M I N U T E S - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large	**BECKY AMES, MAYOR**	**Gethrel Wright, At-Large**
Claude F. Guidroz, Ward I	**CITY COUNCIL MEETING**	**Michael D. Getz, Mayor Pro Tem**
Audwin Samuel, Ward III	**April 19, 2016**	**Robin Mouton, Ward IV**
Tyrone E. Cooper, City Attorney	**Kyle Hayes, City Manager**	**Tina Broussard, City Clerk**

The City Council of the City of Beaumont, Texas, met in a regular session on **April 19, 2016**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

OPENING

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

Mayor Ames called the council meeting to order at 1:30 p.m.

Pastor Deanna Andrews of Harvest for Lost Souls Outreach Ministry gave the invocation. Kennedy Andrews, 6th grader at Legacy Christian Academy, led the Pledge of Allegiance. Roll call was made by Stephanie Gandy, Deputy City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Getz, Councilmembers Guidroz, Wright, Pate, Samuel and Mouton. Absent: Tina Broussard, City Clerk. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Stephanie Gandy, Deputy City Clerk.

Proclamations, Presentations, Recognitions

Kennedy Andrews – Winner of the Better Business Bureau Essay Contest; won first place out of the 3,300 students that participated for his essay about a homeless man that stole a cell phone from a church and then later returned it.

Public Safety Telecommunicators Week – April 18-24, 2016 - Accepting: Sergeant Shawn Tolley, 911 Operations Supervisor, introduced two Telecommunicators who are with 911

John Rollins with Leadership Beaumont Southeast Texas – Announced LSET's upcoming event on April 26, 2016 at 4:00 p.m. – Born Learning Trail Grand Opening at the Rotary Playground

Golden Triangle Seminoles – Spokesman: Merrick Brown, Coach and player, of the GT Seminoles football team, Regina Scypion, owner, and players presented a signed football to Mayor Ames

Public Comment: Persons may speak on scheduled agenda items 1-3/Consent Agenda.

Maria Powell	**1380 Gilbert St.**	**Beaumont, TX**

Spoke in opposition of privatizing the Tennis Center

Gary L. Cobb	**2470 Liberty**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Joel Barton	**246 Pinevale Way**	**Sour Lake, TX**

Spoke in favor of privatizing the Tennis Center

Allison Getz	**7950 Phelan Blvd.**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Emily Coxe	**1215 Sandwood Lane**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Ron Wesbrooks	**3795 Long Ave.**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Wayne DeYoung	**12817 Hamshire Rd.**	**Hamshire, TX**

Spoke in favor of privatizing the Tennis Center+

Councilmember Samuel left the meeting at 2:13 p.m.

Ronna Phelps	**10095 Hwy 105**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Councilmember Samuel returned at 2:15 p.m.

Jessica Gonzales	**8973 Birch St.**	**Lumberton, TX**

Spoke in favor of privatizing the Tennis Center

Jeff Curl	**6030 Grand Ct.**	**Orange, TX**

Spoke in favor of privatizing the Tennis Center

John Brack	**6625 Knollwood Dr.**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Donald Legato	**4229 Tolivar Canal Rd.**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Matthew Minick	**8145 Willow Way**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

David Stovall	**170 Manor**	**Beaumont, TX**

Spoke in favor of privatizing the Tennis Center

Jesse Cooper	**3513 Robinson Dr.**	**Pearland, TX**

Spoke in opposition of privatizing the Tennis Center

Nelson Melonson	**3870 Nathan**	**Beaumont, TX**

Spoke in opposition of privatizing the Tennis Center

Talsha Davis	**P.O. Box 7288**	**Beaumont, TX**

Spoke in opposition of privatizing the Tennis Center

Art Green	**211 South 2 ½ St.**	**Nederland, TX**

Spoke in favor of privatizing the Tennis Center

Mayor Ames read the announcement regarding Executive Session being held at the conclusion of the General Business portion of the meeting.

CONSENT AGENDA

* Approval of minutes – April 12, 2016

* Confirmation of committee appointments - **Resolution 16 - 068**

Marty Craig-Planning Commission Representative would be reappointed to the Historic Landmark Commission. The current term would expire April 7, 2018. (Mayor Becky Ames)

A) Approve a resolution authorizing the award of a three year contract for plumbing services to All Star Plumbing, Inc. of Beaumont - **Resolution 16 - 069**

B) Approve a resolution authorizing the award of a contract to Dowlen Road Veterinary Center of Beaumont for veterinary services at Beaumont Animal Services - **Resolution 16 - 070**

C) Approve a resolution authorizing the sale of City owned property located at 978 Fulton Avenue to Kevin Roy - **Resolution 16 - 071**

D) Approve a resolution nominating Lauren Mason to serve as a member of the Board of Directors of the Jefferson County Appraisal District - **Resolution 16 - 072**

Councilmember Mouton moved to approve the Consent Agenda. Councilmember Samuel seconded the motion.

AYES: **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

NAYS: **NONE**

MOTION PASSED

GENERAL BUSINESS

1. Consider a resolution authorizing a contract for property insurance coverage for various city owned buildings and assets.

Higginbotham, of Port Arthur, Texas is the City's broker of record for securing the City's property insurance. The proposed annual premium is based on a total building value of $239,287,919. The cost of the policy for the year is $1,002,131.00, an 18.4% decrease from last year's premium of $1,227,876.12. The net rate per $100 valuation, based on the insured value decreased from $0.5126 to $0.4015 from last year. The policy renewal will be in effect from May 1, 2016 to May 1, 2017.

Companies providing insurance are layered with exposure limited to the amount of damage incurred. All risk coverage, including Flood and Earth Movement, is provided by AmRisc, LP, First Specialty Insurance, Westchester, QBE Spcialty, Evanston, Liberty Surplus, Lloyds, Avis, and RSUI Indemnity.

DEDUCTIBLES	
Fire and All Other Perils excluding wind	$50,000
Flood except Flood Zone A and Shaded X	$100,000
Flood - Zone A and Shaded X	$500,000
Windstorm (Named Storms)	2% of Scheduled Value
All other Wind/Hail/Earthquake	$50,000
Boiler and Machinery	$25,000

All insurance companies providing coverage in the new policy are A.M. Best rated at A and A+15. A binder to the policy will be issued May 1 for primary coverage.

Approval of resolution.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT FOR FIRE, EXTENDED COVERAGE, FLOOD AND QUAKE PROPERTY INSURANCE THROUGH TALON INSURANCE AGENCY, OF PORT ARTHUR, TEXAS.** Councilmember Pate seconded the motion.

AYES: **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

NAYS: **NONE**

MOTION PASSED

Resolution 16 - 073

WORK SESSIONS

* Review and discuss the construction and/or repair of sidewalks throughout the City of Beaumont

Kyle Hayes, City Manager, stated that the City installs sidewalks when a new roadway is constructed or when an existing roadway is reconstructed. This has been the practice for about 12 years, with Council's approval. Roads constructed prior to this practice being put into effect have no sidewalks. When there are total reconstruction of streets, which includes tearing down the existing street and reconstructing new water and sewer lines and drainage, as well as road surface, then there are sidewalks installed as well. Sidewalk installation has been requested on 4th Street on one side for a five foot length, which would cost approximately $87,000 and another on Fannett Road from Ozen High School to the Theodore Johns Library, which would cost approximately $350,000. Administration and staff agree that sidewalks need to be installed in as many places as possible. The issue is that this is not budgeted for and how would Council like to proceed. It was brought up that a sidewalk program should be implemented, which would then involve borrowing funds and prioritizing locations.

Councilmember Wright left the meeting at 4:08 p.m.

* Review and discuss a proposal received from the Striesfeld Group, LLC related to the possible management of the Tennis Center located at the Athletic Complex

The City Manager stated that there was a concensus by Council to request proposals for the possible management of the Tennis Center, located at the Athletic Complex. The City sent the

RFP out to approximately 15 groups. We received one proposal from the Striesfeld Group.

Eric Striesfeld, of the Striesfeld Group, stated that his group is here to better Beaumont and to provide something for the citizens to gravitate to. He plans to implement programs to bring more citizens to tennis, such as teaching tennis within the schools, offering group and individual lessons, leagues, summer camps, drawing more tournaments, raising scholarship funding and expanding court hours. Mr. Striesfeld believes that a partnership, not a privatization, with the City will elevate the level of service to the citizens. The facility is underutilized and implementing these programs will not only benefit the citizens, they will
draw funds through restaurants and hotels.

Councilmember Wright returned at 4:29 p.m.

* Review and discuss the Consolidated Grant Program's 2016 Annual Action Plan and Budget

As mandated by the U.S. Department of Housing and Urban Development, City Council has conducted public hearings and work sessions in previous years prior to adopting the City's Annual Action Plan. Community Development Staff, along with the Community Development Advisory Committee, hosted Public Hearings in order to receive public comments on the process and activities related to the Preliminary 2016 Annual Action Plan. The proposed Preliminary Budget reflects allocations of $1,266,349 in CDBG funding, an estimated $100,000 in Program Income and $367,763 in HOME funding. Prior to its submission to HUD for approval, City Council will consider adopting the final Annual Action Plan on or about April 26, 2016.

City Manager, Kyle Hayes, addressed the concerns that some Councilmembers had due to the Public Service line item only having $60,000, which has been drastically reduced over the past 5 years. Staff recommendation is to take $20,000 from the Minor Repairs Administration line item and move it into the Public Service line item to provide additional monies. This will not cause an issue as the staff has been downsized from 5 people to 3 people.

COMMENTS

* Councilmembers/City Manager comment on various matters

COUNCILMEMBER COMMENTS

COUNCILMEMBER GUIDROZ - **THANKED KYLE HAYES, CITY MANAGER AND LAURA CLARK, CFO, FOR ALL THE WORK THEY'VE PUT IN ON THE TENNIS CENTER RFP, THANKED ALL THE CITIZENS AND MEMBERS OF SETTA WHO TOOK TIME OUT OF THEIR DAY TO SPEAK ABOUT THE TENNIS CENTER**

MAYOR PRO TEM GETZ - **EXPRESSED HIS APPRECIATION FOR ALL THE MEMBERS OF THE SOUTH EAST TEXAS TENNIS ASSOCIATION FOR COMING**

OUT AND SPEAKING ON SOMETHING THEY FEEL SO PASSIONATELY ABOUT, BELIEVES THE STRIESFELD GROUP WILL BRING ORGANIZATION AND A STEADY PRESENCE TO GROW THE GAME OF TENNIS IN THE COMMUNITY, ANNOUNCED THAT THE DOWLEN WEST NEIGHBORHOOD ASSOCIATION WILL BE MEETING ON TUESDAY, APRIL 19, 2016

COUNCILMEMBER WRIGHT - HAPPY TO SEE THE GOLDEN TRIANGLE SEMINOLES FOOTBALL TEAM COME IN, THANKED THEM FOR WHAT THEY'RE DOING, WAS UNAWARE THAT THERE WAS SUCH A FOOTBALL TEAM, THE DISCUSSION BETWEEN COUNCILMEMBERS MAY HAVE BEEN SPIRITED BUT IT'S ONLY BECAUSE THEY WANT WHAT'S BEST FOR THE CITIZENS AND THE CITY, THE CITY IS ONLY AS STRONG AS ITS WEAKEST LINK

COUNCILMEMBER PATE - ECHOED WHAT COUNCILMEMBER WRIGHT SAID, NOT A MEMBER OF SETTA AND HASN'T PLAYED TENNIS IN 40 YEARS BUT APPRECIATES WHAT ALL THE VOLUNTEERS DO, HAS BEEN A MEMBER OF THE CARDINAL CLUB FOR 40+ YEARS AND WHAT VOLUNTEERS DO IS TRY TO HELP, HOWEVER THE VOLUNTEERS DON'T RUN IT, STATED THAT THEY ARE ALL HERE FOR THE BENEFIT OF THE CITIZENS AND ALL DECISIONS THAT ARE MADE BY COUNCIL ARE WHAT THEY BELIEVE WILL BEST SERVE THE PEOPLE

COUNCILMEMBER SAMUEL - NONE

COUNCILMEMBER MOUTON - STATED THAT SHE IS IN FAVOR OF THE BEAUTIFUL TENNIS FACILITY WE HAVE BEING USED TO ITS FULL POTENTIAL, THAT'S WHAT IT WAS DESIGNED AND BUILT FOR, IT IS AN AMENITY TO THE TAXPAYERS AND TO THE CITIZENS OF BEAUMONT AND DOESN'T WANT TO ALIENATE THE CITIZENS FROM BEING ABLE TO GO TO THAT FACILITY AND PLAY WHENEVER THEY FEEL LIKE IT, NOT IN FAVOR OF ANYONE LOSING THEIR JOBS, CONGRATULATED ST. ELIZABETH HOSPITAL ON A WONDERFUL GALA ON SATURDAY NIGHT, IF YOU WERE NOT THERE YOU REALLY MISSED LEGEND JAMES TAYLOR

CITY ATTORNEY COOPER - NONE

CITY MANAGER HAYES - NONE

MAYOR AMES - **NONE**

Public Comments (Persons are limited to three minutes)

Paul Jones **10033 Brooks Rd.** **Beaumont, TX**

Addressed an event that occurred approximately May 5, 2015, when Demarcus Brown was arrested at Walmart, was not addressing whether Mr. Brown was guilty or innocent but was addressing the ongoing investigation and hopes that it will be fairly handled, said that he was made aware of the occurrence while on vacation in Florida and saw a video on the internet of a bloody young man with two officers standing over him, believes that the public deserves answers in a timely manner, will be requesting any video or photos associated with the case though he has heard that there may not be video, questioned whether or not our Police Officers were wearing body cameras as it was discussed a year or so ago, believes that body cameras may not show all that may happen in such an incident but that they would assist in finding answers, encouraged Council to find the money to fast track the body cameras

Jesse Cooper **3513 Robinson Dr.** **Pearland, TX**

Further commented on why he believes contracting with Striesfeld Group to manage the Tennis Center is not the best way for the City to go

Torey Doucette **1375 Wooten Rd.** **Beaumont, TX**

Thanked Council for all the hard work they do, stated that the intentions of the Tennis Center being built was specifically for the citizens of Beaumont and it wasn't intended to be a money venture, challenged the City Manager to a game of tennis, stated that in entertainment and advertising you have to know your market, believes this town has been built on football, suggests Council take a good, hard look at this and think about the citizens of Beaumont when making their decisions

Bernie Minnard **1025 Brockman St.** **Beaumont, TX**

Expressed concern about the flooding in his neighborhood, has spoken with Drainage District 6 and was told that they were under the impression that everything was under control, stated that although there has been work done, west of Highland Street it is still flooding, in June of 2015 he had a foot of water in his home, hopes that if Drainage District 6 does contact Public Works that something can be done

Emily Coxe **1215 Sandwood Ln.** **Beaumont, TX**

Stated that when she first heard about the possibility of an independent contractor taking over the Tennis Center she had reservations, has done a lot of research into the Striesfeld

Group and has not heard a single negative thing, firmly believes Mr. Striesfeld is worth the risk and his intentions for the City of Beaumont are good

Vernon Durden **2110 Westbury Rd.** **Beaumont, TX**

Believes that Russell Grogan, the current tennis pro at the Tennis Center, has not been brought up as much as he should have been, stated that Mr. Grogan cares but hasn't gotten the support he needs, thinks that if Council and the City put the kind of energy behind Russell Grogan that is being considered for the Striesfeld Group, privatizing or outsourcing would not be needed

Council recessed into Executive Session at 5:26 p.m.

EXECUTIVE SESSION

* Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

  United States of America vs. City of Beaumont, Texas; Civil Action No. 1:15CV201

  Krystle Bob v. City of Beaumont and Officer Joshua Donahoe; Civil Action No. 1:15-cv-264

Council reconvened at 6:34 p.m.

2. Consider approving a resolution authorizing the settlement of the lawsuit styled United States of America vs. City of Beaumont, Texas; Civil Action No. 1:15CV201.

   The lawsuit styled United States of America vs. City of Beaumont, Texas; Civil Action No. 1:15CV201, was presented and discussed in Executive Session held on April 19, 2016. The City Attorney is requesting authority to settle this suit.

   Approval of resolution.

   Councilmember Wright moved to **APPROVE A RESOLUTION THAT THE CITY ATTORNEY AND THE CITY MANAGER BE AND THEY ARE HEREBY AUTHORIZED TO EXECUTE ALL DOCUMENTS RELATED TO SETTLEMENT OF THE LAWSUIT.** Councilmember Mouton seconded the motion.

   AYES: **MAYOR AMES, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

   NAYS: **NONE**

ABSTAIN: **MAYOR PRO TEM GETZ**

MOTION PASSED

Resolution 16 – 074

3. Consider approving a resolution authorizing the settlement of the lawsuit styled Krystle Bob v. City of Beaumont and Officer Joshua Donahoe; Civil Action No. 1:15-cv-264.

The lawsuit styled Krystle Bob v. City of Beaumont and Officer Joshua Donahoe; Civil Action No. 1:15-cv-264, was presented and discussed in Executive Session held on April 19, 2016. The City Attorney is requesting authority to settle this suit.

Approval of resolution.

Councilmember Wright moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE ALL DOCUMENTS RELATED TO SETTLEMENT OF THE LAWSUIT.** Councilmember Mouton seconded the motion.

AYES: **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

NAYS: **NONE**

MOTION PASSED

Resolution 16 - 075

There being no further business to come before Council, the meeting adjourned at 6:36 p.m.

Audio available upon request in the City Clerk's Office.

Becky Ames, Mayor

Stephanie Gandy, Deputy City Clerk