

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Claude F. Guidroz, Ward I
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
September 29, 2015
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Mayor Pro Tem
Robin Mouton, Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **September 29, 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 1-10 and 12/Consent Agenda
- * Consent Agenda

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

Pastor James Blackwell of South Park 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 Getz, Councilmembers Guidroz, Wright, Pate, Samuel and Mouton. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

"Fire Prevention Week" - October 4-10, 2015 - Proclamation read by Mayor Ames; accepted by Chief Ann Huff, Beaumont Fire Department

"Celebrate South Park Day" – October 3, 2015 – Proclamation read by Councilmember Getz; accepted by Joy James and others

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 1-10 and 12/Consent Agenda.

Alicia McKibbin

2240 Calder Ave.

Beaumont TX

Spoke to Council in regards to Item I on the Consent Agenda; approval of a one year contract with the Beaumont Heritage Society/John Jay French Museum for FY 2016

Lynn Castle

500 Main St.

Beaumont TX

Spoke to Council in regards to Item E on the Consent Agenda; approval of a one year contract with the Art Museum of Southeast Texas for FY 2016

Landry Rountree

1565 S. Major

Beaumont TX

Spoke to Council in regards to Item B on the consent agenda; approve compensation for the City Attorney

CONSENT AGENDA

* Approval of minutes – **September 21, 2015 (Special Meeting)**

* Confirmation of committee appointments – **Resolution 15 – 193**

Debbie Rogers would be appointed as Resident-at-Large on the Animal Health Advisory Committee. The term would commence September 29, 2015 and expire September 28, 2017. (Mayor Becky Ames)

Amy Hymel would be appointed as Resident-at-Large on the Animal Health Advisory Committee. The term would commence September 29, 2015 and expire September 28, 2017. (Mayor Becky Ames)

A) Approve Compensation for the City Manager – **Resolution 15 - 194**

B) Approve Compensation for the City Attorney – **Resolution 15 - 195**

C) Approve Compensation for the City Clerk – **Resolution 15 - 196**

D) Approve Compensation for the Chief Magistrate – **Resolution 15 - 197**

E) Approve a one year contract with the Art Museum of Southeast Texas for FY 2016 – **Tabled**

F) Approve a one year contract with the Texas Energy Museum for FY 2016 – **Tabled**

G) Approve a one year contract with BUILD, Inc., Beaumont Main Street for FY 2016 – **Tabled**

H) Approve a one year contract with the Southeast Texas Arts Council for FY 2016 – **Resolution 15 - 198**

I) Approve a one year contract with Beaumont Heritage Society/John Jay French Museum for FY 2016 – **Resolution 15 - 199**

J) Authorize the City Manager to execute an Industrial District Contract with Slamback Partners – **Resolution 15 - 200**

- K) Authorize the City Manager to execute all documents necessary, specifically a License Agreement, in order for the Beaumont Police Department to continue to maintain a Police Substation at Parkdale Mall – **Resolution 15 - 201**
- L) Approve a six month contract for the purchase of liquid chlorine from Brenntag Southwest, Inc., of Houston for use by the Water Utilities Department – **Resolution 15 - 202**
- M) Approve the write-off of uncollectible water accounts – **Resolution 15 - 203**
- N) Authorize the City Manager to execute an agreement with Education First Federal Credit Union for the placement of fiber optic cable in public right-of-way – **Resolution 15 - 204**

Councilmember Samuel moved to approve the Consent Agenda excluding Items E, F and G. Councilmember Mouton 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 the City Manager to execute a collective bargaining agreement with Beaumont Professional Firefighters’ Local 399.

The current labor agreement with Beaumont Professional Firefighters’ Local 399 will expire on September 30, 2015, and staff has been working with members of Local 399 on a new labor agreement.

The proposed agreement is structured as a five-year agreement providing for the following wage increases: 2.5% effective October 1, 2015; 2% effective October 1, 2016; 2.5% effective October 1, 2017; 2% effective October 1, 2018; 2.5% effective October 1, 2019.

In the event the Union increases its contribution to the fire pension to fifteen and one-half percent (15.5%) to be effective October 1, 2017, the City agrees to increase its contribution to the fire pension to the same amount.

Incentive pay for members in the Joint Training Program with the Beaumont Emergency Medical Services Division or Operations personnel routinely delivering Advanced Life Support (ALS) would increase to \$75 per month for EMT-Intermediates and \$100 per month for Paramedics.

A provision for bilingual pay has been added to the labor agreement for members of the bargaining unit proving proficiency in Spanish, Vietnamese, or Sign Language.

The one-time payment for receiving an Associate Degree has been increased to \$500 and education pay of \$200 per month for Bachelor Degree holders and \$250 per month for Master's Degree holders has been added to the agreement in lieu of receiving educational reimbursement pay.

All other major provisions of the labor agreement remain the same.

General Fund.

Approval of the resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE BEAUMONT PROFESSIONAL FIREFIGHTERS' LOCAL 390 COMMENCING ON OCTOBER 1, 2015 AND EXPIRING SEPTEMBER 30, 2020.** Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 - 205

2. Consider an ordinance amending the FY 2015 Budget.

In accordance with Article VI of the City Charter, the City Manager shall strictly enforce the provisions of the budget as specified in the ordinance adopting the budget. He shall not authorize or approve any expenditure unless an appropriation has been made in the budget ordinance adopting the budget, and there is an available unencumbered balance of the appropriation sufficient to pay the liability to be incurred. Approving the proposed amendments will ensure that expenditures are within the approved budget.

The details of the amendments are as follows:

The City's health plans are self-insured which means the City and employee contributions pay the medical claims incurred on the plan up to \$175,000 when a stop loss insurance policy begins covering the claims. For pharmacy, the City pays the claims from City funds and employee contributions. These costs are accounted for in the Employee Benefits Fund. The budget for this fund is set based on claim trends and the projected cost of healthcare in the next fiscal year. The Employee Benefits Fund was previously amended on August 11, 2015 for \$1,600,000 in additional expenditures for increased medical claims, prescription drug costs, and fees related to the Affordable Care Act than was expected in the FY 2015 Budget due to several large medical claims, increased utilization of the prescription drug plan, and rising costs related to specialty drugs. The City pays claim cost on a weekly basis in which most months have four weekly payments, however; September will include five weekly payments. As a result, an additional appropriation is needed in order to pay for the current year expenditures.

Employee Benefits Fund	Original Budget Amended	Proposed Amendment	Amended Budget
Total Expenditures	\$ 22,454,700	\$ 600,000	\$ 23,054,700

The Municipal Airport Fund is expected to exceed budgeted expenditures by \$350,000 due to capital construction costs related to the airport improvement project funded by royalties derived from the airport property. This project includes new hangars and the relocation of a taxiway. The timeline for incurring costs during FY 2015 was not known when the FY 2015 Budget was prepared. There is sufficient fund balance to cover these costs.

Municipal Airport Fund	Original Budget	Proposed Amendment	Amended Budget
Total Expenditures	\$ 366,700	\$ 350,000	\$ 716,700

In June, Council approved creating a Municipal Health Care Provider Participation Program (MHCPPP) to support the payment of Medicaid supplemental hospital payments to local hospitals. A Local Provider Participation Fund (LPPF) was established under the program to account for the mandatory payments that will be collected from each institutional health care provider and remitted to the state to fund the nonfederal share of the Medicaid supplemental payment program. The LPPF will operate as a special revenue fund which requires an annual budget.

Local Provider Participation Fund (LPPF)	Original Budget	Proposed Amendment	Amended Budget
Total Revenues	\$ 0	\$ 6,915,000	\$ 6,915,000
Total Expenditures	\$ 0	\$ 6,915,000	\$ 6,915,000

Approval of ordinance.

Councilmember Pate moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING THE FISCAL BUDGET OF THE CITY OF BEAUMONT FOR THE FISCAL YEAR 2015 TO APPROPRIATE ADDITIONAL EXPENDITURES IN THE EMPLOYEE BENEFITS FUND AND MUNICIPAL AIRPORT FUND; TO APPROPRIATE ADDITIONAL EXPENDITURES AND REVENUES IN THE LOCAL PROVIDER PARTICIPATION FUND (LPPF); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.** Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15 - 037

3. Consider amending Section 22.05.211(b) (1) (A) of the Code of Ordinances to increase garbage rates.

The cell at the landfill receiving garbage at this time will reach its capacity in approximately two years. A new cell must be constructed at an estimated cost of \$1.9 million and projected life of 6.5 years. The City will seek financing for this project and will incur the associated debt service.

The current garbage and trash collection rates are \$16.00 per month. Senior citizen rates at a 10% discount are \$14.40 per month. The Administration is proposing that effective October 1, 2015 the garbage collection fee be increased by \$1.00 to \$17.00 per month. Applying the 10% discount would bring the rate for senior citizens to \$15.30.

The projected revenue increase on an annual basis is \$425,000 to the Solid Waste Fund.

Approval of ordinance.

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.05.211(b)(1)(A) OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, TO INCREASE GARBAGE AND TRASH RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.** Councilmember Guidroz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15 - 038

4. Consider authorizing the City Manager to receive funding through the Department of Homeland Security Supplemental 2015 Port Security Grant Program.

The Homeland Security Grant Program consists of a number of grant programs, one of which is the Port Security Grant Program (PSGP). This grant can be utilized to enhance the security of the Port of Beaumont and the agencies that support it since the Port is designated as critical to national infrastructure. Approximately \$685,000.00 is required annually to provide maintenance service to the regional radio system. The \$875,909.00 will

be applied toward the anticipated costs for two fiscal years. Maintenance costs are allocated to each participating jurisdiction based on the number of radios (also known as subscriber units) each uses and each of these jurisdictions will pay their commensurate portion of the required local match.

There is a match requirement that each participating jurisdiction involved in the radio system will be responsible for. The City of Beaumont budgets for this expenditure in the Capital Reserve Fund.

Approval of resolution.

Councilmember Guidroz moved to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO RECEIVE FUNDING IN THE AMOUNT OF **\$875,909** THROUGH THE DEPARTMENT OF HOMELAND SECURITY SUPPLEMENTAL **2015** PORT SECURITY GRANT PROGRAM (PSGP) AND THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCEPT GRANT FUNDING THROUGH THE DEPARTMENT OF HOMELAND SECURITY SUPPLEMENTAL **2015** PORT SECURITY GRANT PROGRAM (PSGP) IN THE AMOUNT OF **\$875,909**. Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 206

5. Consider a resolution approving the purchase of a new Vactor 2100 sewer cleaning truck from Kinlock Equipment, Inc. of Houston for use by the Water Department.

This equipment is used to clean and maintain City sewer and drainage systems by vacuum removal of debris and high pressure water jet cleaning of lines, manholes and lift stations. This purchase will replace unit 3323, which has in excess of 185,000 miles (approximately 4000 hours). The old unit has become unreliable, and requires excessive maintenance. The old vehicle will be disposed of in accordance with the City's surplus equipment policy.

Pricing was obtained through the Texas Association of School Boards (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 total purchase price includes the BuyBoard fee of \$400 which is paid to the vendor.

The vacuum unit and accessories are warranted for a period of five (5) years. Service and support are provided by the Kinlock Equipment, Inc. Warranty and service on the chassis are provided by Beaumont Freightliner, Inc.

Water Utilities Fund.

Approval of resolution.

Councilmember Getz moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE PURCHASE OF ONE (1) VACTOR 2100 SEWER CLEANING TRUCK FOR USE BY THE WATER UTILITIES DEPARTMENT FROM KINLOCK EQUIPMENT, INC., OF HOUSTON, TEXAS, IN THE AMOUNT OF \$330,258 THROUGH THE TEXAS ASSOCIATION OF SCHOOL BOARDS (BUYBOARD) COOPERATIVE PURCHASING PROGRAM. Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 207

6. Consider a resolution rejecting all bids for the Fire Station No. 1 Project, Bid No. PW0615-09.

On August 6, 2015, at 2:00 P.M., in City Council Chambers, eight (8) bids were received for Fire Station No. 1. All of the bids exceeded the estimated construction cost of \$5,794,000. The base bid of \$6,682,000 exceeds the estimated construction cost by 15.33% or \$888,000. A copy of the bid tabulation is attached for review.

It is the recommendation of the Administration that the project be rebid at a later date.

Capital Program.

Approval of resolution.

Councilmember Pate moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL DOES HEREBY REJECT THE BIDS FOR THE FIRE STATION NO. 1 PROJECT. Councilmember Getz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 208

7. Consider a resolution rejecting a bid for the Asphalt Repairs for Various Locations Project, Bid No. PW0185-12.

On September 10, 2015, at 2:00 P.M., in City Council Chambers, one (1) bid was received in the amount of \$650,749.00. This bid exceeds the estimated construction cost of

\$200,000.00 by \$450,794.00. A copy of the bid tabulation is attached for review.

It is the recommendation of the City of Beaumont Public Works / Engineering Division to reject this bid and rebid at a later date.

Capital Program.

Approval of resolution.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL DOES HEREBY REJECT THE BID FOR THE ASPHALT REPAIRS FOR VARIOUS LOCATIONS PROJECT.** Councilmember Getz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 209

8. Consider a resolution rejecting all bids for the Beaumont Municipal Airport Improvements (Construction of 12,000 SF Hangar with 2,500 SF office, 8-unit T-Hangar, Fuel Facility, and Removal of 2 existing T-Hangars) Project, Bid No. PW0615-07.

On August 13, 2015, at 2:00 P.M., in City Council Chambers, seven (7) bids were received for the Beaumont Municipal Airport Improvements. All of the bids exceeded the estimated construction cost of \$1.5 million. The low bid of \$2,080,000.00 exceeds the estimated construction cost by 38.7% or \$580,000. A copy of the bid tabulation is attached for review.

It is the recommendation of the Administration that modifications be made to the construction documents and the project be rebid at a later date.

Beaumont Municipal Airport Oil and Gas Revenues.

Approval of resolution.

Councilmember Wright moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL DOES HEREBY REJECT THE BIDS FOR THE BEAUMONT MUNICIPAL AIRPORT IMPROVEMENTS (CONSTRUCTION OF 12,000 SF HANGAR WITH 2,500 SF OFFICE, 8-UNIT T-HANGAR, FUEL FACILITY, AND REMOVAL OF 2 EXISTING T-HANGARS) PROJECT.** Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 210

9. Consider a resolution approving a contract with BDS Constructors, LLC dba MK Constructors for the Goodhue Road Sanitary Sewer Project.

The customers on Peyton Drive, Parsons Drive, and Sallie Street have had sanitary sewer service interruptions during rain events. A video investigation of the sanitary sewer lines revealed that the existing line along Goodhue Road is unable to provide enough flow capacity for all the customers that it serves. In order to restore reliable service to the customers, a new line will be installed along Sallie Street and Goodhue Road. This new line will relieve the loading on the existing line, and improve the reliability of the service to this area.

The proposed project shall provide for the installation of 1,470 linear feet of new 12-inch diameter sanitary sewer line on Goodhue Road along with all related appurtenances. The project will also abandon approximately 540 linear feet of existing 10-inch line that must be replaced or relocated into the utility easement.

The MBE participation will be with LD Construction of Beaumont. The total amount of the subcontracts is \$28,000, which represents 2.92% of the total bid.

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 BDS CONSTRUCTORS, LLC DBA MK CONSTRUCTORS, OF VIDOR, TEXAS, IN THE AMOUNT OF \$960,329 FOR THE GOODHUE ROAD SANITARY SEWER PROJECT. Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 211

10. Consider a resolution granting a new solid waste transportation service agreement.

According to City Ordinance 22.05.101, no person shall engage in the business of collecting, hauling or transporting, in the city, any garbage, waste or refuse, without first having obtained a franchise from the City. Seven (7) entities currently have nonexclusive franchise agreements with the City and are doing business in this area. Piney Woods Sanitation Inc. has requested that the City Council grant the company such franchise

agreement. Piney Woods Sanitation serves southeast Texas with its corporate office located at 517 Hwy 69 North in Huntington, Texas.

The requested franchise is generally the same as those previously approved by City Council. It provides for a term of one year from its effective date and a franchise fee of seven percent (7%) of gross revenues received for service. It also requires the entity to indemnify the City of Beaumont and provide insurance which names the City of Beaumont as a named insured.

According to City Charter, franchise ordinances require readings at three (3) separate Council meetings, with the third not less than thirty (30) days from the first reading. The ordinance does not take effect until sixty (60) days after its adoption on the third and final reading. After passage, the ordinance must be published for four (4) consecutive weeks in a newspaper of general circulation in the city. All publication costs are paid by the franchisee. Attached is a copy of the franchise agreement for your review.

This is the third reading. The first reading was on August 25, 2015 and the second on September 15, 2015.

A franchise fee of seven percent (7%) of gross receipts will be paid to the City.

Approval of resolution.

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A FRANCHISE FOR SOLID WASTE COLLECTION AND TRANSPORTATION SERVICES TO PINEY WOODS SANITATION, INC.** Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15 – 030

PUBLIC HEARING

- * Receive comments related to the mandatory payment rate for the Local Provider Participation Fund (LPPF) for FY 2016

Open: 3:02 p.m.

None

Close: 3:02 p.m.

11. Consider setting the mandatory payment rate related to the Local Provider Participation Fund (LPPF) for FY 2016.

On June 9, 2015, the City Council authorized the City's participation in a municipal health care provider participation program to support the payment of Medicaid supplemental hospital payments to Safety-Net Hospitals in the City. At the same time, the City Council authorized the execution of indicate care affiliation agreements with Baptist Hospitals of Southeast Texas and Christus Hospital. In addition, on July 28, 2015, the City Council approved model rules and procedures related to the City of Beaumont's facilitation of the program. The City of Beaumont is required to set the amount of the mandatory payments required to be paid by the hospitals. The mandatory payment must be uniformly proportionate with the amount of net patient revenue generated by each paying hospital in the municipality. The mandatory payment rate for the fiscal year ending in 2016 will be 5%.

Local Safety-Net Hospitals will make mandatory payments into the Beaumont Municipal Health Care Provider Participation Fund.

Approval of ordinance.

Councilmember Guidroz moved to APPROVE A RESOLUTION SETTING THE MANDATORY PAYMENT RATE FOR THE FISCAL YEAR 2016 FOR THE LOCAL PROVIDER PARTICIPATION FUND IN THE MUNICIPAL HEALTH CARE PROVIDER PARTICIPATION PROGRAM. Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 15 – 212

WORK SESSION

- * Review and discuss amending an existing ordinance to remove the structure located at 3180 Robinhood as a substandard structure – **Due to a Temporary Restraining Order (TRO) being filed, this Worksession this item did not need to come before Council**
- 12. Consider amending Ordinance No. 14-009, to remove the demolition order for the structure at 3180 Robinhood and instead order that the property owner enter into a work program within ten (10) days and complete the work program within one-hundred fifty (150) days or the property be demolished without further notification. – **Due to a Temporary Restraining Order (TRO) being filed this item did not need to come before Council**

WORK SESSION

- * Review and discuss the City of Beaumont's Emergency Management Plan

Tim Ocnaschek, Emergency Management Director reviewed and discussed the City of Beaumont's Emergency Management Plan in regards to the Government Code 418. The

Code requires the City to have a plan in place it also requires an annual public review of non-sensitive portions of the plan. Mr. Ocnashek, discussed the Emergency Management involvement with major incidents such as winter storms that occurred in January and February of 2014, several hazmat incidents on Highways and the flooding on July 17, 2014. There were several exercises that were done, such as the Regional Notification Exercise, and the Citywide Hurricane Exercise.

The planning for Emergency Management will involve updating five annexes to the basic plan, complete annual updates for the Hazard Mitigation Plan, community wide planning teams, significant outreach programs that encourage preparedness and the hardening of critical facilities have to be completed. Provide and/or host training in aspect of the EM Plan, including: hazmat, explosives, radiological, incident command system, web management system, and other training to City and non-City personnel from around the State. A facilitated After Action Review of major incidents, events and exercises will also take place. The City has implemented emergency notifications and awareness such as incident related information be posted to beaumonttexas.gov, and the public safety website, access to online free FEMA training, emergency planning templates, and other direct links posted on the Emergency Management webpage. There is cell phone registration, as well as citizens having the ability to call 311.

PUBLIC HEARING

- * Receive comments related to the City of Beaumont's Emergency Management Plan

Open: 3:16 p.m.

None

Close: 3:16 p.m.

WORK SESSION

- * Review and discuss a proposed change by Jefferson County regarding the collection of city warrants and bonds at the County Jail

Chief Financial Officer Laura Clark, discussed the proposed change by Jefferson County regarding the collection of City warrants and bonds at the county jail. Effective October 1, 2015 the Jefferson County jail will no longer be collecting municipal bonds or fines for the City of Beaumont. Beaumont municipal bonds and fines will be collected at Municipal Court at 700 Orleans. Persons posting bonds or paying fines to have someone released from jail will go to the door on the Forsythe side and push the 911 button for assistance. The person that is paying the fine or bond must know the defendant's name and date of birth. The new collection times were given as to when the payments would be taken, the payments would be taken during normal business hours Monday through Friday and the hours for weekends of Saturday and Sunday were given as well. When paying the fines and posting cash bonds the exact amount owed must be in cash only, no change will be given.

COUNCILMEMBER COMMENTS

COUNCILMEMBER GUIDROZ -

COMMENTED ON THE TENNIS TOURNAMENT THAT OCCURRED OVER THE WEEKEND, THANKED STAFF FOR ALL THAT THEY DID TO HELP GET THE TOURNAMENT STARTED, THANKED CHANNEL 12 FOR THEIR COVERAGE ON MS. SUE SIMCOCK WHO IS A 75 YEAR OLD CANCER SURVIVOR WHO COMPETED IN THE EVENT, STATED THAT HE RECEIVED COMPLIMENTS ON THE TENNIS CENTER, THAT IT WAS THE BEST IN THIS AREA, ALSO READ A LETTER FROM ONE OF THE OUT OF TOWN GUEST WHICH STATED HOW PLEASED THEY WERE WITH THE CITY OF BEAUMONT'S TENNIS CENTER, ALSO COMMENTED ON THE ASTROS BASEBALL AND LAMAR UNIVERSITY FOOTBALL

MAYOR PRO TEM GETZ -

MENTIONED THE TENNIS TOURNAMENT, THANKED HIS WIFE ALLISON GETZ AND EMILY COX FOR MAKING THE TENNIS TOURNAMENT HAPPEN, ALSO MENTIONED THE CRAFT BEER FESTIVAL, COMPLIMENTS TO LENNY CABALLERO AND HIS STAFF FOR A GREAT FESTIVAL THEY DID A WONDERFUL JOB, STATED THAT THE FESTIVAL WAS SOLD OUT, INVITED EVERYONE TO COME OUT TO THE SOUTH PARK CELEBRATION ON SATURDAY, THEY WILL BE HAVING A PARADE AROUND THE SCHOOL AS WELL AS OTHER FUNCTIONS THAT WILL BE GOING ON

COUNCILMEMBER WRIGHT -

CONGRATULATED SOUTH PARK ON THEIR 100TH YEAR ANNIVERSARY, ENCOURAGED EVERYONE TO COME OUT FOR THE JULIE RICHARDSON PROCTOR 5K RUN ALONG WITH THE FIRE MUSEUM FESTIVAL ON SATURDAY, OCTOBER 3, 2015, COMMENTED ON A HISTORICAL SPOT THAT BURNED DOWN OVER THE WEEKEND, JERRY WEINFELD'S BARBER SHOP, STATED THAT SHE ATTENDED A TML CONFERENCE ON LAST WEEK, RECEIVED INFORMATION FROM THE LIBRARY COMMISSION WHILE AT THE CONFERENCE IN REGARDS TO SAVING THE DOWNTOWN LIBRARY, BROUGHT INFORMATION BACK, WILL SHARE THAT INFORMATION WITH THE ADMINISTRATION, IT WOULDN'T BE GOOD IF THE CITY LOST THE DOWNTOWN LIBRARY, COMMENTED ON CHAISON STREET WHICH RUNS PARALLEL WITH AVE A, THE STREET NEEDS TO BE SUCH WHERE THERE IS PARKING ON ONE SIDE, THE WAY THE CARS ARE PARKED NOW IT'S GOING TO CAUSE A PROBLEM WHEN THEY START CONSTRUCTION, GAVE CONDOLENCES TO COUNCILMEMBER MOUTON AND HER FAMILY, ON THE LOSS HER GRANDMOTHER WHO WAS A 103 YEARS OLD

COUNCILMEMBER PATE -

CONGRATULATED SOUTH PARK ON THEIR 100TH YEAR ANNIVERSARY, COMMENTED ON THE TML CONFERENCE THAT HE ATTENDED ON LAST WEEK, ANNOUNCED THAT LAMAR UNIVERSITY WILL BE PLAYING SOUTHEAST LOUISIANA ON THURSDAY, EVERYONE CAN VIEW IT ON TELEVISION, ANNOUNCED THAT THIS FRIDAY THERE WILL BE A GOLF TOURNAMENT FOR THE LONE SURVIVOR FOUNDATION AT CRYSTAL BEACH

COUNCILMEMBER SAMUEL -

STATED THAT ON LAST MONDAY AT THE PLANNING AND ZONING COMMISSION MEETING HE SAW SOMETHING DEVELOPING THAT HE IS CONCERNED ABOUT AND WOULD LIKE TO GET SOME CLARITY, ONE OF THE THINGS THAT HE'S CONCERNED ABOUT IS AN ISSUE THAT CAME BEFORE THE PLANNING AND ZONING COMMISSION, STATED THAT HE HAS SEEN CASE LAW AS WELL AS AN ATTORNEY GENERAL'S OPINION THAT STATES THAT CERTAIN INDIVIDUALS THAT HAVE SUBSTANTIAL INTEREST IN AN ISSUE SHOULD NOT BE ALLOWED TO PARTICIPATE IN THE VOTE OR DISCUSSION ABOUT THOSE ISSUES, WE HAVE COMMISSIONERS THAT SIT ON THE COMMISSION THAT ACTUALLY HAVE A SUBSTANTIAL INTEREST IN A PARTICULAR AREA, IN PARTICULAR THE OAKS DISTRICT, STATED THAT HE WOULD LIKE TO GET AN AG OPINION FOR THE CITY DEALING WITH THAT ISSUE, HE WOULD LIKE TO KNOW WHETHER A SITTING COMMISSIONER THAT HAS A SUBSTANTIAL INTEREST IN A DISTRICT IN WHICH REQUIRES A SPECIAL VOTE WHETHER THEY ARE ALLOWED TO PARTICIPATE IN DISCUSSION OR IN ACTIVITIES, WOULD LIKE TO GET CLARITY AND WANTS IT TO BE CLEAR, IT'S HIS UNDERSTANDING FROM THE AG OPINION THAT THEY ARE PROHIBITED FROM ANY DISCUSSIONS OR ACTIVITY, IF THAT IS INCORRECT OR HE IS FOUND TO BE INCORRECT THEN HE WILL BE CLEAR AND SO WILL THE CITY

COUNCILMEMBER MOUTON -

THANKED COUNCILMEMBER WRIGHT FOR THE CONDOLENCES, ANNOUNCED THE SOUTH PARK 100TH YEAR CELEBRATION WILL BE THIS SATURDAY, STATED THAT SHE WILL BE IN THE PARADE SINCE SOUTH PARK IS IN THE MIDDLE OF HER WARD, AS WELL AS THE FESTIVAL OF PRAISE TOUR WILL BE SATURDAY NIGHT AT THE MONTAGNE CENTER AS WELL AS THE JULIE RICHARDSON PROCTOR 5K RUN DOWNTOWN AT THE CIVIC CENTER

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

NONE

Public Comments (Persons are limited to three minutes)

Clyde Richard St.

4995 Park St.

Beaumont TX

Spoke to the Council in regards to the Crossing Guards, read a statement on behalf of all Crossing Guards requesting an increase in pay

Warren Haynes

4355 Arthur Ln.

Beaumont TX

Spoke to Council in regards to a bill he received from the Water Department, stated it wasn't a water bill but a repair, someone tried to steal his water meter from the home he owns that's vacant, damaged the meter and he had to incur the cost, he stated that it isn't fair that he should have to pay a bill because of someone trying to steal the meter, stated that in that neighborhood there are a lot of poor people that can't afford to pay a large bill of that amount and something needs to be done

Andrew Rountree

1727 Marshall St. #2

Houston TX

Told Council a story in regards to a gentleman that had been locked up for a crime that he didn't commit, this story leads to his comments regarding his father, Landry Rountree, stated that the law allows that when a decision has been made final and new evidence has been brought forth that information should be heard, stated that there is nothing in the ordinance that states that his father can't have a rehearing in regards to his case

Landry Rountree

1565 S. Major

Beaumont TX

Stated that when people do their job right there are no accolades, when people are doing their job right things go smooth, when people do their job wrong it causes a lot of chaos, turmoil and prolonged litigation, thinks that the City Council knows what he's talking about and when he says that there is incompetence in the City Attorney's office the further they go along the further they will see

Open session of meeting recessed at 4:09 p.m.

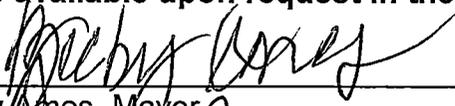
EXECUTIVE SESSION

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

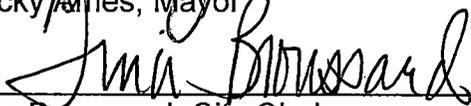
James Mathews vs. City of Beaumont, Texas; A-192,887

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

