE LAGE LANDEN PUBLIC FINANCE	229.00	390726
CONSTABLE-PCT 6		1,039.40*
UNITED STATES POSTAL SERVICE	10.89	390674
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726
CONSTABLE PCT. 8		84.25*
DE LAGE LANDEN PUBLIC FINANCE	332.00	390726
AGRICULTURE EXTENSION SVC		332.00*
WALMART COMMUNITY BRC	70.28	390672
DE LAGE LANDEN PUBLIC FINANCE	148.43	390726
HEALTH AND WELFARE NO. 1		218.71*
NSO - NURSES SERVICE ORGANIZATION	108.00	390584
CITY OF BEAUMONT	40.00	390590
ENTERGY	179.53	390613
UNITED STATES POSTAL SERVICE	66.01	390674
LEXISNEXIS MATTHEW BENDER	53.44	390684
CENTERPOINT ENERGY RESOURCES CORP	160.97	390697
TINA CHAMPAGNE	33.60	390710
DE LAGE LANDEN PUBLIC FINANCE	480.43	390726
SAM'S CLUB DIRECT	34.92	390732
HEALTH AND WELFARE NO. 2		1,156.90*
PETTY CASH - S C WELFARE	57.00	390635
TIME WARNER COMMUNICATIONS	74.97	390651
DE LAGE LANDEN PUBLIC FINANCE	178.70	390726
NURSE PRACTITIONER		310.67*
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726
CHILD WELFARE UNIT		73.36*
DISA, INC.	535.00	390604
BEAUMONT OCCUPATIONAL SERVICE, INC.	572.70	390679
SEARS COMMERICAL CREDIT	240.78	390681
ENVIRONMENTAL CONTROL		1,348.48*
AT&T	35.25	390647
INDIGENT MEDICAL SERVICES		35.25*

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 6
NAME	AMOUNT	CHECK NO. TOTAL
LOCAL GOVERNMENT SOLUTIONS LP	3,773.00	390706
SAM'S CLUB DIRECT	78.82	390732
CARDINAL HEALTH 110 INC	14,379.59	390736
		18,231.41*
MAINTENANCE-BEAUMONT		
CITY OF BEAUMONT - LANDFILL	52.50	390591
BUILDING SPECIALTIES	163.84	390595
CITY OF BEAUMONT - WATER DEPT.	231.33	390599
ACE IMAGEWEAR	321.64	390643
TRI-CON, INC.	1,407.38	390653
WORTH HYDROCHEM	250.00	390660
NATIONAL PUMP & COMPRESSOR	317.16	390711
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726
CONSTRUCTION ZONE OF TEXAS LLC	1,236.78	390741
		4,053.99*
MAINTENANCE-PORT ARTHUR		
CITY OF PORT ARTHUR - WATER DEPT.	518.76	390600
DE LAGE LANDEN PUBLIC FINANCE	150.76	390726
MEMBER'S BUILDING MAINTENANCE LLC	1,317.18	390739
		1,986.70*
MAINTENANCE-MID COUNTY		
ADAMS BACKHOE SERVICE	453.00	390587
ACE IMAGEWEAR	55.34	390643
WASTE MGT. GOLDEN TRIANGLE, INC.	151.62	390656
CENTERPOINT ENERGY RESOURCES CORP	23.91	390696
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726
MEMBER'S BUILDING MAINTENANCE LLC	1,925.52	390739
		2,686.79*
SERVICE CENTER		
ACTION AUTO GLASS	409.43	390589
GULF COAST SCREW & SUPPLY	156.18	390611
KINSEL FORD, INC.	460.00	390620
M&D SUPPLY	10.73	390622
TRI-CON, INC.	12,483.84	390653
VOYAGER FLEET SYSTEM, INC.	33,134.30	390688
BUMPER TO BUMPER	172.00	390694
UNIFIRST HOLDINGS INC	21.97	390717
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726
		46,921.81*
VETERANS SERVICE		
UNITED STATES POSTAL SERVICE	15.86	390674
HILARY GUEST	121.20	390686
DE LAGE LANDEN PUBLIC FINANCE	464.62	390726
		601.68*
		163,929.62**
MOSQUITO CONTROL FUND		
FALCON CREST AVIATION SUPPLY, INC.	80.28	390606
W.W. GRAINGER, INC.	119.98	390610
MUNRO'S	98.95	390628
OFFICE DEPOT	52.21	390631
ROGERS AUTO PARTS, INC.	14.49	390640
CENTERPOINT ENERGY RESOURCES CORP	738.13	390696
HAWKER BEECHCRAFT CORPORATION	19.00	390707
DE LAGE LANDEN PUBLIC FINANCE	73.36	390726
		1,196.40**
FAMILY GROUP CONFERENCING		
DE LAGE LANDEN PUBLIC FINANCE	77.40	390726
		77.40**
LAW LIBRARY FUND		
JONES MCCLURE PUBLISHING, INC.	101.00	390618
		101.00**
JUVENILE TJPC-A-2014-123		
YOUTH ADVOCATE PROGRAM	3,889.59	390705
WILBERT PIERRE	131.04	390730
		4,020.63**
JUVENILE PROB & DET. FUND		



PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 7
NAME	AMOUNT	CHECK NO. TOTAL
HARRISON COUNTY JUVENILE SERVICES	2,340.00	390682 2,340.00**
COMMUNITY SUPERVISION FND		
OLMSTED-KIRK PAPER	481.50	390632
POSTMASTER	49.00	390637
TIME WARNER COMMUNICATIONS	74.97	390650
UNITED STATES POSTAL SERVICE	127.13	390674
LOCAL GOVERNMENT SOLUTIONS LP	6,965.00	390706
JCCSC	125.00	390722 7,822.60**
JEFF. CO. WOMEN'S CENTER		
AIR COMFORT, INC.	49.00	390588
ECOLAB	82.95	390605
M&D SUPPLY	55.53	390622
KIM MCKINNEY, LPC, LMFT	70.00	390626
OFFICE DEPOT	152.84	390631
SANITARY SUPPLY, INC.	915.49	390642
AT&T	126.42	390647
SYSCO FOOD SERVICES, INC.	1,026.28	390649
OAK FARM DAIRY	404.40	390665
TEXAS FIRE & COMMUNICATIONS	90.00	390670
TOWER COMMUNICATIONS, INC.	60.00	390671
BEN E KEITH FOODS	885.27	390692
DE LAGE LANDEN PUBLIC FINANCE	292.40	390726
SAM'S CLUB DIRECT	65.90	390732 4,276.48**
COMMUNITY CORRECTIONS PRG		
DE LAGE LANDEN PUBLIC FINANCE	115.38	390726 115.38**
DRUG DIVERSION PROGRAM		
JULIA COLYER	18.00	390714
DE LAGE LANDEN PUBLIC FINANCE	115.38	390726
TISH JONES	18.00	390748 151.38**
COUNTY RECORDS MANAGEMENT		
SHI GOVERNMENT SOLUTIONS, INC.	5,925.60	390677 5,925.60**
HOTEL OCCUPANCY TAX FUND		
UNITED STATES POSTAL SERVICE	101.31	390674
DE LAGE LANDEN PUBLIC FINANCE	431.67	390726 532.98**
DISTRICT CLK RECORDS MGMT		
DE LAGE LANDEN PUBLIC FINANCE	210.68	390726 210.68**
CAPITAL PROJECTS FUND		
ALL-PHASE ELECTRIC SUPPLY	212.50	390602
MAVERICK COMMUNICATIONS, INC.	3,135.17	390625
NOACK LOCKSMITH	234.84	390630
ALLIANCE MECHANICAL SERVICES	10,136.00	390693
BAILEY'S ARCHITECTS INC	21,178.38	390702
CONSTRUCTION ZONE OF TEXAS LLC	30,000.00	390741
BEST BUY BUSINESS ADVANTAGE ACCOUNT	2,597.87	390742 67,494.76**
AIRPORT FUND		
CINTAS, INC.	32.79	390598
ALL-PHASE ELECTRIC SUPPLY	40.54	390602
GALL'S, INC.	3,076.00	390608
CASH ADVANCE ACCOUNT	1,252.16	390617
RITTER @ HOME	68.47	390639
SANITARY SUPPLY, INC.	492.67	390642
SMART'S TRUCK & TRAILER, INC.	133.32	390644
WHITE TUCKER COMPANY INC	9.28	390659
WORTH HYDROCHEM	120.00	390660
LOWE'S HOME CENTERS, INC.	136.57	390683

PGM: GMCOMMV2	DATE 02-24-2014	PAGE: 8
NAME	AMOUNT	CHECK NO. TOTAL
CENTERPOINT ENERGY RESOURCES CORP	4,269.20	390696
DISH NETWORK	85.62	390703
RUTTY & MORRIS LLC	781.05	390704
ASCENT AVIATION GROUP INC	53,757.98	390709
INTERSTATE ALL BATTERY CENTER - BMT	110.87	390715
UNIFIRST HOLDINGS INC	86.25	390717
DE LAGE LANDEN PUBLIC FINANCE	177.36	390726
CONSTRUCTION ZONE OF TEXAS LLC	41,883.73	390741
SAFETY STAR INDUSTRIAL INC	85.00	390744
		106,598.86**
SE TX EMP. BENEFIT POOL		
GROUP ADMINISTRATIVE CONCEPTS INC	95,951.10	390721
SA BENEFITS SERVICES LLC	37,803.56	390743
		133,754.66**
LIABILITY CLAIMS ACCOUNT		
DUNHAM HALLMARK PLLC	306.25	390728
		306.25**
SHERIFF'S FORFEITURE FUND		
DELL MARKETING L.P.	327.00	390603
		327.00**
GUARDIANSHIP FEE		
JOSHUA C HEINZ	300.00	390731
		300.00**
MARINE DIVISION		
JACK BROOKS REGIONAL AIRPORT	1,531.35	390616
NEDERLAND HARDWARE SUPPLY	83.92	390658
WALMART COMMUNITY BRC	135.11	390672
SABINE PASS PORT AUTHORITY	458.98	390678
		2,209.36**
ASAP - CONSTABLE PCT 8		
OFFICE DEPOT	125.70	390631
TASER INTERNATIONAL	94.46	390695
		220.16**
2009 PORT SECURITY ARRA		
LJA ENGINEERING INC	611.73	390729
		611.73**
		526,792.33***

**AGENDA ITEM****February 24, 2014**

Consider and possibly approve a resolution adopting the Amended Jefferson County Fair Housing Activity Statement Action Plan (FHA<sup>ST</sup>).

**Fair Housing Activity Statement  
Jefferson County Texas  
Amended 2014**

**Recognizing that each jurisdiction is unique, this Fair Housing Activity Statement - Texas is intended to be used in conjunction with the Analysis of Impediments, Phase I as a form to help the applying jurisdictions perform assessments of their impediments to fair housing choice, plan actions to address identified impediments, and communicate their plans to the State of Texas and HUD.**

BEFORE beginning to fill out this form, each jurisdiction should:

- (1) Participate in the regional FFAST Form training.
- (2) Review the 2010 Texas Interim Phase I AI in detail;
- (3) Gather relevant information (see instructions in Appendix A);
- (4) Convene a FFAST Working Group to assess the data collected in #2 and fill out the FFAST form (see instructions in Appendix A.)

**Impediment #1**

Protected classes may experience disparities in home mortgage lending and high cost loans.

**No local action is required at this time. Our housing funds are administered by SETRPC. See attached 2010 Demographic and Housing Data – Exhibit 1**

**Impediment #2**

There is inadequate information available to the real estate community, governments and the public about fair housing requirements and enforcement procedures.

**No local action is required at this time. See answer to Number 1**

**Impediment #3**

The public is not sufficiently aware of their Fair Housing rights and how to obtain the assistance necessary to protect those rights.

1. Consistent with the Fair Housing Act, the State of Texas, and funded sub-recipients should continue to promote and conduct events to celebrate April as Fair Housing Month, and direct sub-recipients to do the same. These events can demonstrate support for fair housing and build awareness.

☒ We will commit to undertake Fair Housing Month activities. (Check all that apply.)

☒ Passage of a resolution by our governing body. **We will continue to adopt Resolutions recognizing Fair Housing Month**

☐ Activities in schools.

☒ Placing posters in public buildings.

☒ Governing body will hold a special hearing to solicit input from the community.  
**We will collaborate with cities to hold hearings.**

☒ Other. Please specify. **We will use our Dispute Resolution Center to handle fair housing complaints.**

When will you undertake these activities? **To be ongoing**

☐ Not Applicable (Explain)

2. Consistent with the Fair Housing Act, the State of Texas and funded sub-recipients have historically conducted fair housing activities at various times of the year and should continue to fund, depending on sufficient appropriations, or collaborate with public and private agencies, organizations and groups to plan and conduct fair housing activities.

☒ We will conduct/sponsor/fund in fair housing activities at various times of the year other than "April as Fair Housing Month". Attach a description of these activities and identify the organizations and agencies you have worked with.

When will you do this? To be ongoing

☐ Not Applicable (Explain)

<b>Impediment #4</b>	"Not in my Backyard" (NIMBY) may be an impediment to fair housing in Texas communities.
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- NIMBY opposition needs to be anticipated and planning and outreach should occur on the front end of projects. To mitigate defensive and reactive responses, planning should include strategies for education, outreach and marketing that provide accurate information and promote the positive aspects and benefits of affordable housing to build support among community residents.<sup>[1]</sup>
- The Department of Housing and Urban Development (HUD) provides extensive information about Fair Housing and examples at [www.hud.gov](http://www.hud.gov). Generally communities should consider:
  - Working with local officials, editorial boards, religious and civic organizations and other community leaders to initiate education programs.
  - Seeking opportunities to present information to community organizations by requesting to be placed on their meeting agendas.
  - Including a visit to the Group Home residence as part of an education program.
  - Answering all questions.
  - Talking with local neighborhood leaders, including elected representatives, and setting up a neighborhood meeting.
  - Setting up a liaison committee consisting of advocates, group residents, and neighborhood residents to discuss issues.
  - Identifying areas that meet AFFH targets where the community supports development, has worked with community groups and potentially uses funds to assist the development of multi-family affordable housing.



- ☐ We have developed an anti-NIMBYism action plan. [Attach a copy or description]
- ☐ We will develop an anti-NIMBYism action plan. [Designate who will be responsible for developing this plan.]
- When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **No local action is required at this time. The County provides a Public Forum for Organizations and Interested Groups to present their views, provide educational material, and voice their concerns to the Commissioners Court. The Court's Fair Housing Community will re-evaluate the need to establish a formal anti-NIMBYism Plan during the annual review of the County's Fair Housing Activity Statement.**

**Impediment #5**

Certain governmental policies and practices may not meet current HUD policy concerning affirmatively furthering fair housing. Jurisdictions should act to ensure that their policies and procedures affirmatively further fair housing, address mal-distribution of resources, and that they do not unnecessarily impact housing choice.

1. As part of certifying that a community is affirmatively furthering fair housing, jurisdictions that have long-term infrastructure plans should review them to determine if the plan promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes. While not intended to direct a community to hire a consultant, it is anticipated that a community will review its long-term infrastructure plans as part of this recommended action. In reviewing the project list (Appendix F of the Phase 1 AI) there are many projects that are listed as being of community-wide benefit. The records do not indicate the actual location of projects or provide adequate discussion of how the projects benefit the entire community.

- ☐ We have a long-term infrastructure plan and will review the plan to determine if it promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes as it relates to the availability of housing.

When will you do this? ☐ 2011

- ☐ Not Applicable (Explain)
- ☐ We have already collected information on the locations of protected populations and have adequate information for insuring that new projects with "citywide benefits" will not perpetuate illegal differences in treatment.
- ☒ We will use the information in the AI to ensure that proposed projects do not perpetuate illegal differences in treatment.

When will you do this? ☐ 2011 **This will be ongoing**

**Jefferson County has adopted the Jefferson County Section 3 Plan required by the Texas General Land Office and Section 3 of the Housing and Urban Development Act of 1968 for recipients of Disaster Recovery Funding. Our grant administrator will assure compliance**

- ☐ Not Applicable (Explain)

2. As it has been determined under federal law that Fair Housing applies to all federal housing and community development funds, to reduce "siloing" the fair housing component into only housing-related programs, fair housing should be considered in all activities for all local community planning staff.

- ☐ We have determined that consideration of Fair Housing implications has already been incorporated into all aspects of planning in this jurisdiction. [Please attach supporting documentation.]
- ☒ We will review and insure that Fair Housing implications are addressed in all aspects of planning in this jurisdiction in a manner consistent with the guidelines provided by the state at the FFAST form training and maintain documentation of that review.

When will you do this? ☐ 2011 ☒ 2012 ☒ 2013 **This will be ongoing**

☐ Not Applicable (Explain)

3. It would be beneficial for local elected officials to require senior staff of any subrecipient such as a city or county—including managers and attorneys—to receive available Fair Housing training within the first 12 months of their employment or engagement.

- ☐ We have a policy in place providing for all senior staff – including managers and attorneys – to receive Fair Housing training within their first 12 months on the job, and for long-term senior staff to receive regular updated training. [Attach copy of policy]
- ☐ We do not have such a policy and will develop and implement one.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **We will continue to send responsible staff members to available fair housing training as same is made available.**

4. As part of what is usually a common initial training by the associations that provide education opportunities for newly-appointed board members or newly-elected council or commissioners court members of cities and counties, the state should request that training include specific information on the Fair Housing Act—with a discussion of affirmatively furthering fair housing obligations.

**No local action is required at this time.**

5. Local communities should consider limiting the concentration of infrastructure improvements like wastewater treatment, solid waste disposal, or similar necessary but not desirable infrastructure projects in residential areas where there are concentrations of protected classes.

- ☐ We have an official policy that limits the concentration of certain infrastructure improvements. [Attach a copy.]
- ☐ We have official policies and procedures that take the location of protected classes into account when deciding where to locate undesirable infrastructure improvements. [Attach a copy.]
- ☐ We do NOT have limits on the concentration of undesirable infrastructure improvements or policies and procedures that take the residential location of members of protected classes into account, but will develop formal limits or official policies and procedures.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **We will use available funding to comply. The County does not own and operate water and/or sewer systems. Major drainage improvements are provided through Jefferson County Drainage District 6 and Drainage District 7. The only major infrastructure that the County owns and operates**



are the County Road and Bridge System, the County Justice Center and Ford Park. The County has a long history of sponsoring TCDP applications on behalf of the various water/sewer providers in the unincorporated areas of the County and drainage improvements. Please refer to TCDP Project Summaries List.

6. Communities electing to provide publicly financed housing incentives should be requested to call for recipients to engage in affirmative marketing.

- ☐ We have a policy requiring Affirmative Marketing Plans from developers seeking tax abatements or other supports for new housing.
- ☐ We do not have such a policy and will develop and implement one.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **The County does not provide financing but we use our Model Subdivision Rules and Regulations to support fair housing and we participate in a mortgage certificate program.**

7. If a jurisdiction is a non-entitlement community, when working in LMI areas to replace roads or other infrastructure, the jurisdiction should consider making application for additional sources of funding to provide assistance to repair substandard housing associated with the project (i.e., TDHCA or HUD.)

- ☒ We formally consider accessing supplementary funds when infrastructure proposals are developed. [Attach policies.] **We will continue to adhere to CDBG guidelines. Please refer to our answer to Impediment #5 (1) above.**
- ☐ We have not consistently done this in the past and we will develop a process to formally consider making housing funding applications when funds for infrastructure projects are sought.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

- ☐ Not Applicable (Explain)

8. Most infrastructure projects take into account items like curb cuts, sidewalks, hearing and visually impaired indicators at intersections. When approving non-federally funded projects, similar special needs construction should be required for infrastructure improvements. Projects should also address other legacy discrimination issues, such as accessibility in public areas like courthouses, community centers and other high traffic areas.

- ☒ We currently require that applications for non-federally-funded infrastructure projects are ADA compliant and address other legacy discrimination issues.
- ☐ We do not have such a requirement. We will develop one.

When will you do this? ☐ 2011

- ☐ Not Applicable (Explain)

9. Each jurisdiction applying for Community Development Block Grant funds or other federal housing and community development funds should submit a Fair Housing Activities Statement – Texas (FHA-FAST) with their application, reviewing their infrastructure needs and housing needs and how the proposed activity promotes fair housing or results in more equitable treatment of protected



classes. Projects with community-wide benefits should be accompanied by explicit commitments on the part of the local jurisdictions to undertake additional activities to affirmatively further fair housing along with a monitoring and reporting process.

☒ We submit a FFAST form.

When will you begin to do this? ☒ 2011 and we will continue to do so

☐ Not Applicable (Explain)

10 As part of the non-housing disaster recovery program, jurisdictions should consider low-income areas and areas populated principally by members of protected classes to determine the potential for flooding and consider making infrastructure expenditures to help protect the impacted communities—including colonias.

☒ We have reviewed LMI areas and areas populated principally by members of protected classes, and prioritized infrastructure expenditures to help protect the impacted communities—including colonias. **We do not have colonias**

☐ We have not done this in the past but will conduct such a review and consider these infrastructure projects in the future.

When will you do this? ☐ 2011

☐ Not Applicable (Explain)

11. If applicable, all policies should be reviewed regarding denying applicants' access to disaster recovery CDBG funds if their residence is located in the flood plain. If the policy does not allow participation by restricting building in flood plains, then the policy should be assessed to see if alternative housing programs could be implemented for the residents. Local jurisdictions should analyze the results and see if protected classes are more frequently harmed by flood plain restrictions. This action does not apply to the GLO CDBG Disaster Relief Fund that limits property purchase "unless TXCDBG receives satisfactory evidence that the property to be purchased was not constructed or purchased by the current owner after the property site location was officially mapped and included in a designated flood plain."

☒ We have completed this review and analysis and will take action on our findings.

☐ We have not completed this review and analysis. We will do so and take appropriate actions based on our findings for Round 2 programs.

When will you do this? ☐ 2011

☐ Not Applicable (Explain)

12. When an entire community is in a flood plain, the community should establish clear standards that allow for proper elevation or relocation, and that also allows for visitability/special needs considerations consistent with state<sup>[3]</sup> and federal law.

☐ We have established clear standards that allow for proper elevation of homes or for relocation, and also allow for visitability/special needs considerations consistent with state and federal law. [Attach documentation.]

☐ We have not developed these standards but will do so for Round 2 programs.

When will you do this? ☐ 2011

- ☐ Not Applicable (Explain) **We do not have any entire communities located within a flood plain.**

13. Local jurisdictions that accommodated the relocation of disaster survivors resulting in concentrations of protected class survivors in specific areas should establish Moving to Opportunity Programs and include renters in their Moving to Opportunity Programs as defined under Round 2.

- ☐ This action step applies to our jurisdiction. We will establish a Moving to Opportunity Program for disaster survivors as part of our Round 2 housing recovery program.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **We assisted displaced persons who were in transit but did not attempt to relocate them. We do not administer any housing programs. The County provided shelter to 1,500 persons at Ford Park Arena for victims of Hurricane Katrina. Ford Park Arena was used as a public shelter including persons with special needs and a Resource Center for agencies providing human services for victims of both Hurricane Katrina and Hurricane Rita.**

14. Consistent with the process established in the Conciliation Agreement, local jurisdictions and state agencies should work together to determine a demographic and economic profile of victims of the natural disaster and establish goals for assisting these populations in no less than the proportions they were impacted by the disaster. These goals should be performance goals and disaster recovery funds should be extended incrementally in a manner to ensure that these populations are equitably assisted with benefits.

- ☒ We will cooperate with state agencies to carry out this action step.

When will you do this? ☒ 2011 **as an ongoing effort**

- ☐ Not Applicable (Explain)

15. All infrastructure programs funded with disaster recovery funds should be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities.

- ☐ We have established clear policies and procedures to insure that all infrastructure programs funded with disaster recovery funds will be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities. [Attach documentation.]
- ☐ We have not developed these standards and policies; we will do so for Round 2 infrastructure projects. The person or entity responsible for developing these standards will be \_\_\_\_\_.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **County infrastructure projects do not include housing but the County does adhere to the ADA requirements for its buildings and any CDBG requirements. The County has adopted The International Building Code for structure in the unincorporated areas. The County Engineering Department provides information in the Building Codes and Flood Plain Management for the County.**



16. Consistent with the Conciliation Agreement, family and elderly public housing units damaged or destroyed by the disaster should be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of approval of the initial application for disaster recovery assistance for the local jurisdiction.

- ☐ We affirm that family and elderly public housing units damaged or destroyed by the disaster will be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of submission of the initial application for disaster recovery assistance by the local jurisdiction.

☒ Not Applicable (Explain) **We do not administer any funding regarding reconstruction of housing.**

**Impediment #6**

Governmental entities at all levels do not appear to have been proactive in the enforcement of both the Fair Housing Act and the obligation to affirmatively further fair housing. The State and subrecipients should implement a robust and effective structure for identifying and pursuing suspected violations.

1. Given the potential for increase in Fair Housing enforcement action by federal and state agencies and private organizations, an ongoing fair housing testing program for areas that receive federal housing and community development funds could be beneficial to protect state agencies and sub-recipients from potential repayment. Fair housing enforcement is a valid use of CDBG funding and can be used to establish testing programs by agencies trained in HUD testing procedures. The state, or local jurisdictions combining together, should consider conducting tests in areas that include the following: steering in sales and rental; the denial of and different terms and conditions based on race, national origin, familial status, and disability in sales and rental; predatory and disparate terms and conditions in lending and insurance; and foreclosure modification schemes targeting minority neighborhoods. The state should also consider education to applicable entities on self-testing and self-correction.

- ☐ We currently have a testing program for Fair Housing violations. For more information.
- ☐ We do not have a testing program for Fair Housing violations and plan to establish one.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **The County does not administer any housing programs. The Beaumont Public Housing Authority and Port Arthur Housing Authority operate the HUD Section 8 Program. The County will encourage South East Texas Regional Planning Commission to establish a regional Fair Housing Testing Center to serve its members.**

2. TDHCA should, as a pilot program, allocate funds to independent third parties or a combined jurisdiction team identified in point 1 of this section to provide similar testing to determine if additional enforcement is necessary.

**No local action is required at this time.**

3. Impacted agencies that provide certification that they are affirmatively furthering fair housing as required by federal law, should consider publishing a public document on enforcement that provides the public and communities with a clear description (and chart) of the state and

## Federal Fair Housing Act.

- ☒ On documents concerning housing and community development programs that are provided to the public, we will list fair housing enforcement contacts and procedures consistent with the State suggested language when it is provided in 2011.

When will you do this? ☒ 2011 **and will continue to do this**

☐ Not Applicable (Explain)

4. Each community should place on its website (if one is available) the contact, at the local, state, and federal levels, for reporting a Fair Housing complaint, if citizens believe they were victims of housing discrimination.

☐ We have published the contact information – at the local, state and federal levels – for reporting a Fair Housing complaint. [Attach a copy or URL.]

☒ We have not done so but will do so.

When will you do this? ☒ 2011

☐ Not Applicable (Explain)

5. Each local jurisdiction should publish on its website a clear statement, approved jointly by TDHCA, expressing the jurisdiction's obligation to affirmatively further fair housing and providing a method for reporting suspected noncompliance to the state and to HUD. The jurisdiction's contact person should be able to refer to clear local Fair Housing procedures for the complaint process, keep logs and records of all inquiries, allegations, complaints and referrals. These reports should be sent to the appropriate funding agency. Where these reports show that a jurisdiction has administered programs inconsistently with the AI and had the effect of discouraging applications from members of protected classes who are deemed eligible under the plan for assistance, affirmative marketing plans should be developed and submitted to the appropriate agency.

☐ We have published a policy statement expressing our jurisdiction's obligation to Affirmatively Further Fair Housing. [Attach a copy or URL.]

☒ We will publish a policy statement consistent with the language the State provides in 2011. **and we will continue to use our Dispute Resolution Center who will track fair housing complaints.**

When will you do this? ☒ 2011

☐ Not Applicable (Explain)

☐ We have developed clear procedures for the Fair Housing complaint process. [Attach a copy]

☐ We will develop clear procedures for the Fair Housing complaint process once more guidance is given by the State in 2011.

When will you do this? ☐ 2011



☒ Not Applicable (Explain) **We will continue to assist in referring complaints to appropriate authorities.**

- ☐ We keep complete logs and records of all Fair Housing inquiries, allegations, complaints and referrals and have a policy statement about these legal records.
- ☐ We will begin keeping required logs and records.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **See answers above**

- ☐ We have remedial procedures for developers, landlords, home sellers and others whose actions may be inconsistent with Fair Housing laws and regulations.
- ☐ We do not have remedial procedures but will develop them. The agency or person who will be responsible for developing these procedures is \_\_\_\_\_.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **We do not have the legal authority to enforce regulations except through the Subdivision ordinances and and FEMA Flood Plain Management regulations through the County Engineering Department.**

**Impediment #7**

Many local jurisdictions have zoning codes, land use controls, and administrative practices that may impede fair housing choice and fail to affirmatively further fair housing.

1. The law anticipates that ordinances creating disparate impact should also be reviewed for change. If a disparate impact is determined to exist by the local jurisdiction, it could repeal or amend the restriction, use public funds to offset the cost through homebuyer assistance programs, or waive fees or other offsets to make the home more affordable.

- ☒ We recently conducted or updated a Fair Housing Review of our ordinances and codes.
- ☐ We have not done so but will conduct a review
- ☐ We have a policy statement/guidance for those responsible for developing codes/ordinances that reminds them to consider and document the Fair Housing/AFFH implications of any new rule.
- ☐ We do not have such a policy/guidance but will develop one when suggested guidelines are provided by the State in 2011.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **The County does not administer any housing programs. The County has provided incentives for housing growth outside the concentration of dilapidated older neighborhoods by assisting Water and Sewer provided in the unincorporated areas to extend water and sewer services to underserved areas. The County has sponsored various TCDP grants that resulted in**

**affordable housing choices and will continue to do so as requested.**

2. To help limit concentrations that could be considered impediments to affirmatively furthering fair housing, jurisdictions that have long term planning documents for housing growth or redevelopment, or revitalization plans, should consider allowing or encouraging mixed income affordable housing in the plan and provide incentives for development of this type of housing in areas that are not concentrated.

- ☐ We recently conducted a Fair Housing Review and took/are taking appropriate action concerning our planning documents. [Attach a list of plans reviewed, a summary of findings, and actions you will take to remove impediments]
- ☐ We have not done so but will conduct a Fair Housing Review after the State provides suggested guidelines in 2011.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **The County does not administer any housing programs.**

- ☐ We have identified residential areas that show concentrations or underrepresentation of protected groups, and we encourage mixed-income affordable housing and other strategies to widen housing choice throughout our jurisdiction.
- ☐ We have not done so but will include this in our FFAST plan once guidelines are provided by the State in 2011.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☐ Not Applicable (Explain)

3. Local jurisdictions seeking CDBG Disaster Recovery funds from the state should consider offering expedited permitting and review processes for affordable housing projects within high opportunity target zones.

- ☐ We currently offer incentives to developers to locate affordable housing projects in high opportunity neighborhoods and prevent overconcentration.
- ☐ We have not done so but will.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **The County does not administer any housing funding or projects.**

**Impediment #8**

Inadequate planning for re-housing after an emergency situation creates a situation where persons who are uninsured or under-insured, low income, or special needs can be displaced for long periods of time.

1. Some legislators, the Sunset Commission, and communities acknowledge that while temporary disaster housing is a federal program, Texas should continue to provide guidance to local governments on additional planning that needs to be done as part of the emergency preparedness planning to most efficiently work with FEMA.



**No local action is required at this time.**

2. As much of what FEMA has previously offered is travel trailers or manufactured housing, local governments should review their zoning requirements or other land use provisions that restrict temporary housing or housing on an existing lot during the building process and look at potential waivers that do not risk or negatively impact health, safety, and welfare during a period after disasters so that low income persons can move back to their existing communities with temporary housing while waiting for redevelopment.

- ☐ We have reviewed our zoning requirements and other land use provisions and have provided waivers or other accommodations for post-disaster housing.
- ☐ We have not done so but will review our zoning and look at potential waivers.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **We have assisted those attempting to secure temporary FEMA housing to be located in flood plains and on lots owned by those persons and we will continue to do so.**

**Impediment #9**

There are impediments in public and private actions and private attitudes to housing choice for persons with disabilities.

1. To meet federal Fair Housing requirements for zoning and neighborhood uses, jurisdictions should look to determine if there are direct or indirect limitations in codes that would prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons.
  2. Local jurisdictions should work to ensure that zoning or code requirements do not unnecessarily impose stricter commercial building requirements, such as emergency access or protection services, on group homes, thereby dramatically increasing housing costs for persons with special needs.
- ☐ We have reviewed our codes and ordinances and have addressed/are addressing any impediments relating to special needs persons, including (1) rules that might prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons, and (2) rules that might unfairly increase the costs to special needs persons.
- ☐ We have not done so but will conduct a review and address any impediments identified once guidelines are provided by the State in 2011.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **The County does not have any zoning or code requirements referred to herein, except for the Infrastructure Building Code and Subdivision ordinances. Jefferson County successfully requested and implemented a TCDP grant to provide housing rehabilitation and modification to persons with disabilities. This project allowed persons with disabilities to remain in their homes. Please refer to the attached TCDP Project Summary. Also, the County assisted in the Construction of the Daybreak Center to help meet the mental health needs of the residents of Jefferson County.**



3. Local jurisdictions should consider coordinating with the legislatively created Housing and Health Services Coordination Council for best practices on working with supportive services.

☒ We agree to coordinate with the legislatively created Housing and Health Services Coordination Council staffed by TDHCA for best practices on working with supportive services.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013 **Whenever this is offered.**

☐ Not Applicable (Explain)

**Impediment #10**

There are barriers to mobility and free housing choice for Housing Choice Voucher holders including: inadequate tenant counseling services and mobility assistance, failure of PHAs to apply for the FMR pilot demonstration funds, and government policies, procedures, and regulations that tend to decrease participation by private housing providers and to restrict available housing to “racially or low-income populated neighborhoods” with little access to economic, educational, or other opportunity.

**No local action beyond compliance with Round 2 Housing Guidelines is currently required but communities are encouraged to work with local public housing authorities to understand and overcome these impediments.**

**Impediment #11**

Loss of housing stock in Hurricanes Dolly and Ike compounded the shortage of affordable housing in disaster recovery areas. This shortage is particularly acute in safe, low-poverty neighborhoods with access to standard public services, job opportunities and good schools.

**No local action is required at this time. TDHCA will develop a statewide strategic plan including guidance for local jurisdictions on the following Action Steps in 2011.**

1. To help offset the costs of developments that feature reduced rents without government support, local jurisdictions should consider establishing density bonuses to allow for higher levels of units per site for multifamily developments and single-family developments that propose increased affordability.
2. TDHCA and HUD have developed programs that preserve affordable housing. Continuing in this vein, the state and local jurisdictions should work to preserve existing affordable housing development and discourage them from converting to market rate housing. Requirements should be included in all publicly funded developments providing tenants with early and clear notification of the intention of management to convert to market rate housing and providing first right of refusal to nonprofit and public entities and organizations to purchase units to maintain affordability.
3. The state and local jurisdictions should consider using CDBG funds to buy down the cost of land in high-cost and high-opportunity development areas to increase affordable housing options in these areas.

**Impediment #12**

Lack of financial resources for both individuals and housing providers limits Fair Housing choice. Using an effective program under Section 3 of the Housing and Urban Development Act of 1968 may help members of protected classes gain economic opportunities necessary to allow them to exercise fair



housing choice.

1. The state is maximizing its resources in Round 2 of the Ike/Dolly funding to affirmatively further fair housing in single family and multi-family developments. As called for in the Conciliation Agreement, the state is looking to provide more integrated housing options for persons in racially concentrated or poverty concentrated neighborhood groups. In single-family programs, the state should require subrecipients to offer the opportunity to relocate out of floodplain areas, concentrations of racial minorities, or concentrations of poverty—through the Homeowner Opportunity Program. Any relocation should be into an area that does not result in simply relocating the high-concentration from one area to another.

**Local jurisdictions will be responsible for complying with Section 3 as part of their contract with the state and we currently track this.**

2. Jurisdictions receiving federal funds from HUD, directly or indirectly, should ensure they have a compliant Section 3 program to meet HUD requirements regarding notification to LMI eligible persons of potential job creation at the impacted neighborhood level with federal funds.

☒ We have in place a Section 3 program that meets the requirements of federal law and regulations regarding potential job creation at the impacted neighborhood level and the use of federal funds to hire local LMI eligible persons. We confirm that appropriate staff persons in this jurisdiction have already received training on Section 3, regarding job creation for local LMI persons including members of protected classes. [Attach Section 3 plan and list of staff names and training dates]

☐ We have not done so but will develop a Section 3 program that meets the requirements of federal law and regulations and that ensure appropriate staff receive training.

When will you do this? ☐ 2011

<b>Impediment #13</b>	Location and lack of housing accessibility and visitability standards within political jurisdictions limits fair housing choice for persons with disabilities.
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1. Local jurisdictions should consider establishing incentives for affordable housing applicants to create an increased set-aside of housing units for persons with disabilities or persons who are elderly without violating the existing TDHCA integrated housing rule.
2. TDHCA and local jurisdictions should consider adding proximity to medical facilities as a scoring incentive for competitive programs using federal funds for proximity to medical facilities.
3. TDHCA should require that all federally funded housing construction be built to accessibility standards found in Texas Government Code §2306.514.

☐ We have formally considered: 1) establishing incentives for affordable housing developers to create an increased set-aside of housing units for persons with disabilities or persons who are elderly without violating the existing TDHCA Integrated Housing Rule; 2) providing point incentives for units in proximity to medical facilities for competitive programs using federal funds; and 3) requiring new housing built with federal funds to be built with structures that allow for accessible features, regardless of whether the original occupant needs the features, as called for by state law. [Attach documentation of the review and resulting actions.]

☐ We have not undertaken the above review, but plan to do so.



When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **The County does not administer any housing programs or funding for same. Beaumont Public Housing Authority and Port Arthur Public Housing Authority operate the HUD Section 8 Program.**

<b>Impediment #14</b>	Many colonias residents live in developments that have insufficient infrastructure and protections against flooding and are impacted by flooding beyond events like Hurricanes Dolly and Ike.
-----------------------	---

1. The state, COGs, and local jurisdictions should examine the infrastructure needs in colonias, in particular the use of CDBG disaster recovery funds to provide drainage improvements to correct flooding problems in the wake of Hurricane Dolly, and the historical provision of public infrastructure and housing assistance to meet those needs in border and non-border colonias.

- ☐ We have identified the unserved infrastructure needs of colonias within our jurisdiction and whether these infrastructure improvements are eligible for disaster recovery funding and, if so, whether those projects will be funded.
- ☐ We have not undertaken the above review, but plan to do so.

When will you do this? ☐ 2011

☒ Not Applicable (Explain) **There are no colonias located within Jefferson County.**

<b>Impediment #15</b>	Minority neighborhoods in disaster areas are primarily served by non-regulated insurance companies that do not adhere to underwriting guidelines and may be discriminated against in the provision of insurance. Texas has passed aggressive statutes to prevent insurance "redlining." National research indicates that protected classes face unwarranted disparities in the cost of insurance, the amount of coverage, and cancellation of policies without notice to the homeowner.
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**No local action is required at this time.**

<b>Impediment #16</b>	Many jurisdictions do not have adequate Analysis of Impediments to Fair Housing or Fair Housing Plans, and do not keep sufficient records of their activities.
-----------------------	--

1. Recipients of CDBG funds from HUD for housing should maintain records as required by the Fair Housing Act, HUD regulations, and the Conciliation Agreement in order to document that they are carrying out their commitments and affirmatively furthering fair housing.
  - ☐ We currently maintain all required records to document our AFFH actions and compliance with Fair Housing laws, HUD and State regulations, and the Conciliation Agreement. [Attach details of the records now kept and identify the person or entity responsible for keeping these records.]
  - ☐ We have not done so but do so in compliance with GLO guidance.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **The County does not administer any housing programs or funding for same.**

2. As required under the Conciliation Agreement, the State will conduct a new Statewide AI after HUD approval of the Phase 1 AI. Entitlement communities should conduct new AIs or update current AIs to ensure that they address all recommended data and issues and specifically address issues related to all protected classes under the Fair Housing Act. Race and national origin, as well as the other protected classes, must be identified independent of low and moderate-income categories in order to understand the impact of actions, practices, regulations, ordinances, and other factors on them.

☐ We recently completed a formal Analysis of Impediments, are currently updating an existing AI, or are conducting our first AI. [Attach most recent AI or draft.]

☒ We are using the FFAST form process to analyze our impediments to fair housing and plan how to address them.

When will you do this? ☒ 2011 **and will be ongoing**

☐ Not Applicable (Explain)

**Alternative or additional Local Action Steps developed by this jurisdiction:** To address unique impediments to fair housing within each community, local jurisdictions are encouraged to develop alternative action steps to be adopted in lieu of or in addition to those set out in the State of Texas Interim Analysis of Impediments to fair housing. If your jurisdiction elects to propose alternative or additional action steps, please describe them below.

☐ We plan to take additional Action Steps, described in an Attachment.

☐ We will not take additional FH Action Steps at this time.

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☒ Not Applicable (Explain) **The County does not administer any housing programs or funding for same.**

---

<sup>[3]</sup> Texas Government Code Section 2306.514





Resolution

STATE OF TEXAS	§	COMMISSIONERS' COURT
	§	
COUNTY OF JEFFERSON	§	OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners' Court of Jefferson County, Texas, held on the \_\_\_\_ day of \_\_\_\_\_, 2014, on motion made by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_, and seconded by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_, the following Resolution was adopted:

**APPROVING THE AMENDED FAIR HOUSING ACTIVITY  
STATEMENT-TEXAS ACTION PLAN AS PART OF JEFFERSON  
COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM**

**WHEREAS**, Jefferson County, Texas has the responsibility to affirmatively further Fair Housing and supports Fair Housing within its County limits; and

**WHEREAS**, Jefferson County appointed citizens to a Fair Housing Work Group Committee to discuss Fair Housing issues and impediments within the County and develop a Fair Housing Activity Statement –Texas Action Plan; and

**WHEREAS**, the Jefferson County Fair Housing Activity Statement-Texas Action Plan was approved by the Texas General Land Office; and

**WHEREAS**, the Jefferson County Fair Housing Work Group Committee amended the Fair Housing Activity Statement-Texas Action Plan as deemed necessary to carry out the obligations and purposes of affirmatively furthering fair housing; and

**WHEREAS**, a public notice was published in The Beaumont Enterprise on January 29, 2014 and a public hearing was held on February 12, 2014 for public comment;

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners Court of Jefferson County that the attached Amended 2014 Fair Housing Activity Statement -Texas Action Plan is hereby approved as recommended by the Fair Housing Work Group Committee.

SIGNED this \_\_\_\_ day \_\_\_\_\_, 2014.

\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge

\_\_\_\_\_  
**COMMISSIONER EDDIE ARNOLD**  
Precinct No. 1

\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

\_\_\_\_\_  
**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4



**AGENDA ITEM****February 24, 2014**

Consider and possibly approve a Resolution regarding the Keystone XL Pipeline.





# Resolution

STATE OF TEXAS

§

COMMISSIONERS’ COURT

COUNTY OF JEFFERSON

§

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners’ Court of Jefferson County, Texas, held on the \_\_\_\_ day of \_\_\_\_\_, 2014, on motion made by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_\_, and seconded by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_\_, the following Resolution was adopted:

**RESOLUTION SUPPORTING KEYSTONE XL PIPELINE**

**WHEREAS**, The Gulf Coast Pipeline (GCP) portion of the Keystone XL Pipeline, an approximately 485-mile, 36-inch crude oil pipeline beginning in Cushing, Oklahoma, coming directly through Jefferson County and extending south to Nederland, Texas, to serve the Gulf Coast marketplace, is now complete with an initial capacity to transport 700,000 barrels per day (bbl/d) with the potential to transport 830,000 bbl/d to Gulf Coast refineries with the completion of the Keystone XL (KXL) Project; a Presidential Permit is still pending for KXL;

**WHEREAS**, the most recent Department of State Final Supplemental Environmental Impact Statement (FSEIS) for KXL suggests that TransCanada pipeline will create 42,000 direct/indirect jobs and \$2 billion of earnings throughout the United States, and contribute about \$3.4 billion to US GDP;

**WHEREAS**, the Final SEIS states that under any of the scenarios where the project is denied, GHG emissions from the movement of this oil would actually increase – 28 per cent more GHGs if all the oil is railed to the Gulf Coast, 42 per cent higher GHGs if a combination of rail and new pipelines is used;

**WHEREAS**, the TransCanada pipeline The Keystone XL Pipeline will increase energy security, and with the growth of domestic production in the U.S. and Canada, connecting the third largest resource of oil in the world to the largest refining center in the world can do nothing but increase energy security;

**WHEREAS**, the International Energy Agency and US Energy Information Administration (EIA) have both forecast that the U.S. will still need to import oil to meet its domestic demand for decades, despite growing oil production in the U.S. Today, the United States consumes 15 million barrels of oil per day and imports eight million barrels. The EIA forecast in 2012 stated that the U.S. will continue to import 7.5 million barrels of oil per day into 2035 to meet its needs;

**WHEREAS**, as stated in the Final SEIS, the U.S. Department of State, in consultation with the Pipeline and Hazardous Materials Safety Administration (PHMSA), has determined that incorporation of the 59 special conditions would result in a Project that would have a degree of safety over any other typically constructed domestic oil pipeline system under current code and minimizes the impact to the environment;

**WHEREAS**, KXL is not an export pipeline. The U.S. consumes 15 million barrels of oil a day and imports seven to eight million barrels. Both the U.S. Energy Information Administration and the International Energy Agency predict America will continue to import millions of barrels of oil each day until at least 2040.

**THEREFORE, BE IT RESOLVED**, that the Jefferson County Commissioners Court urges the U.S. Department of State to approve the Keystone XL (TransCanada) Pipeline Project.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2014.



\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge

\_\_\_\_\_  
**COMMISSIONER EDDIE ARNOLD**  
Precinct No. 1

\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

\_\_\_\_\_  
**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4





## City of Nederland

P.O. Box 967 • Nederland, Texas 77627 • (409) 723-1503 • FAX (409) 723-1550

R.A. "Dick" Nugent, Mayor  
Don Albanese, Mayor Pro Tem  
Talmadge Austin, Councilmember  
Billy Neal, Councilmember  
Bert Rogers, Councilmember  
Christopher Duque, City Manager

February 18, 2014

U.S. Department of State  
Bureau of Energy Resources, Room 4843  
Attn: Keystone XL Public Comments  
2201 C Street, NW  
Washington, DC 20520

### Re: SUPPORT FOR KEYSTONE XL PIPELINE – NATIONAL INTEREST DETERMINATION

Dear Secretary Kerry:

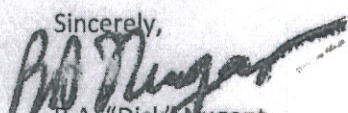
I am writing to express my support for the Keystone XL Pipeline and urge you to approve this project by granting the Presidential Permit. The Keystone XL Pipeline will not only improve American energy security and booster our economy for years to come, but we will immediately see thousands of jobs created to construct this pipeline.

Our country has been fighting high unemployment rates throughout many parts of the United States, and we have an opportunity to support about 42,000 direct/indirect manufacturing and construction jobs by approving the Keystone XL Pipeline. In the latest environmental impact review, the report highlights that approximately \$2 billion of earnings throughout the United States will be generated and about \$3.4 billion will be contributed to US Gross Domestic Product. These are staggering figures that will benefit all citizens within the United States.

I understand that pipeline safety is a huge concern, but every mode of transportation carries risk. The Final Supplemental Environmental Impact Statement finds if this project goes ahead, we will see fewer spills, fewer injuries, and fewer fatalities when compared to the alternative of transporting crude oil by rail. With the recent increase in train derailments and TransCanada's agreement to safety measures that go beyond usual pipeline requirements recommended by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, this project makes sense.

I applaud the Department of State's thoroughness during this approval process and appreciate the multiple opportunities for public input, but now it's time to approve this pipeline. It's in our nation's best interest. If you have any questions, please contact me at (409) 723-1503. Thank you.

Sincerely,

  
R.A. "Dick" Nugent,  
Mayor

*"Programmed for Progress"*





1005 Merriman Street Port Neches, Texas 77651  
P.O. Box 758 Port Neches, Texas 77651  
office 409.727.2182 fax 409.719.4302  
[www.ci.port-neches.tx.us](http://www.ci.port-neches.tx.us)

February 18, 2014

U.S. Department of State  
Bureau of Energy Resources, Room 4843  
Attn: Keystone XL Public Comments  
2201 C Street, NW  
Washington, DC 20520

**Re: Support for Keystone XL Pipeline – National Interest Determination**

Dear Secretary Kerry:


On behalf of the City of Port Neches, Texas, I am writing to express support for the Keystone XL Pipeline and further urge you to approve this project by granting the Presidential Permit. Based upon numerous indicators, the Keystone XL Pipeline will improve American energy security and our national economy for years to come. Additionally, thousands of jobs will be created to construct this pipeline which will have a decided impact on our area.

For several years, high unemployment rates have persisted throughout many parts of the country and we now have an opportunity to support approximately 42,000 direct/indirect manufacturing and construction jobs by approving the Keystone XL Pipeline. In the latest environmental impact review, the report highlights that approximately \$2 billion of earnings throughout the United States will be generated and roughly \$3.4 billion will be contributed to US Gross Domestic Product. Clearly, these are staggering figures with significant economic impact that will benefit all citizens within the United States.

I understand that pipeline safety is a huge concern, but every mode of transportation maintains some level of risk. The Final Supplemental Environmental Impact Statement finds if this project receives approval, there will be fewer spills, fewer injuries, and fewer fatalities when compared to the alternative of transporting crude oil by rail. With recent train derailments and TransCanada's agreement to safety measures that extend beyond the typical pipeline requirements recommended by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, the Keystone XL Pipeline certainly appears to offer a viable means of transport.

The U.S. Department of State is to be commended for its thoroughness during this approval process and I appreciate the multiple opportunities for public input, however, it is now time to grant approval of the Keystone XL Pipeline.

Sincerely,



Glenn Johnson  
Mayor



**AGENDA ITEM****February 24, 2014**

Consider, possibly approve and authorize the County Judge to execute an Inter-Governmental Agreement between Jefferson County and Jefferson County Drainage District # 6 for hauling asphalt.

**INTER-GOVERNMENTAL AGREEMENT**  
**Between**  
**COUNTY OF JEFFERSON**  
**and**  
**JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6**

STATE OF TEXAS           §  
                                      §  
 COUNTY OF JEFFERSON   §

This Agreement between the **COUNTY OF JEFFERSON, TEXAS**, whose address is 1149 Pearl Street, Beaumont, Texas 77701 hereinafter referred to as "**County**" and the **JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6** whose address is 6550 Walden Road, Beaumont, Texas 77707, hereinafter referred to as "**Drainage District No. 6**", is as follows:

WHEREAS, Jefferson County has purchased 6,000 cy of asphalt millings from TxDOT to assist in construction of a new parking lot at Ford Park, said millings being located in Winnie, Texas and;

WHEREAS, the County is in need of hauling the millings from Winnie, Texas to the construction site at Ford Park and;

WHEREAS, Jefferson County Drainage District No. 6 has available dump trucks of the size required to haul the required quantities of this material and;

FOR AND IN CONSIDERATION of the mutual benefits flowing to Drainage District No. 6, as well as the County as a result of this work, and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Drainage District No. 6 will provide dump trucks and drivers to haul the millings from Winnie, Texas to the construction site at Ford Park.
2. Drainage District No. 6 will make the dump trucks available during times mutually agreed to.
3. The County will pay for all fuel and drivers payroll for the duration of the time required to haul the 6,000 cy of millings.
4. Drainage District No. 6 will provide certified payroll for each driver and fuel statements for each truck to the Director of Engineering for reimbursement by the County.
5. This is a good faith effort between the County and the Drainage District No. 6 to accommodate and assist the citizens of Jefferson County area by providing the most economical means possible for construction of the new parking lot at Ford Park and each of the entities here do pledge their best efforts to fulfill the obligations set forth herein.

INTER-GOVERNMENTAL AGREEMENT – For Hauling Asphalt  
COUNTY OF JEFFERSON and JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6

COUNTY OF JEFFERSON

WITNESS OUR HANDS effective this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Jeff Branick, County Judge  
County of Jefferson

ATTEST:

\_\_\_\_\_  
Carolyn Guidry, County Clerk  
County of Jefferson

JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6

WITNESS OUR HANDS effective this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Joshua W. Allen, Sr., President  
Jefferson County Drainage District No. 6

ATTEST:

\_\_\_\_\_  
Charles "Chuck" Guillory, Secretary  
Jefferson County Drainage District Number 6

## COMMISSIONERS' COURT

Agenda

February 24, 2014

Receive and file executed Termination of Travelers Casualty and Surety Company of America bond for Right-of-Way Surety Bond for TransCanada Keystone Pipeline LP.

**AGENDA ITEM****February 18, 2014**

Consider and possibly authorize the County Judge to execute a Notice of Termination for Travelers Casualty and Surety Company of America for the Right-of-Way Surety Bond for TransCanada Keystone Pipeline LP.



# NOTICE OF TERMINATION

Date: February 6, 2014

Notice to Obligor:

Name: Jefferson County, Texas  
Address: 1149 Pearl Street  
Beaumont, Texas 77701

You are hereby notified that the following Bond is terminated:

Bond Number: SN3995  
Type of Bond: Right-of-Way Surety Bond  
Issuance Date: February 18, 2009.  
Principal: TransCanada Keystone Pipeline LP

The effective date of the termination is February 18, 2014 or THIRTY (30) days from receipt of notice, whichever is later.

<p>Copy to Principal:</p> <p>Name: TransCanada Keystone Pipeline LP Address: 717 Texas Street, Houston, Texas 77002</p>	<p>Copy to Producer:</p> <p>Name: Marsh Canada Limited Address: Suite 1100, 222 – 3<sup>rd</sup> Avenue SW Calgary, AB T2P 0B4 Attn: Lois Innes</p>
<p>Surety Company:</p> <p>Name: Travelers Casualty and Surety Company of America Address: One Tower Square 13CZ Hartford, Connecticut 06183</p>	<p>Branch Office and Address:</p> <p>Name: Travelers Insurance Company of Canada Address: 2500 – 650 West Georgia Street Vancouver, B.C. V6B 4N7</p>
<p>Comments: (reason, if applicable)</p>	

Signature: 

Kari Morton, Authorized Company Representative

OBLIGEE Acknowledgement and Acceptance: *(Please fax copy to 604-682-2664)*

X 

Date: 2/18/14

Print Name & Title: JEFF R. BRANICK, COUNTY SUGGE

**TRANSCANADA KEYSTONE PIPELINE, L.P.  
RELEASE OF DAMAGE CLAIMS**

**Jefferson County**

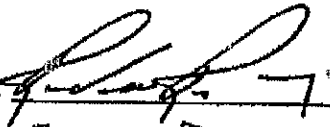
I, **Robbie Griffin**, of Precinct 1, Jefferson County ("the County"), in the State of Texas, acknowledge receipt of Zero Dollars (\$00.00), now paid to the County by **TransCanada Keystone Pipeline, LP** (hereinafter the "Company"), in full payment and settlement, for all damages for which the Company agreed to be responsible under the Haul Route Agreement between the County and the Company dated July 30, 2012.

In consideration of said payment, the County does hereby release and forever discharge the Company from any and all causes of action, suits, debts, claims, expenses, general damages, interest, costs and demands whatsoever, at law and in equity, against the Company arising out of or in connection with the Company's use of the roads covered by the Haul Route Agreement.


It is understood and agreed that payment of such consideration is not deemed to be an admission of liability on the part of the Company.

IN WITNESS WHEREOF, I/we have hereunto set our hands on this 5<sup>th</sup> day of DEC, 2013.

Witness:

  
RANDALL RUSHING

County

  
Robbie Griffin  
Road and Bridge Superintendent

**TRANSCANADA KEYSTONE PIPELINE, L.P.  
RELEASE OF DAMAGE CLAIMS**

Jefferson County

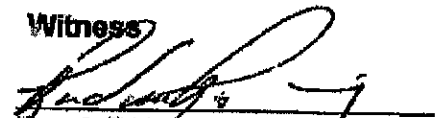
I/we Mike Trahan of Precinct 2, Jefferson County ("County"), in the State of Texas, acknowledge receipt of Five Thousand Six Hundred and Eighty Two and no/100 Dollars (\$ 5,682.00), now paid to the County by TransCanada Keystone Pipeline LP (hereinafter the "Company"), in full payment and settlement, for all damages for which the Company agreed to be responsible under the Haul Route Agreement between the County and the Company dated July 30, 2012.

In consideration of said payment, the County does hereby release and forever discharge the Company from any and all causes of action, suits, debts, claims, expenses, general damages, interest, costs and demands whatsoever, at law and in equity, against the Company arising out of or in connection with the Company's use of the roads covered by the Haul Route Agreement.

It is understood and agreed that payment of such consideration is not deemed to be an admission of liability on the part of the Company.

IN WITNESS WHEREOF, I/we have hereunto set our hands on this 16<sup>th</sup> day of JAN., 2014

Witness

  
Randall Rushing, Land Agent

County Of Jefferson

  
Mike Trahan  
Road and Bridge Superintendent



**TRANSCANADA KEYSTONE PIPELINE, L.P.  
RELEASE OF DAMAGE CLAIMS**

County of Jefferson

I/we, **Kenneth Minkins**, of **Precinct 4** of **Jefferson County** ("the County"), in the State of Texas, have inspected or otherwise observed the condition of the road both before and after **TransCanada Keystone Pipeline, LP** ("the Company") performed the work authorized under the attached Haul Route Agreement dated July 30, 2012 and consider the Company to be in compliance with the Agreement and do hereby release and forever discharge from any and all causes of action, suits, debts, claims, expenses, general damages, interest, costs and demands whatsoever, at law and in equity, against the Company arising out of or in connection with the Company's use of the roads covered by the Haul Route Agreement attached hereto.

IN WITNESS WHEREOF, I/we have hereunto set our hands on this 19 day of DECEMBER, 2013.

Witness

  
Randall Rushing, Land Agent

County of Jefferson

  
Kenneth Minkins,  
Road and Bridge Superintendent

**AGENDA ITEM****February 24, 2014**

Consider and possibly approve a resolution for the Jefferson County Crime Victims' Clearinghouse/Victims Assistance Center to apply for grant funding from the Office of the Governor, Criminal Justice Division.

**Grant Application Number 2103206**





# Resolution

STATE OF TEXAS	§	COMMISSIONERS' COURT
	§	
COUNTY OF JEFFERSON	§	OF JEFFERSON COUNTY, TEXAS

BE IT REMEMBERED at a meeting of Commissioners' Court of Jefferson County, Texas, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, on motion made by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_\_, and seconded by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_\_, the following Resolution was adopted:

**WHEREAS**, the Jefferson County Commissioners' Court finds it in the best interest of the citizens of Jefferson County that the Jefferson County Crime Victims' Clearinghouse/Victims' Assistance Center be operated for the Fiscal Year 2014– 2015; and,

**WHEREAS**, Jefferson County Commissioners' Court agrees to provide applicable matching funds for the said project as required by the Victims of Crime Act grant application; and,

**WHEREAS**, Jefferson County Commissioners' Court agrees that in the event of loss or misuse of the Criminal Justice Division funds, Jefferson County Commissioners' Court assures that the funds will be returned to the Criminal Justice Division in full; and,

**WHEREAS**, Jefferson County Commissioners' Court designates the County Judge as the grantee's authorized official: the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED**, that the Commissioners' Court of Jefferson County, Texas, does hereby approve submission of the grant application for the Jefferson County Crime Victims' Clearinghouse/Victims' Assistance Center to the Office of the Governor, Criminal Justice Division.

**Grant Application Confirmation Number: 2103206**

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**JUDGE JEFFE R. BRANICK**  
County Judge

\_\_\_\_\_  
**COMMISSIONER EDDIE ARNOLD**  
Precinct No. 1

\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

\_\_\_\_\_  
**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4



**AGENDA ITEM****February 24, 2014**

Consider and approve Resolution for application of Juvenile Accountability Incentive Block Grant from the Office of The Governor, Criminal Justice Division.





# Resolution

STATE OF TEXAS	§	COMMISSIONERS' COURT
	§	
COUNTY OF JEFFERSON	§	OF JEFFERSON COUNTY, TEXAS

BE IT REMEMBERED at a meeting of Commissioners' Court of Jefferson County, Texas, held on the \_\_\_\_ day of \_\_\_\_\_, 2014, on motion made by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_, and seconded by \_\_\_\_\_, Commissioner of Precinct No. \_\_\_\_, the following Resolution was adopted:

**WHEREAS**, the Jefferson County Commissioners' Court finds it in the best interest of the citizens of Jefferson County that the **Juvenile Accountability Incentive Block Grant** be operated for the **fiscal year 2015**; and in the amount of \$156,380.00, CJD funds and \$16,677.00 matching funds; and,

**WHEREAS**, the Jefferson County Commissioners' Court has authorized the County Judge, Jeff R. Branick, to apply for, accept, reject, alter, or terminate the grant; and,

**WHEREAS**, the Jefferson County Commissioners' Court has agreed to provide the minimum matching percentage for the said project as required by the Governor's Office, CJD grant application; and,

**WHEREAS**, the Jefferson County Commissioners' Court has agreed that in the event of loss or misuse of the Criminal Justice Division funds, Jefferson County Commissioners' Court assure that the funds will be returned to the Criminal Justice Division in full.

**NOW THEREFORE, BE IT RESOLVED** that Commissioners' Court of Jefferson County, Texas, does hereby approve submission of the grant application for the **Juvenile Accountability Incentive Block Grant** to the Office of the Governor, Criminal Justice Division.

Signed this \_\_\_\_ of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge

\_\_\_\_\_  
**COMMISSIONER EDDIE ARNOLD**  
Precinct No. 1

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**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

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**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

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**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4



**Supporting documentation pending upload.**

## SECTION 9 EMERGENCY CLOSING

- I. Jefferson County will make every effort to provide all services to citizens, even in cases of extreme adverse weather or other emergencies. Therefore, the County will almost always remain open to conduct regular business during normally scheduled hours. Under extraordinary conditions, however, the County may:
  - A) **Close entirely while asking essential personnel to report/stay on duty.** This status may apply under unusual, extreme conditions. If the County is closed, non-essential employees are not to report. However, certain employees necessary to protect the public, secure/protect property may be asked to report for duty on a case-by-case basis. These employees will be notified in response to each specific emergency.
  - B) **Delay opening while asking essential personnel to report/stay on duty.** This status may apply when severe weather conditions interfere with employee travel but conditions are expected to improve. Operations will normally be cancelled during the time of the delayed opening with essential personnel expected to report. If conditions do not improve, a decision may be made later to close the County (essential personnel reporting).
  - C) **Release early while asking essential personnel to report/stay on duty.** This status may apply when severe weather conditions interfere with employee travel. Offices may continue to operate (possibly with reduced staffing). As a result, some staff may be asked to remain on duty by the supervisor. Any shift employees should check with their supervisor to determine whether or not to report. Essential personnel will be expected to remain until relieved or notified by their supervisors to leave.
  - D) **Localized and Temporary Closing.** Extreme conditions (i.e. prolonged electrical outages, water leaks, fumes etc.) occasionally may make working conditions in a particular building or location intolerable. Supervisors or employees in the affected unit(s) should discuss the problem with their supervisors who may consult with the Human Resources/Risk Management Department. If the problem cannot be resolved, closing may be considered as a last resort. Such closures must be authorized by the Elected Official or Department Head (after consulting with their Court Liaison).

**Note:** The extraordinary pay for essential employees described in section III (C) of this policy ~~may not apply in the case of delayed opening or early release and will not apply in the case of localized/temporary closing. Such decisions will be made on a case by case basis by the County Judge/Commissioner's Court.~~

- II. Jefferson County Commissioners' Court has adopted the following emergency closing procedures:
  - A) Whenever a Jefferson County Commissioner, the County Judge or Emergency Management Coordinator has reason to believe that an emergency situation exists (or is

imminent) necessitating closure of County facilities, if time permits, an emergency meeting of the Jefferson County Commissioners' Court shall be held to consider official action.

- B) If, in the opinion of the County Judge, or, in his absence, of the senior available County Commissioner, insufficient time exists to hold an emergency meeting of the Commissioners' Court, then that individual shall, based on concern over safety of County employees and other citizens as well as interest in the availability of governmental services, determine whether to close buildings in whole or in part.
- C) Once a decision has been made to close any governmental building, the County Judge or County Commissioner making the decision (or designated staff) shall make every attempt to notify local media to inform citizens of such closure. Affected County Department Heads/Elected Officials will also be notified of the closure.
- D) Each Elected Official/Department Head should determine and implement whatever actions would be necessary to protect employees, customers, visitors, equipment, vital records and other assets, particularly during the first three days of the event and during restoration of operations.

Each Elected Official/Department Head should maintain current contact information on their employees. All employees are strongly encouraged to register with Blackboard Connect.

The County's operating status will be communicated to as many local television and radio stations as possible. Jefferson County will provide general information on our operating status through the Blackboard Connect service and through our website: [co.jefferson.tx.us](http://co.jefferson.tx.us). We may also issue an informational telephone number and/or post updates at the Texas Association of Counties (TAC) website: [www.county.org](http://www.county.org).

### III. Pay Practices during Emergency Closure

Jefferson County will provide pay/paid leave for essential and non-essential employees in the event of certain emergencies including, but not limited to: hurricanes, tornados, floods, fires and other Acts of God; nuclear, chemical and biological emergencies, terrorist attack or any other emergency declared by a federal, state or local authority. Nothing in this policy shall be construed as changing the "at will" or the regular exempt/nonexempt status of any person employed by Jefferson County.

**Note: The pay practices described below will NOT apply to any essential personnel who are covered under a collective bargaining agreement (CBA). Such employees will be paid in accordance with the terms of their CBA.**

- A) In the event that an emergency closing is ordered, non-essential regular full-time employees will be paid their regular wages as the day(s) will be recorded as an official

closed day(s). This time off is not considered time worked and will not be used to determine eligibility for overtime. Part-time employees will not be compensated for time lost due to a closing.

- B) Any employee who is off or scheduled to be off on sick leave, FMLA or disciplinary leave without pay during a period of emergency closure shall have their leave recorded as such. Any essential employee who is off on paid leave may be required to return to work immediately. (In situations involving an “emergency evacuation order,” as defined by Chapter 22, Texas Labor Code, any essential employee who fails to report to work as scheduled/requested during inclement weather or disaster may be subject to disciplinary action, up to and including termination, if such employee is necessary to provide for the safety and wellbeing of the general public or is otherwise necessary for the restoration of vital services.)
- C) Whenever there is an official emergency closure of all County operations, ~~that involves a Declaration of an Emergency by the County Judge,~~ all approved essential employees (exempt or non-exempt) required to remain at work/report to work will be compensated at their regular rate of pay. In addition, they will receive premium ~~or~~ / extraordinary pay at ~~±~~ 1/2 times their hourly salary for the duration of the emergency ~~declaration~~ closure for all documented time during which work is performed. **All hours worked in excess of 40 hours per designated work week will be paid in accordance with FLSA guidelines.** The maximum number of work hours which may be recorded for any work day is limited to 24 hours per day during the first 72 hours of the emergency closure and 18 hours per day thereafter. All hours must be documented in a format approved by the County Auditor.
- D) All essential employees must be designated and made aware of their assignments prior to an emergency closing. A list of essential employees and job duties during the emergency should be provided to the Emergency Management Coordinator and County Auditor and must be approved by the County Judge. The County Judge may also designate additional employees as essential during an emergency closing as necessary. Essential employees are those who are required to stay at their assigned areas performing necessary tasks during the emergency, or those who may be asked to return to work after an immediate threat is over. The list for each department should be updated at least annually. Such personnel may include: Corrections Officers, Deputy Sheriffs, Roads & Bridges crews, Emergency Management personnel, Residential Supervisors, Detention Officers and/or other personnel designated by the County Judge, County Commissioners, Sheriff or other Elected Officials/Department Heads. All other employees should report to their designated work areas as soon as possible following the order/announcement for resumption of normal operations, via instructions from their Elected Officials/Department Heads.

**Note:** Any employee who has not been designated and approved as essential prior to the emergency closing/declaration will not be eligible to receive the extraordinary pay described in section (C) above.

## Section 9 Continued

- E) In the instance of localized or temporary closing, the affected employees will be compensated in accordance with section III (A), and all unaffected employees' compensation will be the same as during regular working conditions.
- F) Once the ~~order for Mandatory Evacuation or Closure Order is lifted~~, **official emergency closure is over**, employees must report back to work ~~by the date instructed in the Order.~~ **on the date normal County operations resume.**

If conditions are such that County offices are safe and normal operations are proceeding, but travel may be extremely difficult, the County may announce to non-essential staff to use their own discretion to decide whether or not to report to work. Any days/hours not worked **after normal operations have resumed** will be charged to vacation, personal leave, or compensatory time, or time without pay. An employee choosing to take the day off must notify his/her supervisor immediately for approval of paid leave.



**Special, February 24, 2014**

There being no further business to come before the Court at this time,  
same is now here adjourned on this date, February 24, 2014