

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
April 21, 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 **April 21, 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 1-4/Consent Agenda
- * Consent Agenda

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

Pastor Torrey Doucette of New Beginnings 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 Victims’ Rights Week – April 19 - 25, 2015 - Proclamation read by Councilmember Getz; accepted by Misty Carver and others

“Fair Housing Month” – April, 2015 – Proclamation read by Councilmember Wright; accepted by Chris Boone, City of Beaumont Director of Community Development

“Arc Awareness Week” – April 19 - 25, 2015 – Proclamation read by Councilmember Pate; accepted by Cindy Bloodsworth and Gary Hidalgo

“Older American Month” – April, 2015 – Proclamation read by Mayor Ames; accepted by Cynthia Wolr with Nutrition & Services for Seniors, along with other members

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

Public Comment: Persons may speak on scheduled agenda items 1-4/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes - **April 14, 2015**
- * Confirmation of committee appointments - **None**
- A) Approve the purchase of five defibrillators from Physio-Control, Inc. of Redmond, Washington to be used by EMS and the Fire Department – **Resolution 15 - 073**
- B) Authorize the settlement of the lawsuit styled Justin Jackson vs. City of Beaumont; Cause No. B-195,252 - **Resolution 15 - 074**
- C) Authorize the City Manager to execute a Memorandum of Understanding between Immigration and Customs Enforcement and the Beaumont Police Department - **Resolution 15 - 075**
- D) Authorize the City Manager to execute all documents necessary for a Memorandum of Understanding between the City of Beaumont and Jefferson County, Texas - **Resolution 15 - 076**
- E) Authorize the City Manager to execute all documents necessary for an affiliation agreement between the City of Beaumont and PERCOMOnline, Inc - **Resolution 15 - 077**

Councilmember Pate moved to approve the Consent Agenda. Councilmember Wright 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 a contract with IPR South Central, LLC for the 23rd Street Lift Station – 48” Sanitary Sewer Repair Project.

The 23rd Street Lift Station was originally built in the late 1950's and rehabilitated in the early 1990's. In 2009, the station was converted from a dry pit/wet well configuration to a submersible wet well station. As part of the 2009 project, a junction box was installed upstream of the wet well. The ground above the line upstream of the junction box recently started to settle indicating a possible misalignment or damage to the pipe.

The proposed project shall provide for the repair of the 48-inch diameter line including, but not limited to the following: install bypass pumping; clean and televise the entire 48-inch line from the north junction box to the wet well; patch the 48-inch line to stop any infiltration;

apply a geopolymer liner to the pipe; televise the completed repair to ensure no water is infiltrating into the pipe through the repaired area. The contract amount includes a \$10,000 allowance for a temporary repair in the north junction box. This temporary repair will reduce the amount of ground water entering the junction box until an assessment of the condition of the upstream line is made and a permanent repair can be made.

Pricing was obtained through the Houston Galveston Area Council (HGAC), a cooperative purchasing association providing cities and political subdivisions with the means to purchase specialized equipment at volume pricing. HGAC complies with State of Texas procurement statutes.

Capital Program.

Approval of the resolution.

Councilmember Getz moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE AWARD OF A CONTRACT TO IPR SOUTH CENTRAL, LLC, OF HOUSTON, TEXAS, IN THE AMOUNT OF \$107,718 FOR THE 23RD STREET LIFT STATION – 48” SANITARY SEWER REPAIR PROJECT. Councilmember Sam seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 - 078

2. Consider authorizing the suspension of the effective date of CenterPoint Energy's proposed rate increase until July 15, 2015.

On March 31, 2015, CenterPoint Energy ("CenterPoint") filed with the City of Beaumont an annual Gas Reliability Infrastructure Program (GRIP) interim rate adjustment notice to increase gas rates in the Beaumont/East Texas Division Service Area. The City of Beaumont maintains exclusive original jurisdiction over the rates, operations and services of CenterPoint as a gas utility operating in the City of Beaumont.

The requested increase would ordinarily go into effect sixty (60) days after giving notice of the intent to increase rates. This ordinance is a request to suspend the effective date of CenterPoint's proposed rate increase for a period of forty-five (45) days until July 15, 2015 in order to review the company's filings for compliance with the Gas Utility Regulatory Act and the company's last base rate case. The review of the company's GRIP filing is limited to a ministerial review of the filings for compliance with the Act.

All reasonable expenses associated with rate cases are reimbursable by the company.

Approval of ordinance.

Councilmember Wright moved to ADOPT AN ORDINANCE ENTITLED AN ORDINANCE OF THE CITY OF BEAUMONT, TEXAS SUSPENDING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP, D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 31, 2015; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE. Mayor Pro Tem Coleman seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15 - 005

3. Consider approving a contract for property insurance coverage for various city owned buildings and assets.

Talon Insurance Agency, of Port Arthur, Texas is the City's broker of record for securing the City's property insurance. The proposed premium is based on a total building value of \$225,854,982. The cost of the policy for this year is \$1,213,593.13, a 3.8% decrease from last year's premium of \$1,260,916.48. The net rate per \$100 valuation, based on the insured value decreased from \$0.565 to \$0.5373329 from last year.

Companies providing insurance are layered with exposure limited to the amount of damage. All risk coverage, including Flood and Earth Movement, is provided by AmRisc, LP, First Specialty Insurance, Westchester, Landmark American, Evanston, and Liberty Surplus.

All insurance companies contained in the new policy are A.M. Best rated at A+15. A binder to the policy will be issued May 1 for primary coverage. The policy renewal will be in effect from May 1, 2015 to May 1, 2016.

General Fund - Public Works Department.

Approval of resolution.

Councilmember Pate 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 IN THE AMOUNT OF \$1,213,593.13 THROUGH TALON INSURANCE AGENCY, OF PORT ARTHUR, TEXAS, AS BROKER, FOR ALL RISK COVERAGE, INCLUDING FLOOD AND EARTH MOVEMENT PROVIDED BY AMRISC, LP, FIRST SPECIALTY INSURANCE, WESTCHESTER, LANDMARK AMERICAN, EVANSTON, AND LIBERTY SURPLUS EFFECTIVE MAY 1, 2015. Councilmember Getz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 - 079

4. Consider authorizing the City Manager to enter into contracts with Legacy Community Development Corporation for the acquisition of up to five homes for sale or lease-purchase, acquisition of lots for the construction of affordable housing and for operating expenses.

The City of Beaumont receives an annual allocation of HOME Investments Partnerships funds from the U. S. Department of Housing and Urban Development (HUD) and has previously awarded contracts for acquisition or construction of housing to be sold to eligible low-to-moderate income families under lease-purchase agreements. Federal regulations require that a minimum of fifteen percent (15%) of the City's total HOME fund allocation be contracted to Community Housing Development Organizations (CHDO's) for eligible CHDO activities.

Legacy Community Development Corporation (Legacy CDC), a certified CHDO, is seeking to stabilize neighborhoods, particularly in the north end, by providing home ownership opportunities for low-to-moderate income families. \$400,000 in funding will enable Legacy to acquire approximately five (5) single-family homes that will be offered for sale or lease-purchase to eligible low-to-moderate income families. In addition, \$25,000 would be used to acquire buildable lots that would be also be used for affordable housing. Legacy is also requesting \$25,000 for the CHDO's daily operating expenses. Operating funds will also be used for homebuyer counseling and neighborhood outreach. Planning & Community Development's Housing Division staff will be responsible for monitoring Legacy for HOME Program compliance.

Funding is available from the 2013 and 2014 HOME Programs

Approval of resolution.

Mayor Pro Tem Coleman moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT WITH LEGACY COMMUNITY DEVELOPMENT CORPORATION (LEGACY CDC) IN THE AMOUNT OF \$25,000 FOR RELATED OPERATING EXPENSES, SAID CONTRACTS TO BE FUNDED FROM THE 2013 AND 2014 HOME PROGRAMS.** 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 – 080

COUNCILMEMBER COMMENTS

MAYOR PRO TEM COLEMAN -

GAVE CONDOLENCES TO THE FAMILY OF JUDGE LUPE FLORES, HE WILL BE TRULY MISSED IN THE COMMUNITY, HE WAS WELL LOVED IN THE JEFFERSON COUNTY COURTHOUSE, THE WESTBROOK HIGH SCHOOL AND BY HIS FAMILY

COUNCILMEMBER GETZ -

CONDOLENCES TO THE FLORES FAMILY, STATED THAT JUDGE FLORES WAS A UNIQUE AND VIBRANT JUDGE AT THE COURTHOUSE AND WILL BE WELL MISSED, ANNOUNCED THE MONTHLY MEETING FOR THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION MEETING WITH A SOCIAL GATHERING STARTING AT 6:00 P.M. AND THE MEETING STARTING AT 7:00 P.M., WISHED HIS WIFE ALLISON GETZ AND THE MAYOR'S HUSBAND RODNEY AMES A HAPPY BIRTHDAY

COUNCILMEMBER WRIGHT -

CONDOLENCES TO THE FLORES FAMILY, HE WILL BE TRULY MISSED IN THE COMMUNITY, STATED THAT THE CASA BANQUET WILL BE ON TONIGHT AND JUDGE FLORES ALWAYS SERVED AT THIS BANQUET, KNOWS IT WILL BE A SOLEMN TIME TONIGHT, ENCOURAGED EVERYONE TO GO OUT AS IT IS ELECTION YEAR, STATED THAT EVERYONE RESPECT THE SENIORS

COUNCILMEMBER PATE -

CONDOLENCES TO THE FLORES AND NETHERLY FAMILY, STATED THAT JUDGE FLORES WAS A COMMUNITY LEADER AND CARED ABOUT THE COMMUNITY, THIS IS JUST A SAD DAY, WISHED ALLISON GETZ AND RODNEY AMES A HAPPY BIRTHDAY, COMPLIMENTED CHRISTUS ON THEIR GALA AND WHAT A FINE JOB THEY DID, HATS OFF TO THE OAKS DISTRICT ON THEIR PRESERVATION BASH, ANNOUNCED THE CASA BANQUET ON TUESDAY NIGHT, AS WELL AS THE BUTTERFLY RELEASE THAT WILL HAPPEN AS THE BOTANICAL GARDEN

COUNCILMEMBER SAMUEL -

CONDOLENCES TO THE FLORES FAMILY, WISHED RODNEY AMES AND ALLISON GETZ A HAPPY BIRTHDAY, ASKED THAT THE CITY COUNCIL SEND ACKNOWLEDGEMENT TO THE (NLC) NATIONAL LEAGUE OF CITIES ON BEHALF OF MARY GORDON WHO PASSED AWAY, SHE WORKED FOR THE NATIONAL LEAGUE OF CITIES FOR MANY YEARS AND WILL BE SORELY MISSED

COUNCILMEMBER SAM -

WISHED ALLISON GETZ AND RODNEY AMES A HAPPY BIRTHDAY, GAVE CONDOLENCES TO THE FAMILY OF JUDGE FLORES

CITY ATTORNEY COOPER -

CONDOLENCES TO THE FLORES FAMILY

CITY MANAGER HAYES -

NONE

MAYOR AMES -

CONDOLENCES TO THE FLORES FAMILY, ALSO MENTIONED THAT HE LOVED TO COOK AT CERTAIN FUNCTIONS, ONE THAT COMES TO MIND IS THE MEDITERRANEAN FESTIVAL

Public Comments (Persons are limited to three minutes)

Landry Rountree

1565 S. Major

Beaumont TX

Spoke to Council in regards to the Council meeting volume on the public access channel, stated that there are some meetings that the citizens are unable to hear, asked that the City check on this, there are people that can't come to the meeting but would like to watch the meeting on television

Open session of meeting recessed at 2:16 p.m.

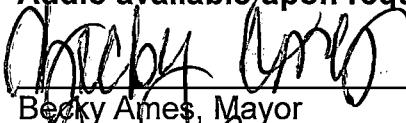
EXECUTIVE SESSION

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

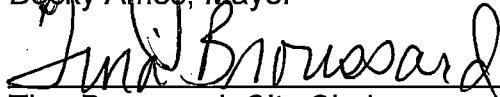
Claim of Baptist Hospitals of Southeast Texas

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

