



**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS JANUARY 24, 2012 1:30 P.M.**

CONSENT AGENDA

- * Approval of minutes – January 17, 2012
- * Confirmation of committee appointments

Marcelino Rodriguez would be appointed to the Convention and Tourism Advisory Board. The term would commence January 24, 2012 and expire January 23, 2014. (Councilmember At Large Gethrel Williams-Wright)

Tony Prados would be reappointed to the Community Development Advisory Committee. The current term would expire October 29, 2013. (Councilmember At Large Gethrel Williams-Wright)

David Mulcahy would be reappointed to the Community Development Advisory Committee. The current term would expire December 21, 2013. (Councilmember W. L. Pate, Jr.)

Ethelyn Jenkins, County Historian, would be reappointed to the Historic Landmark Commission. The current term would expire January 15, 2014. (Mayor Becky Ames)

Dohn LaBiche, Architect, would be reappointed to the Historic Landmark Commission. The current term would expire October 29, 2013. (Mayor Becky Ames)

- A) Authorize the City Manager to execute water and/or wastewater service agreements with City of Beaumont wholesale customers
- B) Authorize the City Attorney to bring suit to collect delinquent hotel occupancy taxes due the City of Beaumont by Economy Inn/Jivanji Bhakta Prabhubhai
- C) Authorize the settlement of the lawsuit styled Mark Ramirez v. City of Beaumont; Cause No. A-189,384

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:

THAT the following appointment be made:

<u>Appointment</u>	<u>Commission</u>	<u>Beginning of Term</u>	<u>Expiration of Term</u>
Marcelino Rodriguez	Convention and Tourism Advisory Board	01/24/12	01/23/14

THAT the following reappointments be made:

<u>Reappointment</u>	<u>Commission</u>	<u>Beginning of Term</u>	<u>Expiration of Term</u>
Tony Prados	Community Development Advisory Committee	01/24/12	10/29/13
David Mulcahy	Community Development Advisory Committee	01/24/12	12/21/13
Ethelyn Jenkins	Historic Landmark Commission	01/24/12	01/15/14
Dohn LaBiche	Historic Landmark Commission	01/24/12	10/29/13

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of
January, 2012.

- Mayor Becky Ames -

A



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Hani Tohme, P.E.

MEETING DATE: January 24, 2012

REQUESTED ACTION: Consider a resolution authorizing the City Manager to execute water and/or wastewater service agreements with City of Beaumont wholesale customers.

RECOMMENDATION

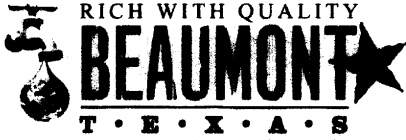
Administration recommends approval of executing water and/or wastewater service agreements with ExxonMobil Beaumont Refinery, Chemtrade Refinery Services Inc., Gerdau Ameristeel of Beaumont, ExxonMobil Chemical Company/Beaumont Plant and ExxonMobil Oil Corporation.

BACKGROUND

The Texas Commission on Environmental Quality, Chapter 290, Sub-Chapter D, Rules and Regulations for Public Water Systems, requires municipalities to execute service agreements with wholesalers as well as non-transient non communities which are not a community water system but regularly serve at least 25 of the same persons at least six months out of the year. Once service agreements are executed with such entities, they will be required by state law to monitor and report the water quality inside of their property on a monthly basis. This procedure will prevent any possible contamination of the City of Beaumont water system and protect the public's health.

BUDGETARY IMPACT

None.



City of Beaumont
SERVICE AGREEMENT CONTRACT

STATE OF TEXAS §
COUNTY OF JEFFERSON §
CITY OF BEAUMONT §

CONTRACT BETWEEN

City of Beaumont ■ (Industry Name)

WHEREAS, (Industry Name), doing business in the State of Texas (herein "Owner"), and the City of Beaumont, a municipal corporation of the State of Texas (herein "City") entered into a Contract on (Date) for the City to provide potable drinking water services to Owner.

WHEREAS, the City and Owner desire to adopt a Service Agreement Contract for the provision of potable drinking water services to owner and agree as follows:

WITNESSETH

I

Owner agrees to maintain, free of charge to the City, the water lines within its property.

II

The City shall have the right to enter on the Owner property or premises with 24 hour prior notice for any purposes reasonably incidental to or necessitated by the terms and provisions of this Contract. The City will abide by all Owner site safety rules and other site access rules while on Owner property.

III

Page 1 of 6

Owner agrees to install and maintain a UL approved RPZ (reduced pressure zone) backflow prevention device at the point of service (the meter). The City will give a variance of several feet so that the RPZ can be placed inside the fence for protection. The RPZ must be installed according to the requirements in City Ordinance 01-032, Section 28-57.12. The assembly must be tested upon installation and annually by a certified tester.

IV

Owner agrees to install and maintain all appropriate required backflow and backsiphonage prevention assembly devices deemed necessary by the Texas Commission on Environmental Quality regulations to protect the internal Owners. The internal protection of the drinking water supplied to Owner employees and/or owners is the responsibility of Owner. The City will provide guidance on proper cross connection prevention.

V

Owner agrees to comply with applicable City Code of Ordinances including the following restrictions and unacceptable practices prohibited by State regulations:

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public drinking water supply by an air-gap or a reduced pressure-zone backflow prevention device.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or an approved backflow prevention device.
- C. No connection which allows water to be returned to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.2% lead shall be used for installation or repair of any water supply which provides water for human use.

VI

The Water Utilities Department will maintain a copy of this Contract as long as the Owner and/or the premises are connected to the Water Utilities Department. Additional requirements are listed below:

- A. Owner shall have their property inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by a qualified inspector acceptable to the Water Utilities Department annually, or when there is reason to believe the cross-connection or other potential contamination hazards exist due to changes to the private water distribution facilities.
- B. Owner shall notify the Water Utilities Department in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the annual reinspection.
- C. Owner shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on their premises.
- D. Owner shall, at their expense, properly install, test annually, and maintain any backflow prevention device required by the Water Utilities Department. Copies of all testing and maintenance records shall be provided to the Water Utilities Department by July 30 of each year or date of annual testing schedule.

VII

Owner will be responsible for all reporting requirements to the State as a Public Water Supply System. The City will provide annually the Consumer Confidence Report for its distribution. In the event of a change in treatment or distribution such as utilizing treated water other than City supply, Owner agrees to promptly report to the City. This is to include any violations of chlorine and/or coliform monitoring.

VIII

Owner is authorized to use a maximum of (###) gallons per minute on a daily average or (#####) gallons per day. The rates applied by the City can be negotiated if the demand of Owner changes.

IX

Owner agrees to pay to the City all charges for water service within thirty (30) days from date of statement from the City. In the event of failure of Owner to so pay said charges, City shall have the right, upon thirty (30) days written notice to Owner, to refuse to provide potable water service to Owner.

X

Owner will pay the same rate for water services as established from time-to-time by the City Council for outside the City of Beaumont. The event said rates are altered or amended by City Ordinance; Owner agrees to pay said amended rates.

XI

Owner agrees to:

1. Adopt a resolution or take some other official action agreeing to the terms and conditions of this Contract,
2. Adopt a resolution or take some other official action ratifying, affirming and accepting the benefits and agreeing to the terms, conditions and requirements of this Contract; and
3. Enter into such other or additional contracts or agreements as may be reasonably required to carry out the purpose and intent of this Contract.

XII

This Contract shall be for a period of 12 months from and after the date of execution and shall continue there after year to year until either party gives 30 days written notice of intent to terminate this agreement.

XIII

Owner may, from time to time, convey or assign this Contract with respect to all or any part of the land contained within Owner's property boundaries, and the assignee or assignees shall be bound by this Contract. Upon prior approval by the City Council, of the assignee or assignees, and only upon the condition that the assignee or assignees assume the liabilities, responsibilities and obligations under this Contract with respect to the land involved in the assignment or assignments, or as may be otherwise approved by the City Council.

In connection with this Contract, official addresses for notification shall be:

A. Dr. Hani J. Tohme, Director
City of Beaumont
Water Utilities Department
1350 Langham Road
Beaumont, Texas 77707

B. (Industry Name)

Any changes in said addresses may be made by notifying the other parties by certified mail of the new or changed contact person and/or address.

XIV

This Service Agreement represents the entire and integrated Contract between the City of Beaumont and Owner and supersedes all prior negotiation, representatives, or agreements, either oral or written. This Contract may be amended only by written instrument signed by both the City of Beaumont's City Manager and Owner.

IN WITNESS WHEREOF, the City of Beaumont Water Utilities Department has lawfully caused these presents to be executed by the hand of the City Manager of said City, and the municipal corporate seal of said City to be hereunto affixed, and the said Owner, Owner, acting by hand of the President and/or Manager whereunto Authorized Representative, does now sign, execute and deliver this document.

Executed in duplicate originals at Beaumont, Texas, on this _____ day of _____ A.D., 201____.

(INDUSTRY NAME)

CITY OF BEAUMONT

By: _____
(PRINT) Authorized Representative Date

By: _____
Kyle Hayes, City Manager Date

By: _____
Signature of Authorized Representative Date

Attest: _____
Date

Attest: _____
Date

STATE OF TEXAS §
COUNTY OF JEFFERSON §
CITY OF BEAUMONT §

BEFORE ME, the undersigned, a Notary Public in and for the said county and state, on this day personally appeared known to me to be the person and officer whose name is subscribed to the foregoing instruction, and acknowledged to me that the same was the act of the said Owner, and that he executed the same as the act of such company for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, A.D. 201____.

Notary Public

My Commission Expires:

RESOLUTION NO.

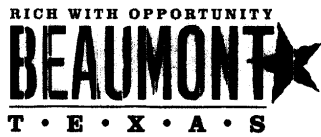
BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Manager be and he is hereby authorized to execute water and/or wastewater service agreements with ExxonMobil Beaumont Refinery, Chemtrade Refinery Services, Inc., Gerdau Ameristeel of Beaumont, ExxonMobil Chemical Company/Beaumont Plant and ExxonMobil Oil Corporation.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of January, 2012.

- Mayor Becky Ames -




B

City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney 

MEETING DATE: January 24, 2012

REQUESTED ACTION: Consider a resolution authorizing the City Attorney to bring suit to collect delinquent hotel occupancy taxes due the City of Beaumont by Economy Inn/Jivanji Bhakta Prabhubhai.

RECOMMENDATION

Administration recommends approval of a resolution authorizing the City Attorney to bring suit to collect delinquent hotel occupancy taxes due the City of Beaumont by Economy Inn/Jivanji Bhakta Prabhubhai.

BACKGROUND

State law gives to the City of Beaumont authority to levy a tax not to exceed seven percent (7%) of the cost of occupancy of any room or space paid for in a hotel. The hotel or its representative is required to collect the occupancy tax and remit same to the City of Beaumont in a timely manner as it becomes due. The City of Beaumont has enacted Chapter 18, Article 18.03, Sections 18.03.001 through 18.03.007, of the Code of Ordinances to address hotel occupancy taxes. State law also gives to the City Attorney authority to bring suit against the person who has collected and failed to pay the tax to the City when due. At the same time, authority is given to enjoin the person from operating a hotel until the tax is paid in full.

Economy Inn at 53515 College Street in Beaumont is delinquent in the remittance of the current hotel occupancy taxes collected for the period of time of January 31, 2011, through January 31, 2012, in the estimated amount of \$7,064.97, including penalties and interest. Further, Economy Inn is delinquent in its payment of hotel occupancy taxes, as discovered in a 2010 audit of this business, in the amount of \$6,988.26. Economy Inn owes total hotel occupancy taxes in the amount of \$14,053.23.

Request is hereby made to bring suit to collect these delinquent hotel occupancy taxes due the City of Beaumont by Economy Inn/Jivanji Bhakta Prabhubhai.

This matter was discussed in an Executive Session on January 10, 2012.

BUDGETARY IMPACT

Potentially recoverable revenue in the amount of \$14,053.23.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Attorney is hereby authorized to file and prosecute a lawsuit against Economy Inn/Jivanji Bhakta Prabhubhai, Beaumont, Texas, to collect delinquent hotel occupancy taxes.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of January, 2012.

- Mayor Becky Ames -

C



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney *TEC*

MEETING DATE: January 24, 2012

REQUESTED ACTION: Consider a resolution authorizing the settlement of the lawsuit styled Mark Ramirez v. City of Beaumont; Cause No. A-189,384.

RECOMMENDATION

Administration recommends approval of a resolution authorizing the settlement of a lawsuit styled Mark Ramirez v. City of Beaumont in the amount of \$13,500.

BACKGROUND

This matter was most recently presented and discussed in Executive Session held on December 16, 2011. The City Attorney is requesting authority to settle this suit.

BUDGETARY IMPACT

There are sufficient funds in the General Fund to pay the settlement amount.

RESOLUTION NO.

WHEREAS, the lawsuit styled Mark Ramirez v. City of Beaumont, Cause No. A-189,384, was discussed in Executive Session properly called and held Tuesday, December 16, 2011; and,

WHEREAS, the Council desires to authorize the settlement of the lawsuit styled Mark Ramirez v. City of Beaumont, Cause No. A-189,384;

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the City Attorney be, and he is hereby, authorized to settle the lawsuit styled Mark Ramirez v. City of Beaumont, Cause No. A-189,384, for the sum of Thirteen Thousand Five Hundred Dollars (\$13,500); and,

BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute all documents related to settlement of the lawsuit.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of January, 2012.

- Mayor Becky Ames -



**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS JANUARY 24, 2012 1:30 P.M.**

AGENDA

CALL TO ORDER

- * Invocation Pledge Roll Call
- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda items 1-3/Consent Agenda
- * Consent Agenda

GENERAL BUSINESS

1. Consider approving the purchase of a hydraulic excavator for use by the Water Utilities Department
2. Consider approving a contract for the construction of a Police substation and restroom facility
3. Consider amending the boundaries of Neighborhood Empowerment Zone Number One

COMMENTS

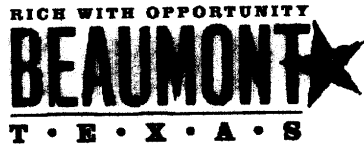
- * Councilmembers/City Manager comment on various matters
- * Public Comment (Persons are limited to 3 minutes)

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Mitchell Normand at 880-3777 three days prior to the meeting.

1

January 24, 2012

Consider approving the purchase of a hydraulic excavator for use by the Water Utilities
Department



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer *lk*

MEETING DATE: January 24, 2012

REQUESTED ACTION: Council consider approving the purchase of a hydraulic excavator for use by the Water Utilities Department.

RECOMMENDATION

The administration recommends approval of the purchase from Waukesha-Pearce Industries Inc. of Port Arthur in the amount of \$299,991.20.

BACKGROUND

Pricing for the equipment was obtained through BuyBoard, a cooperative purchasing association providing cities and political subdivisions with the means to purchase specialized equipment at volume pricing. BuyBoard complies with State of Texas procurement statutes.

The excavator will be used for water construction and rehabilitation work and will replace Unit 5147, a 2002 model with 5,000 hours of service. The old unit will be disposed of according to the City's surplus equipment disposal policy. The new excavator is a larger model with increased capability to lift and place the excavation trench box for worker's safety during rehabilitation work such as pipe bursting and slip lining. The machine is also used with a Slashbuster attachment to cut brush and trees. The existing Slashbuster from the old unit will be refurbished and installed on the new excavator.

Standard warranty is one (1) year with unlimited service hours. Warranty service is provided by Waukesha-Pearce of Port Arthur. Delivery is expected within forty-five (45) days.

BUDGETARY IMPACT

Funds are available in the Water Utilities Fund.

RESOLUTION NO.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:**

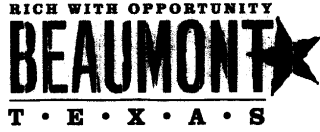
THAT the City Council hereby approves the purchase of a hydraulic excavator for use by the Water Utilities Department, from Waukesha-Pearce Industries, Inc., of Port Arthur, Texas, in the amount of \$299,991.20 through the BuyBoard Cooperative Purchasing Program.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of January, 2012.

- Mayor Becky Ames -

January 24, 2012

Consider approving a contract for the construction of a Police substation and restroom facility



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Patrick Donart, Public Works Director

MEETING DATE: January 24, 2012

REQUESTED ACTION: Council consider the award of a bid for the construction of a Police substation and restroom facility.

BACKGROUND

Bids were received on Thursday, December 8, 2011 for furnishing all materials, labor, equipment and supplies to construct a Police substation and public restroom facility adjacent to the newly constructed Amtrak station.

Amtrak began the construction of a new station and platform on W. Cedar in February, 2011 on land purchased by the City from Union Pacific Railroad. The new station and parking lot will be completed in January 2012. Amtrak has constructed their standard station for low use stops that includes a covered waiting area, new platform and parking area. However, restrooms are not provided in these stations.

Rob Clark, with Architectural Alliance of Beaumont designed a 600 sq. ft. building similar to the new Amtrak station. This building will include one public restroom and a police substation. The building will be constructed west of the Amtrak station on property recently purchased by the City.

The project will include exterior lighting and sidewalks connecting the Amtrak station to the restroom facility. The restroom will remain open to the public on the days that Amtrak service is offered in Beaumont. The restroom will be secured on days when no service is available and automatically locked every evening.

Amtrak Restroom and Police Substation

January 24, 2012

Page 2

The following bids were received:

Contractor	Location	Price	Completion Time
Bruce's General Construction	Beaumont	\$289,000	180 days
McInnis Construction, Inc.	Silsbee	\$317,000	180 days
Goss Building, Inc.	Beaumont	\$320,000	150 days
SeTEX Construction Corp.	Beaumont	\$326,000	120 days
Daniels Bldg. & Construction, Inc.	Beaumont	\$334,000	180days
N & T Construction Company	Beaumont	\$340,500	120 days
D&R Commercial Construction	Lumberton	\$354,850	150 days
H.B. Neild & Sons, Inc.	Beaumont	\$357,000	150 days
Lange Brothers Construction, Inc.	Pt. Arthur	\$382,181	180 days

The low bidder, Bruce's General Construction, is a certified MBE. Construction should commence in February and be completed in 180 days.

BUDGETARY IMPACT

Funds for this project are available in the Capital Program.

RESOLUTION NO.

WHEREAS, bids were solicited for furnishing all materials, labor, equipment and supplies to construct a Police substation and public restroom facility adjacent to the newly constructed Amtrak station, and,

WHEREAS, Bruce's General Construction, of Beaumont, Texas, submitted a bid in the amount of \$289,000; and,

WHEREAS, City Council is of the opinion that the bid submitted by Bruce's General Construction, of Beaumont, Texas, should be accepted;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the bid submitted by Bruce's General Construction, of Beaumont, Texas, for furnishing all materials, labor, equipment and supplies to construct a Police substation and public restroom facility adjacent to the newly construction Amtrak station in the amount of \$289,000 be accepted by the City of Beaumont; and,

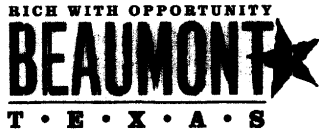
BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute a contract with Bruce's General Construction, of Beaumont, Texas, for the purposes described herein.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 24th day of January, 2012.

- Mayor Becky Ames -

January 24, 2012

Consider amending the boundaries of Neighborhood Empowerment Zone Number One



City Council Agenda Item

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Community Development Director

MEETING DATE: January 24, 2012

REQUESTED ACTION: Council consider amending the boundaries of Neighborhood Empowerment Zone Number One.

RECOMMENDATION

Administration recommends amending the boundaries of Neighborhood Empowerment Zone Number One.

BACKGROUND

In an effort to encourage economic development in areas of the city with higher concentrations of low to moderate income families and limited redevelopment, Neighborhood Empowerment Zones were created within the city. Incentives are offered within the zones to encourage redevelopment. These incentives include:

- 1) Three-year municipal tax abatement for all added value for investments greater than \$50,000 for residential uses and \$75,000 for all other uses.
- 2) Building fee waivers (not including tap and meter fees).
- 3) Expedited permit review.
- 4) Lien waivers for any lien claimed by the City for demolition or high grass abatement expenditures.

Proposed is an amendment to Neighborhood Empowerment Zone Number One, to include an area along College Street. Attached is a map of all Empowerment Zones, with the proposed changes to Empowerment Zone Number One and the amended boundary description.

BUDGETARY IMPACT

Revenues from waived fees and liens and abated ad-valorem taxes would be forgone, but the long-term economic impact associated with new development should positively affect future budgets.

ORDINANCE NO.

ENTITLED AN ORDINANCE AMENDING THE BOUNDARIES
OF NEIGHBORHOOD EMPOWERMENT ZONE #1.

WHEREAS, City Council approved Ordinance No. 08-015 designating areas of the City of Beaumont as Neighborhood Empowerment Zones #1 and #2 pursuant to the Texas Neighborhood Empowerment Zone Act (Texas Local Government Code, Chapter 378), providing tax incentives, adopting tax abatement guidelines and criteria and designating a liaison to act on all matters pertaining to the Empowerment Zone; and,

WHEREAS, to further this purpose, an amendment to the boundaries of Neighborhood Empowerment Zone #1 is necessary to include an area along College Street, as shown on Exhibit "A" and described in Exhibit "B," attached hereto; and,

WHEREAS, the Council finds and determines that amending the boundaries of Neighborhood Empowerment Zone #1 would promote the creation of affordable housing, including manufactured housing, increase economic development, increase the quality of social services, education, or public safety provided to the residents in the zone, or the rehabilitation of affordable housing in the zone;

NOW, THEREFORE, BE IT ORDAINED BY

THE CITY COUNCIL OF THE CITY OF BEAUMONT:

Section 1.

That the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved, determined, and adopted.

Section 2.

That the City Council hereby designates the area set forth in Exhibits "A" and "B," attached hereto and incorporated herein for all purposes, to be included in the boundaries

attached hereto and incorporated herein for all purposes, to be included in the boundaries of Neighborhood Empowerment Zone #1.

Section 3.

That this ordinance shall be effective from and after its passage as provided by law.

PASSED BY THE CITY COUNCIL of the City of Beaumont on this the 24th day of January, 2012.

- Mayor Becky Ames -

Boundary Description
for
Empowerment Zone Number One

Zone Number One

STARTING from a Point of Beginning (POB) at the intersection of the east right-of-way line of IH-10 and the south right-of-way line of the Union Pacific railroad and going easterly along said railroad right-of-way to 11th Street and continuing until reaching the eastern right-of-way line of Fourth Street; hence south along said eastern right-of-way line of Fourth Street until reaching the southern right-of-way line of Fannin Street; hence westwardly along said southern right-of-way line of Fannin Street until reaching the west right-of-way line of 8th Street; hence south along the west right-of-way line of 8th Street until reaching the north right-of-way line of College Street; hence west along the north right-of-way line of College Street to 11th Street and continuing until reaching the east right-of-way line of IH-10; hence northerly along said east right-of-way line of IH-10 until reaching the Point of Beginning..

EXHIBIT "B"