

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 14, 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 14, 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 1-2/Consent Agenda
- * Consent Agenda

Mayor Ames called the council meeting to order at 1:29 p.m.

Rabbi Joshua Taub of Temple Emanuel Church gave the invocation. Clifton J. Ozen High School Varsity Boys Basketball Team 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

"Day of Remembrance" - April 12 - 19, 2015 - Proclamation read by Councilmember Getz; accepted by Rabbi Joshua Taub

Recognized Clifton J. Ozen High School Varsity Boys Basketball Team and Coaching Staff - Accepting Team and Coaching Staff as well as BISD Spokes Person Nikisha Myles

"Sixty-Seven Neches River Festival Week" - April 1 - 26, 2015 - Proclamation read by Mayor Ames; accepted by President Steve McGrade; Social Chairman Stephanie Daleo

"Beaumont Police Department Cops and Kids Week" - April 12 - 15, 2015 - Proclamation read by Councilmember Wright; accepted by Police Chief James Singletary along with other officers

"Global Youth Service Days" - April 17 - 19, 2015 - Proclamation read by Mayor Pro Tem Coleman; accepted by Angelique Avery with the Development Associates for IEA

"Sexual Assault Awareness Month" - April, 2015 - Proclamation read by Councilmember Pate; accepted by Cheryl Williams, Executive Director of the Rape and Suicide Crisis

Public Comment: Persons may speak on scheduled agenda items 1-2/Consent Agenda.

Charles L. Gibbs

6770 Westgate

Beaumont TX

Spoke to Council in regards to Item #1 on the Agenda; asked that Council consider approving the Chapter 380 incentives for the development of a convention hotel and waterpark at Ford Park

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 7, 2015**
- * Confirmation of committee appointments - **None**
- A) Authorize the City Manager to submit an application for grant funding through the 2015 Entergy Environmental Initiatives Fund – **Resolution 15 - 067**
- B) Authorize the acceptance of one ten foot wide Exclusive Water Line Easement from Parkdale Mall, LLC - **Resolution 15 - 068**
- C) Authorize the acceptance of one ten foot wide Exclusive Water Line Easement from Parkdale Crossing CMBS, LLC - **Resolution 15 - 069**
- D) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in West Commerce Parkway (Washington Boulevard Park) Reconstruction - **Resolution 15 - 070**

Councilmember Getz moved to approve the Consent Agenda. 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 Chapter 380 incentives for economic development activities and authorizing the execution of Chapter 380 economic development agreements for a convention hotel and waterpark at Ford Park.

The City of Beaumont has been approached by Pate Development, L.P. and ZJZ Hospitality, Inc. with a proposal for the construction of a convention hotel and waterpark to be located at Ford Park. This project is intended to bolster local economic development by stimulating business and commercial activity within the city. The hotel is represented to be a full service, 200-room Embassy Suites Hotel with an adjacent waterpark described as a state of the art, first class waterpark. In order to make this project possible, the developers have approached the City and Jefferson County seeking economic development incentives in the form of hotel occupancy and ad valorem tax abatements. The developers have filed an application with the City for Chapter 380 economic development incentives in order to construct and operate the 200-room Embassy Suites Hotel and adjacent waterpark. The application has been reviewed and it has been determined that the proposed project does satisfy the purpose and goals of the program in that it will enhance the City's economic base and diversify and expand job opportunities.

The City of Beaumont has discussed with the developers tax abatement incentives in keeping with its Chapter 380 economic development program policies as follows: a ten (10) year ad valorem tax abatement for both the 200-room Embassy Suites Hotel and adjacent waterpark, as well as a twelve (12) year abatement of the City hotel occupancy tax for the hotel. It should be noted that the incentives for the hotel will only be available upon construction of the waterpark.

Additionally, in order to maintain sufficient controls to ensure that the public purpose is carried out, it is necessary to enter into economic development agreements with the developers establishing the expectations and terms of the transaction.

Abated taxes.

The requested action is a resolution approving the Chapter 380 incentives and a resolution authorizing the execution of Chapter 380 economic development agreements for the hotel and waterpark.

Councilmember Wright moved to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE ECONOMIC DEVELOPMENT AGREEMENTS WITH PATE DEVELOPMENT, L.P., ZJZ HOSPITALITY, INC. AND INNOVATIVE LEISURE PARTNERS FOR A CONVENTION HOTEL AND WATERPARK AT FORD PARK. Councilmember Getz seconded the motion.

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

NAYS: COUNCILMEMBER PATE

MOTION PASSED

Resolution 15 - 071

2. Consider approving the award of a bid to LD Construction of Beaumont for the East Lucas Street Asphalt Resurfacing Project (Idylwood to Magnolia).

The section of East Lucas from Idylwood to Magnolia is a heavily traveled, four (4) lane roadway that provides access from the West End to US 69. The existing roadway has experienced numerous failures and after continual repair efforts now requires resurfacing to extend the life of the roadway.

A total of 60 calendar days are allocated for the completion of the project. LD Construction is a Certified MBE/HUB company.

Capital Improvements Program.

Approval of resolution.

Councilmember Samuel moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE AWARD OF A CONTRACT TO LD CONSTRUCTION, OF BEAUMONT, TEXAS, IN THE AMOUNT OF \$313,110.50 FOR THE EAST LUCAS STREET ASPHALT RESURFACING PROJECT (IDYLWOOD TO MAGNOLIA). 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 – 072

COUNCILMEMBER COMMENTS

COUNCILMEMBER SAM - COMMENTED ON ISSUES IN REGARDS TO PARKED CARS IN CERTAIN AREAS, STATED THAT THE ISSUE HAS BEEN CORRECTED AND EXCITED ABOUT THAT, ASKED THAT CHRIS BOONE THANK THE EMPLOYEES FOR THEIR HARD WORK ON THE ISSUE

COUNCILMEMBER SAMUEL - PLEASSED TO SEE THAT THE MAGNOLIA PROJECT IS REACHING AN END, ASKED WOULD THEY BE ABLE TO GET SOME ATTENTION TO THE AREA FROM MAGNOLIA TO GILL, ALSO STATED THAT HE WILL BE OUT OF THE CITY FOR HIS SON'S WEDDING, ASKED THE MAYOR TO RELAY TO CHIEF SINGLETARY AS TO WHY HE WOULD BE UNABLE TO ATTEND THE COPS AND KIDS ON SATURDAY

COUNCILMEMBER PATE - CONGRATULATED THE OZEN HIGH SCHOOL FOOTBALL TEAM, HATS OFF TO CHIEF SINGLETARY FOR THE COPS AND KIDS, THANKED STEVE AND STEPHANIE ON THE NECHES RIVER FESTIVAL, ENCOURAGED EVERYONE TO ATTEND THE NECHES RIVER FESTIVAL PARADE ON SATURDAY MORNING, ANNOUNCED THAT CHRISTUS HOSPITAL IS HAVING THEIR EVENT AT THE CIVIC CENTER, SHERYL CROW WILL BE THE SPECIAL GUEST, OAKS DISTRICT PRESERVATION BASH WILL

ALSO BE SATURDAY NIGHT, THANKED CHARLIE AND JOHN FOR ALL THE WORK THEY HAVE DONE WITH THE CITY AND THE COUNTY ON THE WATERPARK AND HOTEL, THANKED RABBI TAUB FOR SPEAKING ABOUT NATHAN SWERDLOWE

COUNCILMEMBER WRIGHT -

HAD CONCERNS ABOUT THE WORK THAT IS BEING DONE ON 4TH STREET, COMMENTED ON THE WAY THE CONES ARE LINED UP ON 4TH STREET, MOST OF THE CONES HAVE BEEN BLOWN OVER AND DRIVERS ARE HAVING TO NAVIGATE AROUND THEM, ASKED THAT SOMETHING BE DONE TO FIX THE CONES AS WELL AS TO HOLD THEM DOWN SO THAT THEY DON'T GET BLOWN OR KNOCKED OVER

COUNCILMEMBER GETZ -

COMMENTED ON THE APPOINTMENT OF THE NEW SUPERINTENDENT, DR. FROSSARD, THAT HAS BEEN SELECTED FOR BISD, CONGRATULATED COUNCILMEMBER PATE, WHO HAS COMPLETED 72 HOURS OF CONTINUING EDUCATION CREDITS WITH TML, AS WELL AS CONDOLENCES ON THE LOSS OF HIS UNCLE, STATED HE HAD A REQUEST FROM THE CITIZENS ON PATROL, THEY ARE ABLE TO WRITE TICKETS FOR CITIZENS WHO ARE ILLEGALLY PARKED IN A HANDICAP PARKING SPOT, ASKED THAT THE CITY ATTORNEY COULD LOOK INTO THE POSSIBILITY OF THEM WRITING TICKETS FOR CITIZENS THAT ARE ILLEGALLY PARKED IN A FIRE ZONE

MAYOR PRO TEM COLEMAN -

STATED THAT HE WASN'T PRESENT AT LAST WEEK'S MEETING AS HE WAS OUT OF TOWN ATTENDING THE CHILDREN AND NATURES NETWORK CONFERENCE IN AUSTIN, THE NATIONAL LEAGUE OF CITIES AND CNN HAS PARTNERED UP TO ENCOURAGE EVERYONE TO GET BACK TO NATURE, KIDS TODAY NOW HAVE VIDEO GAMES ETC., THIS PROGRAM IS TRYING TO FIND OPPORTUNITIES TO GET THE KIDS BACK TO NATURE, THANKED CHRIS BOONE FOR HELPING WITH A LONG STANDING STRUCTURAL AND YARD PROBLEM IN OLD TOWN AT 2640 LONG ST., WISHED HIS WIFE JULIE A HAPPY BIRTHDAY

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

COMMENTED ON THE WATER UTILITIES DEPARTMENT AND THE CHANGES THAT HAVE OCCURRED IN THE LAST FEW WEEKS, STATED THAT THE EMPLOYEES IN THE WATER DEPARTMENT DO A GREAT JOB, THE WATER DEPARTMENT IS ONE OF THE MOST CRITICAL DEPARTMENTS IN THE CITY, STATED THAT THE REASON FOR THE CHANGES IS THAT IT IS SELF-SUFFICIENT, THE FUND BALANCE HAS DECREASED OVER THE LAST FIVE TO SEVEN YEARS AND THE RATES HAVE INCREASED, THE CITY PROJECTED TO SPEND \$700,000 MORE IN THE WATER FUND IN 2015 THAN REVENUE COMING

IN, ALSO COMMENTED ON THE SCHEDULES WORKED BY POLICE, FIRE, AND EMS, STATED THAT CHANGES ARE GOING ON AND WILL CONTINUE TO GO ON IN THE WATER DEPARTMENT, IF ANY COUNCILMEMBER HAS ANY QUESTIONS OR COMMENTS THEY ARE WELCOMED TO STOP BY HIS OFFICE AND HE WILL BE GLAD TO DISCUSS IT WITH THEM

MAYOR AMES -

HOPED THAT EVERYONE WILL TRY AND ATTEND SOME OF THE EVENTS THAT ARE OCCURRING THROUGHOUT THE CITY OVER WEEKEND

Public Comments (Persons are limited to three minutes)

Diane Randle

1836 IH 10 #103

Beaumont TX

Commented on a press release she received protesting the release of her uncle Millet Harrison, there will be several people that will come before you today stating that Mr. Harrison will be released and is a threat to the community, stated that Mr. Harrison will be placed in a home where he will be monitored and he will not be a threat, stated that no one has questioned the Dr's who are saying that Mr. Harrison is capable of being released, stated that her uncle deserves a chance, and when he's released that he not have to come into a community where he is being judged

Ricky Jason

1074 Magnolia St.

Beaumont TX

Thanked the Mayor and Council for letting him speak, stated that people are moving back to Beaumont, the City has a Board of Managers and a new Superintendent with BISD, he wanted to protest the release of Mr. Millet Harrison, who had a nervous breakdown twenty years ago and killed his mother, a chance can't be taken to let Mr. Harrison be in the community that he will be released in, can't take a chance of letting this man be free, the community needs to realize that everyone is in danger, stated that Mr. Harrison is worse than Jeffrey Dahmer

Joshua Wells

5886 Chapel Ln.

Beaumont TX

Stated that he submitted to the City Clerk a CD that has two files on it, read what was on the CD to Council

Lovetta Sturdivant

9670 Washington

Beaumont TX

Commented on the old YMCA, would like to see the building demolished and rebuilt, would love for the kids in that area as well as the whole city be able to use this facility, the facility could be used for swimming lessons, family reunions etc., just something for the kids in the community to have

Landry Rountree

1565 S. Major Dr.

Beaumont TX

Spoke to Council in regards to his company, stated that it has been 468 days that his company has been forced out of work because of an illegal order that was signed by the Mayor and the Chief of Police who violated the City Ordinance

Frances Bowman

5415 Concord Rd.

Beaumont TX

Spoke to Council in regards to the Concord Project, stated that the homeowners in her community are very upset with the contractors that are handling the project, it is the responsibility of Council to stand up for the homeowners in that community, stated that Council is a servant of the people and it is the citizens utmost wish that Council would deal with the contractors that are out there who are unable to complete the Concord project

Open session of meeting recessed at 3:08 p.m.

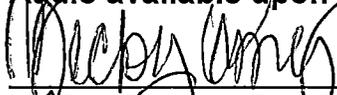
EXECUTIVE SESSION

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

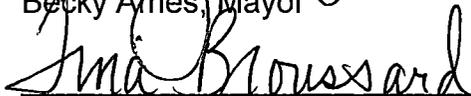
Justin Jackson vs. City of Beaumont; Cause No. B-195,252

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

