BEAUMONT
TEXAS

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large	**BECKY AMES, MAYOR**	**Gethrel Wright, At-Large**
Claude F. Guidroz, Ward I	**CITY COUNCIL MEETING**	**Michael D. Getz, Ward II**
Audwin Samuel, Ward III	**August 23, 2016**	**Robin Mouton, Mayor Pro Tem**
Tyrone E. Cooper, City Attorney	**Kyle Hayes, City Manager**	**Tina Broussard, City Clerk**

The City Council of the City of Beaumont, Texas, met in a regular session on **August 23, 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 4-8/Consent Agenda
* Consent Agenda

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

Reverend Silverio Sanchez, Associate Pastor with First United Methodist Church gave the invocation. Desmond Williams, 7th grader at MLK Middle School led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

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

Proclamations, Presentations, Recognitions

Public Comment: Persons may speak on scheduled agenda items 4-8/Consent Agenda.

None

CONSENT AGENDA

* Approval of minutes – August 16, 2016

* Confirmation of committee appointments – **Resolution 16 - 150**

Punit "Seth" Sheth would fill the unexpired term of Albert Elder on the Convention and Tourism Advisory Board. The current term will expire September 30, 2017. (Mayor Becky Ames)

B) Authorize the City Manager to sign a Memorandum of Understanding with the Area Agency on Aging related to the 2-1-1 Area Information Center - **Resolution 16 – 152**

C) Authorize the City Manager to update a memorandum of agreement with Baptist Hospitals of Southeast Texas, which is providing shelter and support facilities for City of Beaumont personnel and equipment during emergency operations - **Resolution 16 - 153**

D) Authorize the City Manager to update a memorandum of agreement with Christus Saint Elizabeth Hospitals of Southeast Texas, which is providing shelter and support facilities for City of Beaumont personnel and equipment during emergency operations - **Resolution 16 - 154**

E) Authorize the City Manager to modify Resolution 16-125, authorizing application for the Office of the Governor Criminal Justice Division Body-Worn Camera Program Grant - **Resolution 16 - 155**

F) Authorize the City Manager to update a memorandum of agreement with Beaumont Preservation Partners, which is providing parking shelter for City of Beaumont equipment during emergency operations - **Resolution 16 - 156**

Councilmember Samuel moved to approve the Consent Agenda excluding Item A. Councilmember Getz seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

A) Approve a resolution supporting Councilmember W.L. Pate's candidacy for President-Elect of Texas Municipal League - **Resolution 16 – 151**

Councilmember Getz moved to approve Item A. Councilmember Guidroz seconded the motion.

AYES: **MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, AND PATE**

NAYS: **MAYOR PRO TEM MOUTON, COUNCILMEMBERS WRIGHT AND SAMUEL**

MOTION PASSED

GENERAL BUSINESS

1. Consider a rezoning request from R-S (Residential-Single Family Dwelling District) to GC-MD (General Commercial-Multiple Family Dwelling District) or a more restrictive district at 1350 W. Lucas Drive.

John Wilson is requesting a zone change for the property located at 1350 W. Lucas Drive. The property to the north and west is zoned R-S (Residential Single Family Dwelling District) and GC-MD (General Commercial - Multiple Family Dwelling District) to the east and south. The proposed zone change would allow the property to be used as the business office for J. Wilson's Restaurant located to the south at 4190 Gladys.

Although further commercial encroachment into the residential area is a consideration, the minor expansion is located on Lucas, a major arterial and would extend no further than the northern boundary of the GC-MD property to the east.

At a Joint Public Hearing held on August 15, 2016, the Planning Commission recommended 7:0 to approve a rezoning from R-S (Residential-Single Family Dwelling District) to GC-MD-2(General Commercial-Multiple Family Dwelling District-2) at 1350 W. Lucas Drive.

Approval of the ordinance.

Councilmember Getz moved to **ADOPT AN ORDINANCE ENTITLED AND ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, AND IN PARTICULAR THE BOUNDARIES OF THE ZONING DISTRICTS, AS INDICATED UPON ZONING MAP OF BEAUMONT, TEXAS, BY CHANGING THE ZONING OF PROPERTY PRESENTLY ZONED RS (RESIDENTIAL SINGLE FAMILY DWELLING) DISTRICT TO GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT FOR PROPERTY LOCATED AT 1350 W. LUCAS DRIVE, BEAUMONT, TEXAS; JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY.** Councilmember Wright seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Ordinance 16 - 039

2. Consider a rezoning request from GC-MD-2 (General Commercial-Multiple Family Dwelling District-2) and RM-H (Residential Multiple Family Dwelling District-Highest Density) to GC-MD (General Commercial-Multiple Family Dwelling District) or a more restrictive District at 6365 Calder Avenue and 145 Junker Road.

Chris Johnsen is requesting a zone change for the property located at 6365 Calder and 145 Junker Road. Mr. Johnsen states his company would like to develop the property for commercial office and retail property. Junker Road is a minor residential street that only exits to Calder Avenue. Further commercial encroachment to this street will compromise the residential neighborhoods accessed by this street. Extending the GC-MD-2 property that faces Calder Avenue further to the south would allow further development of this property off Calder Avenue, while limiting commercial access to Junker Road.

Planning staff recommends rezoning the northern approximately 300 x approximately 168.5 feet to GC-MD-2 (General Commercial - Multiple Family Dwelling District -2). The remainder of the property should remain RM-H (Residential Multiple Family Dwelling - Highest Density District), with no GC-MD-2 uses accessing Junker Road now or in the future.

At a Joint Public Hearing held on August 15, 2016, the Planning Commission recommended 7:0 to approve a rezoning from GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District and RM-H (Residential Multiple Family Dwelling Highest Density) District to GC-MD-2(General Commercial-Multiple Family Dwelling-2) District for the northern approximately 300 x approximately 168.5 feet at the subject property.

Approval of the ordinance.

Councilmember Getz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, AND IN PARTICULAR THE BOUNDARIES OF THE ZONING DISTRICTS, AS INDICATED UPON THE ZONING MAP OF BEAUMONT, TEXAS, BY CHANGING THE ZONING OF PROPERTY PRESENTLY ZONED GC-MD-2 (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING-2) DISTRICT AND RM-H (RESIDENTIAL MULTIPLE FAMILY DWELLING-HIGHEST DENSITY) DISTRICT TO GC-MD-2 (GENERAL COMMERCIAL MULTIPLE FAMILY DWELLING-2) DISTRICT FOR NORTHERN 300 X APPROXIMATELY 168.5 FEET FOR PROPERTY LOCATED AT 6365 CALDER AVENUE AND 145 JUNKER ROAD, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY.** Mayor Pro Tem Mouton seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Ordinance 16 - 040

3. Consider a rezoning request from NC (Neighborhood Commercial District) to GC-MD (General Commercial-Multiple Family Dwelling District) or a more restrictive district at 5190 Forsythe.

Ronald Smith is requesting a zone change for the property located at 5190 Forsythe Street. Mr. Smith intends to operate a towing service from the property. Staff informed Mr. Smith that storage will be limited to 30 vehicles in GC-MD (General Commercial - Multiple Family Dwelling District) zoning. The applicant stated that he is aware the CM (Commercial - Manufacturing) zoning, located adjacent to his property on the north side, would allow him more storage by right. However, GC-MD would allow him more flexibility for future business endeavors if his towing business was not successful.

Although it borders to the east with RS, the property to the west is zoned HI (Heavy Industrial), and the majority of the properties along Delmar are zoned and used as GC-MD.

At a Joint Public Hearing held on August 15, 2016, the Planning Commission recommended 7:0 to approve a rezoning from NC (Neighborhood Commercial District) to GC-MD(General Commercial-Multiple Family Dwelling District) at 5190 Forsythe.

Approval of the ordinance.

Councilmember Guidroz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, AND IN PARTICULAR THE BOUNDARIES OF THE ZONING DISTRICTS, AS INDICATED UPON THE ZONING MAP OF BEAUMONT, TEXAS, BY CHANGING THE ZONING OF PROPERTY PRESENTLY ZONED NC (NEIGHBORHOOD COMMERCIAL) DISTRICT TO GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT FOR PROPERTY LOCATED AT 5190 FORSYTHE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.** Councilmember Wright seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Ordinance 16 – 041

4. Consider amending Section 22.05.211 of the Code of Ordinances by adding a voluntary recycling container service fee and a monthly recycling service fee.

On August 16, 2016 the City Council held a work session to discuss the possibility of a city provided single stream curbside recycling program. Under the proposal, the recycling program would be strictly voluntary and pick up would occur once per week.

The following products would be accepted by the recycling program: paper, newspaper, magazines, cardboard, #1 and #2 plastic containers, aluminum cans and tin cans.

Residents wanting to participate would be charged a fee of $58.00 for a recycling container and a monthly fee of $11.50. The amended ordinance would add these two fees.

If approved, the program would start on October 1, 2016.

Approval of ordinance.

Mayor Pro Tem Mouton moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 22, ARTICLE 22.05, SECTION 22.05.211 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS PROVIDING FOR A VOLUNTARY RECYCLING PROGRAM BY ADDING A RECYCLING CONTAINER SERVICE FEE AND A MONTHLY RECYCLING SERVICE FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.** Councilmember Wright seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Ordinance 16 – 042

5. Consider a resolution approving the purchase of 62 tablet computers from DELL for use in the Police Department.

Pricing was obtained through the State of Texas Department of Information (DIR). DIR provides cities and political subdivisions with the means to purchase information technology at volume prices contracted under the procurement statues of the State of Texas.

The Police department currently uses rugged laptop mobile computers for writing reports, receiving dispatch call information, running criminal histories, and providing automatic vehicle location to dispatch in the patrol units. The current hardware is end of life, therefore it must be replaced. The new rugged tablet systems will provide better performance, speed, portability, free up space in the vehicles, as well as be a more user friendly system.

Multiple vendor solutions were tested by Police and IT. The DELL tablets were selected as the best option.

Three (3) years of hardware maintenance and support is included in the purchase.

Approval of the resolution.

Councilmember Getz moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE PURCHASE OF TABLET COMPUTERS FOR USE BY THE POLICE DEPARTMENT FROM DELL, OF ROUND ROCK, TEXAS, THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) CONTRACT, IN THE AMOUNT OF $187,629.00.** Mayor Pro Tem Mouton seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 – 157

6. Consider a resolution authorizing the City Manager to execute an Earnest Money Contract and other related documents for the sale of city-owned property located at 3199 Avenue A, formerly occupied by the EMS Division.

On February 25, 2014, City Council passed Resolution No. 14-043 accepting the bid submitted by Wheeler Commercial formerly known as NAI Wheeler for an annual contract for real estate broker services to list and sell City-owned property.

Wheeler Commercial has secured one (1) potential buyer who is interested in purchasing city-owned property located at 3199 Avenue A. The subject property is listed at $60,000.00 and has been on the market for 170 days. After reviewing the Earnest Money Contract, it is in the best interest of the City of Beaumont to execute the Earnest Money Contract with Chantel C. Channell with a cash offer in the amount of $40,000.00.

Chantel C. Channell will deposit $500.00 as earnest money to Texas Regional Title for a feasibility period of 30 days. If Chantel C. Channell terminates the earnest money contract, the $500.00 will not be refunded. The date of closing will be fourteen (14) days after the expiration of the feasibility period.

Approval of resolution.

Councilmember Getz moved to **APPROVE A RESOLUTION THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE AND EARNEST MONEY CONTRACT WITH CHANTEL C. CHANNELL FOR THE SALE OF PROPERTY LOCATED AT 3199 AVENUE A, FORMERLY OCCUPIED BY EMS, AND THAT THE CITY MANAGER IS HEREBY AUTHORIZE TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE SALE OF THE PROPERTY AND IMPROVEMENTS.** Mayor Pro Tem Mouton seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 – 158

7. Consider a resolution rejecting all bids for the Washington Boulevard Pavement and Drainage Improvement - Phase II (Corporate Drive to Amarillo Street) Project, Bid No. PW0516-15.

On August 4, 2016, at 2:00 P.M., in City Council Chambers, five (5) bids ranging from $13,965,966.97 to $18,117,787.20 were received for Washington Boulevard Pavement and Drainage Improvement - Phase II (Corporate Drive to Amarillo Street) Project.

After bids were evaluated by the Engineering Division, it was recommended that revisions to the Scope of Work be made to include Executive Boulevard and Corporate Drive to the original design, then rebid the project at a later date.

Approval of resolution.

Councilmember Getz moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL DOES HERBY REJECT THE BIDS FOR THE WASHINGTON BOULEVARD PAVEMENT AND DRAINAGE IMPROVEMENT – PHASE II (CORPORATE DRIVE TO AMARILLO STREET) PROJECT, AND THAT IT IS THE RECOMMENDATION OF THE CITY OF BEAUMONT PUBLIC WORKS/ENGINEERING DIVISION THAT REVISION TO THE SCOPE OF WORK BE MAKE TO INCLUDE EXECUTIVE BOULEVARD AND CORPORATE DRIVE TO THE ORIGINAL DESIGN AND THE PROJECT BE REBID AT A LATE DATE.** Councilmember Guidroz seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 – 159

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

WORK SESSION

* Review and discuss the proposed FY 2017 Budget and the proposed 2017 Capital Program

City Manager, Kyle Hayes discussed the FY 2017 Budget and the proposed FY 2017 Capital Program. The Manager first discussed the overview of the FY 2017 Budget of all funds that totaled $255.3 million, 9 net positions were eliminated in 2016, $680,000 was saved across the entire budget. The civilian employees will receive a wage increase of 3%, the contractual wage increase for Police Department will be 2.5%, the proposed wage increase for the Fire Department will be 2% and the health insurance premiums will remain the same for employees and retirees. The General Funds largest revenue sources are the Sales and Use Taxes which is at 34% and is projected to increase by 1.5%. The property taxes are at 29% with an appraised value increase of 3.9%. The Industrial Payments are at 15% with a projected increase of 5.5%. Proposed revenues in the General Fund are projected to increase 1.8% in FY 2017 over FY 2016 estimates. The tax rate of $0.69/per $100 valuation will remain the same. The General Fund rate will be $0.48381 and the Debt Service Fund rate will be $0.20619. The proposed FY 2017 Budgets General Revenues is $119,503,100. The General Fund Expenditures is $119,806,200. The Deficit is (303,100). The Estimated Beginning Fund Balance is $30,286,574 and the Estimated Ending Fund Balance is $29,983,474. There was also discussion on the Fund Balance rainy day accounts. Water and sewer rates will increase by 3%. The results of the increase will net an estimated $1.4 million in additional revenues. The increase is needed to repay new debt estimated at $20 million.

The Water Utilities Fund revenue is $49,437,500, the Expenditures is $48,946,000, Excess (Deficit) Revenues over Appropriations is $491,500. The beginning Fund Balance is $9,731,115 with an Ending Fund Balance of $10,222,615. The Water Utilities Fund Balance rainy day account was also discussed. The Solid Waste Fund revenue is $10,507,000, the Expenditures is $11,801,800, Excess (Deficit) Revenues over Appropriations is $1,294,800). The beginning Fund Balance is $4,795,841, with an Ending Fund Balance of $3,501,041.

The City Manager also discussed the Proposed FY 2017 Capital Program. The Public Works projects construction phases which included Avenue A – Washington to Elgie Street, Concord Road – Phase IV – East Lucas to Hwy. 105, Magnolia Overlay – Fannin to Gill, Northwest Parkway, Street Rehabilitation Program and Washington – IH-10 to ML King. The design phases for Pointe Parkway North and Storm Water Master Plan were discussed, as well as the General Improvement Projects which included the Airport Improvement Project, Fire Station No. 1 Relocation, Riverfront Development and the Best Years Center.

PUBLIC HEARING

* Receive comments on the proposed FY 2017 Budget and the proposed 2017 Capital Program.

Open: 3:27 pm

None

Close: 3:27 pm

PUBLIC HEARING

* Receive comments on the proposed FY 2016 (FY 2017) Proposed Tax Rate

Open: 3:27 pm

None

Close: 3:28 pm

COMMENTS

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

COUNCILMEMBER COMMENTS

COUNCILMEMBER GUIDROZ - ANNOUNCED THE 97TH ANNUAL LABOR DAY CLASSIC TENNIS TOURNAMENT, STATED THAT THE STRIESFELD GROUP WILL MANAGE THE ENTIRE TOURNAMENT AT NO CHARGE TO THE CITY, THE AMOUNT OF PEOPLE THAT WILL BE ATTENDING HAS INCREASED BY 153%, PARTICIPANTS WILL BE COMING FROM ALL OVER, THE SPONSORSHIPS ARE COMING IN VERY HIGH, ALSO WISHED COUNCILMEMBER GETZ LUCK IN THE TOURNAMENT PORTION THAT HE WILL BE PARTICIPATING IN, THANKED COUNCILMEMBER SAMUEL FOR HIS COMMENTS

COUNCILMEMBER GETZ - STATED THAT HE'S VERY EXCITED ABOUT THE 97TH ANNUAL LABOR DAY CLASSIC TENNIS TOURNAMENT, VERY GLAD THAT THE NUMBERS ARE BACK UP DUE TO THE STRIESFELD GROUP, COMMENTED ON THE DWIGHT YOAKAM CONCERT THAT HE ATTENDED, THERE WAS ALSO ANOTHER PERFORMANCE GOING ON, THE JULIE AND THE JEFFERSON WERE BEING USED AS THE SAME TIME, STATED THAT THE CITY IS DOING A LOT OF THINGS, THEY ARE ALSO USING THE TAG LINE #BEAUMONTISNOTBORING, COMMENTED ON TRAVIS TRITT COMING TO BEAUMONT AS WELL, CONGRATULATED THE POLICE DEPARTMENT ON THE COPS AND KIDS EVENT, WOULD LIKE A COST ESTIMATE TO BE PREPARED FOR PUTTING SIDEWALKS ALONG PHELAN FROM MAJOR TO WHERE THEY STOP AT OLD CALDER

COUNCILMEMBER WRIGHT - COMPLIMENTED ALL WARD COUNCILMEMBERS WITH THEIR NEIGHBORHOOD ASSOCIATION MEETINGS, THEY ALL DO GOOD JOBS WITH TAKING CARE OF THEIR WARDS AND GLAD TO SERVE ALL SECTIONS OF THE CITY, ALSO HATES THAT SHE MISSED THE COPS AND KIDS EVENT, WISHED HER AUNT OLLIE MAE GRAVES A HAPPY BIRTHDAY

COUNCILMEMBER PATE -	NONE
COUNCILMEMBER SAMUEL -	STATED THAT HE RECEIVED TWO CALLS IN REGARDS TO SASSAFRAS ST. HAVING A PROBLEM WITH BATS, NOT SURE WHAT CAN BE DONE, THEY CALLED ANIMAL CONTROL AND THEY COULDN'T GIVE THEM AN ANSWER, THE 3800 BLOCK OF ST. HELENA ST., HAS PROBLEMS WITH CLOGGED DITCHES, ALSO ALONG THE RAILROAD TRACKS THEY LET THE GRASS GET REALLY HIGH AND THEN WHEN IT IS CUT IT LOOKS HORRIBLE DUE TO THE TRASH NOT BEING PICKED UP BEFORE THE GRASS IS CUT, CONGRATULATED THE POLICE DEPARTMENT ON THE COPS AND KIDS EVENT, ALSO COMMENTED ON THE BACK TO SCHOOL YOUTH EXPLOSION
MAYOR PRO TEM MOUTON -	CONGRATULATED CHIEF SINGLETARY AND ALL THE POLICE OFFICERS THAT WORKED REALLY HARD ON THE COPS FOR KIDS EVENT, IT WAS AN AWESOME EVENT, ALSO CONGRATULATED INIKA MCPHERSON FOR REPRESENTING SOUTH EAST TEXAS, THE GOLDEN TRIANGLE AND THE CITY OF PORT ARTHUR FOR MAKING IT TO THE FINALS IN THE OLYMPICS, ALSO ASKED THAT EVERYONE BE MINDFUL THAT THE KIDS ARE RETURNING TO SCHOOL ON TOMORROW AND TO WATCH OUT FOR THEM
CITY ATTORNEY COOPER -	NONE
CITY MANAGER HAYES -	NONE
MAYOR AMES -	THANKED CHIEF SINGLETARY AND ALL THE POLICE OFFICERS THAT HELPED WITH THE COPS AND KIDS EVENT THIS YEAR, HER UNDERSTANDING IS THAT THERE WAS AT LEAST 4,500 PEOPLE IN ATTENDANCE MAYBE MORE, THOUGHT THIS YEAR WAS THE BEST EVER

Public Comments (Persons are limited to three minutes)

Tameka Davis **3055 Robinhood Ln.** **Beaumont TX**

Stated that she's confused at this time and that she has lived in another City for about four years that's about the size of Beaumont, that City had a lot of growth, not understanding why Beaumont isn't growing, is seeing the same stagnant City, when she lefts four years ago the streets were bad and after returning the streets are still bad and nothing has changed

Herman Davis **3055 Robinhood Ln.** **Beaumont TX**

Excited about seeing the proposed budget, glad that he and his wife could attend the meetings and get the information first hand, stated that he likes social media and he likes to get the information out through that venue, has always loved Beaumont and it's potential, stated that the hidden jewel is Downtown and would like to see it thrive, anxious

to see where the Riverfront Project will take the City, thanked Council for all that they are doing

John Guedry **760 Bancroft Dr.** **Beaumont TX**

Stated that on April 5, 2016, he came before Council and shared some details concerning an issue that was being discussed in Executive Session concerning awarding the contract for the sale of the property at 560 Marina Dr., where Beaumont Yacht Club is located, stated that he specifically warned Council that if the awarding of the contract was done there was going to be an encumbrance against the title of that property in an amount of about $465,000, that warning was ignored, stated that he thinks it was largely because of the misinformation that Council was receiving, on today he sees that Council is going into Executive Session to discuss the same issue, is asking that Council reject the entire proposal/resolution to pay off the SBA loan and take this back to the drawing board so that all of the facts can be known

Carol Riley **405 Georgetown** **Beaumont TX**

Stated that she has seen growth and improvements in the City of Beaumont, the Cops and Kids event was amazing because of the many businesses that were eager to help with donations etc., and we thank them, commented on her 10 year old that plays U11 soccer in Beaumont, stated they went to the Woodlands and won first place, very proud of them

EXECUTIVE SESSION

Council recessed at 4:01 p.m

* Consider matters related to the deliberation of the purchase, exchange, lease or value of real property in accordance with Section 551.072 of the Government Code, to wit:

Beaumont Yacht Club located at 560 Marina Drive, Beaumont, TX 77703

Council reconvened at 5:04 p.m.

8. Consider a resolution approving the payoff of a Small Business Administration loan which was used by the Beaumont Yacht Club to make repairs and replacement of property at the Beaumont Marina following Hurricane Ike

In March 1987 and then again in September 1998, the City entered into a Management and Concession Agreement with the Beaumont Yacht Club (BYC) for the operation of the public marina. The marina is located on approximately 30 acres of city-owned riverfront property north of Interstate 10. Since 1987, the City has invested more than $1,500,000 for improvements to the marina. A payment schedule was established that provided monthly installments over a 15-year term, payable from BYC's operating revenues. In 2005, the payment schedule was amended to reduce the payments as a result of Hurricane Rita and extend the expiration date of the agreement to June 30, 2015. Following Hurricane Ike, the expiration was extended to September 30, 2015. The final payment was made in September of 2015. In January of 2016, the City and the BYC entered into a month to month lease.

Hurricane Rita caused extensive damage at the marina. The damage was almost exclusively to 73 older storage stalls which generated revenue for the BYC. City staff applied for FEMA assistance, but there was no cost-efficient means to rebuild the destroyed dry storage stalls with federal funds and meet the mitigation requirements. Therefore, the subsequent economic recovery for this loss was directed to another eligible project, except for funding to clean up the property.

Hurricane Ike caused more damage to the marina. The damage included the loss of additional stalls. Following Hurricane Ike, the Yacht Club received a Small Business Loan in order to replace 62 stalls lost as a result of the hurricane. The Beaumont Yacht Club has been paying on the SBA loan from revenues derived from renting wet and dry boat storage stalls.

In early 2016, the City received an appraisal of the marina property and made the decision to sell the property. The City accepted a bid of $1.475 million for the property but has since learned that the SBA loan is a cloud on the title of the marina property because the agreement between the City of Beaumont and the Beaumont Yacht Club was assigned to secure the SBA loan. In order for the title to be clear, the loan must be paid in full. Because the Yacht Club used the loan proceeds to make improvements to the property owned by the City, the improvements become the City's property as well. Therefore, in light of the pending sale, the City will pay the SBA loan in full.

Approval of the resolution.

Councilmember Samuel moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL APPROVES THE PAYOFF OF THE OF THE SMALL BUSINESS ADMINISTRATION LOAN WHICH WAS USED BY BEAUMONT YACHT CLUB TO MAKE REPAIRS AND REPLACEMENT OF PROPERTY AT 1000 MARINA DRIVE FOLLOWING HURRICANE IKE IN ORDER TO PROVIDE A CLEAR TITLE TO THE PROPERTY SO THAT IT CAN BE SOLD.** Mayor Pro Tem Mouton seconded the motion.

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

NAYS: **COUNCILMEMBER GETZ**

MOTION PASSED

Resolution 16 – 160

There being no other business to come before Council, the meeting adjourned at 5:05 p.m.

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

Becky Ames, Mayor

Tina Broussard, City Clerk