

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Dr. Alan B. Coleman, Mayor Pro Tem
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
January 27, 2015
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
William R. Sam, Sr. Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **January 27, 2015**, 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 "Big Jim" Salles of West End Baptist Church gave the invocation. Mayor Ames led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Coleman, Councilmembers Getz, Wright, Pate, Samuel and Sam. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

"Crime Stoppers Month" - January, 2015 - Proclamation read by Mayor Ames; accepted by Roy West, President of the Crime Stoppers Board

Years of Service Awards Recognition

25 Years

Glenda Tristan – Fire Department
Jeffry Phillips - Fire Department
Michael Hawkins – Fire Department
Jacob Davis – Public Works
Donald Guillory – Information Technology
Randall Lange – Building Services
Karen Froman – Police Department
Jerry Jackson – Police Department

30 Years

Janice Ridley – Finance Department
Cynthia Stevenson – Code Enforcement

Joe Flores – Information Technology
James Shoemaker – Information Technology
Diane Newsome – Water Utilities
Karen Norwood – Water Utilities
Vernon Jim Clay – Police Department

35 Years

Tyrone Cooper – Legal
Jessie Traylor – Water Utilities
Kirby Gasaway – Public Works

40 Years

Regan Crawford – Fire Department

45 Years

Shirley Brown – Finance Department

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

None

CONSENT AGENDA

- * Approval of minutes - **January 13, 2015**
- * Confirmation of committee appointments

Jon Reaud would be appointed as Chairman of the Police Department Community Advisory Committee. The term would commence January 27, 2015 and expire January 26, 2016. (Mayor Becky Ames) - **Removed**

Patrick Campbell would fill the unexpired term of Pablo Zuniga on the Convention and Tourism Advisory Board. The term would commence January 27, 2015 and expire June 17, 2016. (Mayor Becky Ames) – **Resolution 15 - 006**

- A) Authorize the City Manager to accept the Tyrrell Park Rehabilitation Project for maintenance, and to approve final payment to Allco, LLC – **Resolution 15 - 007**
- B) Authorize the City Manager to extend the Line of Duty Injury Leave of Absence for Cody Schroeder for up to six additional months or 1248 hours – **Resolution 15 - 008**
- C) Approve ratifying a Memorandum of Understanding between the City of Beaumont and CHRISTUS Health Southeast Texas d/b/a CHRISTUS Hospital – **Resolution 15 – 009**

- D) Authorize the City Manager to apply for and receive funding through the U. S. Department of Homeland Security, 2015 Emergency Management Performance Grant program – **Resolution 15 - 010**
- E) Approve an agreement with Richard James, III, and The Sports Society for American Health to hold the 2015 Gusher Marathon on March 7, 2015 – **Resolution 15 - 011**
- F) Authorize the Mayor to execute a waiver granting permission for the Jefferson County Mosquito Control District to operate aircraft at a low altitude over the City of Beaumont for mosquito control purposes – **Resolution 15 - 012**
- G) Authorize the City Manager to execute a new five year lease agreement with the Federal Aviation Administration for their Remote Transmitter/Receiver facility at the Beaumont Municipal Airport – **Resolution 15 - 013**
- H) Approve the settlement of the claim of Voth Baptist Church – **Resolution 15 - 014**

Councilmember Samuel moved to approve the Consent Agenda excluding the committee appointment of Jon Reaud. Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider approving an ordinance calling the General Election for May 9, 2015, to elect a Mayor, two (2) Councilmembers-At-Large, and four (4) Ward Councilmembers (one each for Ward I, II, III and IV); and approving a Runoff Election if necessary.

The City Charter dictates that all elected officials shall be elected on a regular election day established by the Election Code of the State of Texas. The City of Beaumont is designating the second Saturday of May to conduct this election, and will conduct a joint election with the Port of Beaumont. The City of Beaumont will elect a Mayor, two (2) Councilmembers-At-Large, and four (4) Ward Councilmembers (one each for Ward I, II, III and IV); and approving a Runoff Election if necessary. The Port of Beaumont will elect one (1) Ward 1 Commissioner and one (1) Ward 3 Commissioner.

Estimated expense to conduct the Election is \$34,480.00.

Approval of ordinance.

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE OF THE CITY OF BEAUMONT, TEAXAS, PROVIDING FOR A GENERAL ELECTION TO BE HELD ON THE 9TH OF MAY, 2015 FOR THE PURPOSE OF ELECTING A MAYOR, FOUR (4) WARD COUNCILMEMEBERS (ONE EACH FOR WARD I, II, III AND IV) AND TWO (2) COUNCILMEMBERS-AT-LARGE; AND DESIGNATING POLLING PLACES; PROVIDING THE FORM OF THE BALLOT AT SUCH ELECTION; DIRECTING THE GIVING NOTICE OF SUCH ELECTION; PROVIDING FOR A JOINT ELECTION WITH THE PORT OF BEAUMONT; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Ordinance 15 - 002

2. Consider a resolution authorizing the participation by the City of Beaumont with other Entergy Texas service area cities in matters concerning Entergy before the Public Utility Commission of Texas and the Federal Energy Regulatory Commission in 2015.

The City of Beaumont is statutorily given the responsibility of exclusive original jurisdiction over the rates, operation and services of Entergy Texas, Inc. (ETI), which provides electric utility services in the City of Beaumont. To ensure that ETI is providing fair, just and reasonable rates and efficient services to the area, the City of Beaumont continually assesses the ongoing efforts of ETI in the services it provides to the citizens of Beaumont. This is accomplished primarily through the combined efforts of the cities in the Entergy service area with similar jurisdictional responsibilities.

It is anticipated that ETI will initiate various proceedings in 2015 either before the service area cities, the Public Utility Commission of Texas or the Federal Energy Regulatory Commission. With the completion of the transition to the Midwest Independent System Operator (MISO) and the expedited termination of its system operating agreement, it is expected that ETI will eventually file a rate case to modify its schedules and tariffs to reflect its operations as a stand alone utility. The case was not filed in 2014 as expected. It is also expected that ETI will continue to seek base rate revenue increases through incremental cost recovery mechanisms as well as file various proceedings throughout the year. In order to maintain fair, just and reasonable rates and efficient services to the rate payers, it is critical that the cities participate in these various proceedings.

The proposed ordinance allows the City of Beaumont to continue its participation as a member of the Steering Committee of cities within the ETI service area to monitor the operation and services provided by ETI to the citizens of Beaumont. The ordinance also authorizes the hiring of utility consultants and lawyers through the Steering Committee to facilitate the efforts of the service area cities.

The reasonable expenses associated with rate related matters are reimbursable by the company pursuant to the Public Utility Regulatory Act of Texas.

Approval of resolution.

Councilmember Getz moved to **APPROVE A RESOLUTION OF THE CITY OF BEAUMONT, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND THE FEDERAL ENERGY REGULATORY COMMISSION IN 2015.** Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 - 015

3. Consider a resolution approving a contract with K & F Demolition Inc., of Houston for the asbestos abatement and demolition of the Ridgewood Retirement Facility.

The City conducted an inspection of the Ridgewood Retirement Facility on May 22, 2014. It was found that the structures were in a state of deterioration, unsafe and unfit for tenants and were likely to endanger the health, safety, or general welfare of the public. On October 7, 2014, City Council issued a raze order by Ordinance Number 14-053. All of the structures at the facility were destroyed in a fire on November 4, 2014.

A request for bids was sent to twelve (12) vendors. Nine (9) responses were received. Bid responses for demolition and asbestos abatement was combined with the cost of air monitoring based on the number of days to be monitored, as required by the state, to determine the best value to the City. Pricing for the asbestos monitoring was only solicited by the City for the number of days to complete the project provided by the two lowest bidders. K & F Demolition was the lowest qualified bidder after the bid price of \$112,000 was combined with the quoted price of \$9,990 for seventeen (17) days of air monitoring service by Total Safety of Nederland for a total of \$121,990. C & C Demo Inc. of Orange bid \$98,850 and

sixty (60) days to complete the project. Their bid price combined with the asbestos monitoring company's proposal of \$29,990 for sixty (60) days of service totaled \$128,840.

General Fund. Total cost will be filed as a lien on the property.

Approval of resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY K&F DEMOLITION, INC., OF HOUSTON, TEXAS FOR THE ASBESTOS ABATEMENT AND DEBRIS REMOVAL OF THE RIDGEWOOD RETIREMENT FACILITY LOCATED AT 2520 IH-10 EAST AND THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT WITH K&F DEMOLITION INC., OF HOUSTON, TEXAS.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 – 016

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

COUNCILMEMBER COMMENTS

COUNCILMEMBER SAM - THANKED THE SORORITY OF DELTA SIGMA THETA FOR EXTENDING AN INVITATION TO COUNCIL TO WELCOME THE SORORITY'S NATIONAL PRESIDENT AND HOLDING THEIR CONFERENCE IN THE CITY

COUNCILMEMBER SAMUEL - THANKED THE SORORITY OF DELTA SIGMA THETA FOR INVITING THEIR NATIONAL PRESIDENT AND HOLDING THEIR CONFERENCE HERE IN BEAUMONT

COUNCILMEMBER PATE - COMMENDED THE CONVENTION AND VISITORS BUREAU FOR ALL THAT THEY DO WHEN A CONFERENCE IS HELD IN THE CITY, COMPLIMENTED KIRK GILLESPIE AND SOME OF HIS SPONSORS LIKE GIGLIO DISTRIBUTING FOR THE 1ST ANNUAL BEAUMONT PARDI GRAS, HELD ON JANUARY 24, 2015, AT THE BEAUMONT CIVIC CENTER, IT WAS A

SUCCESS AND THINKS IT WILL BE BACK NEXT YEAR, COMMENTED ON SEVERAL FUNCTIONS THAT WILL BE GOING ON THROUGHOUT THE CITY THIS WEEK, ALSO COMMENTED ON LAMAR UNIVERSITY'S WOMEN AND MEN BASKETBALL

COUNCILMEMBER WRIGHT -

COMMENTED ON THE SORORITY OF DELTA SIGMA THETA'S CONFERENCE, WAS HONORED TO READ THE PROCLAMATION IN THE MAYOR'S ABSENCE, IT WAS A BEAUTIFUL EVENT

COUNCILMEMBER GETZ -

ECHOED THE COMMENTS MADE BY COUNCILMEMBER PATE, GAVE A SHOUT OUT TO LENNIE CABALLERO ON THE GREAT JOB THAT HE AND HIS STAFF ARE DOING BY BRINGING DIFFERENT VENUES FOR THE CITIZENS, COMMENTED ON MOVIE NIGHT EVERY FRIDAY NIGHT AT THE JULIE ROGERS, ENCOURAGED CITIZENS TO COME OUT AND ENJOY A MOVIE THE COST IS \$5.00, WANTED TO POINT OUT ISSUES IN REGARDS TO PHELAN BLVD., STATED THAT THERE ARE NO SIDEWALKS OR BICYCLE LANES, KNOWS THAT PHELAN IS TOWARDS THE END OF THE CAPITAL PROJECT BUDGET, ASKED THAT THE ADMINISTRATION START TO THINK ABOUT MAYBE TRYING TO ADD SIDEWALKS AND BICYCLE LANES IN THAT AREA

MAYOR PRO TEM COLEMAN -

AGREED WITH COUNCILMEMBER GETZ IN REGARDS TO THE SIDEWALK AND BICYCLE LANES IN THE PHELAN BLVD. AREA, CONGRATULATED THOSE EMPLOYEES THAT RECEIVED SERVICE AWARD RECOGNITION ON TODAY, ANNOUNCED THE GUSHER MARATHON ON MARCH 7, 2015, A 5K RUN HAS BEEN ADDED ON THIS YEAR, THE HALF AND FULL WILL CONTINUE, ENCOURAGED ANYONE THAT PLANS ON SIGNING UP TO START TRAINING NOW

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

CONGRATULATED ALL OF THE EMPLOYEES THAT RECEIVED SERVICE AWARD RECOGNITIONS ON TODAY

Public Comments (Persons are limited to three minutes)

Vernon Durden

2110 Westbury

Beaumont TX

Congratulated City Attorney, Tyrone Cooper for his 35 years of service, he has done a great job, also congratulated Bill Sam for his appointment as Councilmember to Ward IV, stated that Councilmember Samuel has been working really hard to help handle some issues that have been going on at the Mall, thanked him for stepping up and trying to get a control of the situation, stated that there needs to be more for the young citizens of Beaumont to do, would like Council to help put a Youth Council in place, also stated that Crockett Street is an area that has nothing going on, asked that Council consider developing that area for the younger citizens, it would allow them to have more to do and keep them from getting involved in things they shouldn't

Open session of meeting recessed at 2:21p.m.

EXECUTIVE SESSION

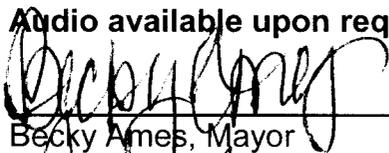
- * Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

Claim of City of Beaumont v. British Petroleum (BP)

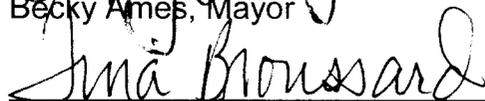
Captain David Kiker vs. City of Beaumont;
Case No. 01-14-0000-2038

There being no action taken in Executive Session, Council adjourned.

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



Becky Ames, Mayor



Tina Broussard, City Clerk

