

BEAUMONT

TEXAS

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
May 17, 2016
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 **May 17, 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 Dwight Benoit of Magnolia Missionary 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

"Emergency Medical Services Week" - May 15-21, 2016 - Proclamation read by Councilmember Wright; accepted by Sherry Ulmer, Director of the Beaumont Health Department and EMS personnel

"Hurricane Preparedness Week" - May 15-21, 2016 - Proclamation read by Mayor Ames; accepted by Mike Custer and Shaqueena Nobles with the Emergency Management Office

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

Christopher Jones

1045 Doucette Ave.

Beaumont TX

Spoke to Council in regards to item #1 on the Agenda; asked that Council not approve the management agreement with the The Striesfeld Group, LLC for the management and operation of the Beaumont Tennis Center

CONSENT AGENDA

- * Approval of minutes – May 10, 2016
- * Confirmation of committee appointments - **None**
- A) Authorize the City Manager to execute all documents necessary to accept funding from the Texas Health and Human Services Commission for the Beaumont Public Health Department - **Resolution 16 - 086**
- B) Approve a resolution rejecting bids for the 2016 Paving Improvements Project - Phase I Asphalt Paving Rehabilitation, Bid No. PW0116-06 and the 2016 Paving Improvements Project – Phase II Concrete Paving Improvements, Bid No. PW0116-07 - **Resolution 16 - 087**
- C) Authorize the settlement of the subrogation claim of Enterprise Leasing - **Resolution 16 - 088**
- D) Approve a resolution stating the remedy, curing the burden, on the Faith and Fellowship Bible Study group at the Beaumont Police Department - **Resolution 16 - 089**

Councilmember Mouton moved to approve the Consent Agenda. Mayor Pro Tem Getz 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 authorizing the City Manager to enter into an agreement with The Striesfeld Group, LLC for the management and operation of the Beaumont Tennis Center.

Requests for proposal (RFP) for the management and operation of the tennis center were solicited from seventeen (17) vendors with one (1) response being received. The RFP sought a contractor to fully manage, staff, supervise and conduct the administration and operation of the facility including offering tennis-related programming for all skill levels and ages, organizing tournaments in addition to other tennis-related services and promoting the facility in order to maximize its utilization.

The term of the management agreement is five (5) years with the option for two (2) additional five (5) year terms. The City shall be paid in accordance with the following:

- (1) Initial 5 Year Contract
 - (a) Twelve months following execution of agreement: \$0 per month

- (b) Year 2: \$500 per month
 - (c) Year 3: \$750 per month
 - (d) Year 4: \$1,000 per month
 - (e) Year 5: \$1,000 per month
- (2) First 5 Year Extended Term: Upon exercising the option to extend the management agreement for an additional 5 year term, the Contractor will pay the City:
- (a) Year 6: \$1,000 per month
 - (b) Year 7: \$1,500 per month
 - (c) Year 8: \$1,500 per month
 - (d) Year 9: \$2,000 per month
 - (e) Year 10: \$2,000 per month
- (3) Second 5 Year Extended Term: Upon exercising the option to extend the management agreement for a second additional 5 year term, the Contractor will pay the City \$2,500 per month for Years 11-15.

In addition, The Striesfeld Group shall pay the City 10% of all gross receipts from the sale of food concessions, tennis equipment, and apparel.

Approval of the resolution.

Mayor Pro Tem Getz moved to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A FIVE (5) YEAR CONTRACT, WITH THE OPTION FOR TWO (2) ADDITIONAL FIVE (5) YEAR TERMS, WITH THE STRIESFELD GROUP, LLC FOR THE MANAGEMENT AND OPERATION OF THE BEAUMONT TENNIS CENTER. Councilmember Guidroz seconded the motion.

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

NAYS: COUNCILMEMBERS WRIGHT, SAMUEL AND MOUTON

MOTION PASSED

Resolution 16 - 090

2. Consider a resolution approving the award of a contract to Wow Food Concepts of Beaumont to provide concession and alcohol services.

A request for proposal was solicited from twelve (12) vendors and one (1) response was received. A panel of City employees evaluated the response and the evaluation score is attached.

The RFP sought a firm to sell and distribute alcoholic and non-alcoholic beverages and concessions at the Civic Center, Julie Rogers Theatre and Jefferson Theatre. The contractor is responsible for maintaining all state and local licensing required for this service as well as insurance for the operation. The vendor is not allowed to sell tobacco or tobacco products.

In August of 2015, Wow was assigned the remaining term of the contract between the City of Beaumont and Treat America. In accordance with the new contract, Wow is to pay the City a twenty percent (20%) commission for all alcohol and concession sales at the Civic Center, Julie Rogers Theatre and the Jefferson Theatre as well as those sales derived from any City-sponsored event such as July 4, Movie Nights, etc. The contract shall be in effect for a period of one (1) year and may be renewed for two (2) additional one (1) year periods.

Approval of resolution.

Councilmember Pate moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE AWARD OF A ONE (1) YEAR CONTRACT, WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS, TO WOW FOOD CONCEPTS, OF BEAUMONT, TEXAS, FOR CONCESSION AND ALCOHOL SERVICES AT THE CIVIC CENTER, JULIE ROGERS THEATRE AND JEFFERSON THEATRE. Mayor Pro Tem Getz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 16 - 091

3. Consider an ordinance authorizing the suspension of the effective date of CenterPoint Energy's proposed rate increase until July 14, 2016.

On March 31, 2016, 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 14, 2016 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.

Approval of ordinance.

Councilmember Wright moved to ADOPT 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 CITY ON MARCH 31, 2016; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT;

MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE. Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 16 – 027

COMMENTS

* Councilmembers/City Manager/City Attorney comments on various matters

COUNCILMEMBER COMMENTS

COUNCILMEMBER MOUTON -

NONE

COUNCILMEMBER SAMUEL -

STATED THAT HE KNOWS THAT THE MAYOR LOVES THIS CITY AND THAT HE HAS NEVER SEEN THIS CITY IN THE STATE THAT IT IS TODAY, IF COUNCIL ISN'T CAREFUL IT WILL GET WORSE, STATED THAT PEOPLE IN THE STREET ARE ANGRY, PEOPLE THAT ARE ANGRY WILL SOON GET TIRED, TRIES VERY HARD TO BE A GOOD PERSON AND NOT A GOOD POLITICIAN, STATED HE HASN'T GIVEN UP AND WILL CONTINUE TO FIGHT

COUNCILMEMBER PATE -

STATED THAT COUNCIL WILL NOT ALWAYS AGREE, EVERYONE THAT SITS ON COUNCIL MUST STAY FOCUSED, EVERYONE NEEDS TO WORK TOGETHER, NEXT YEAR THERE WILL BE ANOTHER ELECTION AND SOME FACES MAY NOT BE HERE NEXT YEAR, THERE IS A DECISION TO MAKE, THERE'S ONE YEAR TO MAKE A DECISION TO DECIDE IF EVERYONE WILL BE ON THE SAME TEAM AND THAT TEAM IS "TEAM BEAUMONT", ALSO MADE COMMENTS ON THE BUS SYSTEM THAT WAS DISCUSSED ON LAST WEEK

COUNCILMEMBER WRIGHT -

STATED THAT THE CITY IS A VERY GOOD CITY AND BEING A REPRESENTATIVE FOR THE WHOLE CITY AND NOT JUST ONE WARDS GIVES HER AN OPPORTUNITY TO TALK WITH EVERYBODY, WHAT HAS TROUBLED HER WITH TALKING TO EVERYONE IN ALL WARDS IS THAT OUR CITY IS BEING DIVIDED INTO THE "HAVE'S AND THE HAVE NOTS", STATED THAT SHE HAS BEEN IN ALL THE MOVEMENTS IN BEAUMONT, SHE'S NOT BITTER AND CONTINUES TO MAKE THINGS BETTER FOR EVERYONE, SHE DOES NOT WANT THE CITIZENS TO THINK THAT THIS COUNCIL DOESN'T CARE ABOUT EVERYONE

MAYOR PRO TEM GETZ -

COMMENTED ON COMMENTS MADE BY ANOTHER COUNCILMEMBER IN REGARDS TO RACE, STATED THAT THE ISSUE ABOUT THE TENNIS CENTER ISN'T ABOUT RACE IT'S ABOUT DOING WHAT'S BEST FOR THE CITIZENS OF BEAUMONT, HATES TO HEAR PEOPLE SAY THAT THEY ARE TRYING TO PRIVATIZE THE TENNIS CENTER WHICH IS NOT TRUE, AS THE MAYOR STATED IF THE MANAGEMENT COMPANY DOESN'T DO WHAT THEY SAY THEY ARE GOING TO DO THEN THE CONTRACT CAN BE TERMINATED, ALSO MADE MENTION ABOUT THE SIDEWALKS, STATED THAT HE WOULD LIKE TO SEE SIDEWALKS THROUGHOUT THE CITY, THIS OF COURSE COSTS MONEY, THE CITY UNFORTUNATELY ISN'T BUDGETED FOR SIDEWALKS, ANNOUNCED THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION, THE MEETING WILL BE HELD AT THE MILLER LIBRARY AT 6:00 P.M.

COUNCILMEMBER GUIDROZ -

COMMENDED LENNY CABALLERO ON THE HARD WORK THAT HE AND HIS STAFF DID ON THE VIVA FEST OVER THE WEEKEND, GAVE CONDOLENCES TO THE FAMILY OF GENE BUSH, THAT SERVED ON THE POLICE ADVISORY BOARD, ANNOUNCED THAT EVELYN LORDS TEEN COURT AND BEN KIDS WILL BE MEETING ON TONIGHT

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

THE MAYOR STATED THAT SHE CARES ABOUT THIS CITY AND HATES WHEN IT'S BEING TORN APART, APOLOGIZED FOR HER OUTBURST EARLIER, ALSO ANNOUNCED THE PASSING OF GENE BUSH, WHO SERVED ON THE POLICE ADVISORY BOARD, A GATHERING OF FAMILY AND FRIENDS WILL BE WEDNESDAY, MAY 17, 2016, FROM 5:00 P.M. TO 7:00 P.M., FUNERAL SERVICES WILL BE ON THURSDAY, MAY 18, 2016, AT 2:00 P.M., BOTH WILL TAKE PLACE AT CLAYBAR FUNERAL HOME, CONDOLENCES TO HIS FAMILY

Public Comments (Persons are limited to three minutes)

Jude Paredez

10620 Gage Rd.

Beaumont TX

Stated that racism is the elephant in the room, glad to hear Councilmembers speaking about it, it's better to talk about something than ignore it, also commented on the Civilian Review Board that the City will never fund, the board is still trying to get the police to stop killing citizens, the Civilian Review Board wishes to thank the Police Chief for his continued cleanup of the Beaumont Police Department, in conjunction with the Justice Department the Civilian Review Board looks forward to further prosecution of officers guilty of abusive

