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	**September 20, 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 **September 20, 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 1-7/Consent Agenda
* Consent Agenda

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

Most Reverend Curtis Guillory of the Catholic Diocese gave the invocation. Pastor Howard Cameron 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

"50th Anniversary of the Catholic Diocese of Beaumont" - September, 2016 - Proclamation read by Mayor Ames; accepted by the Most Reverend Curtis Guillory

"Pray Beaumont Day" – September 25, 2016 – Proclamation read by Mayor Pro Tem Mouton; accepted by Pastor Howard Cameron with Beaumont Area Pastor Council

"75th Anniversary of the Housing Authority of the City of Beaumont Day" – September 23, 2016 – Proclamation read by Councilmember Samuel; accepted by Robert Reyna, Executive Director

"National Suicide Prevention Awareness Month" – September, 2016 – Proclamation read by Councilmember Guidroz; accepted by Monique Sennet with the Spindletop Center

"Beaumont Convention and Visitors Bureau" – Proclamation read by Councilmember Getz; accepted by Dean Conwell, Director and staff

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 1-7/Consent Agenda.

None

CONSENT AGENDA

* Approval of minutes – September 13, 2016

* Confirmation of committee appointments – **Resolution 16 - 174**

Mary Jowers would be reappointed to the Board of Adjustment (Zoning). The current term would expire July 22, 2018. (Mayor Becky Ames)

Kelli Maness would be reappointed to the Board of Adjustment (Zoning). The current term would expire July 22, 2018. (Mayor Becky Ames)

A) Amend the agreement with Richard James III and The Sports Society for American Health to allow the outstanding balance to be paid in full by Monday, October 31, 2016 - **Resolution 16 - 175**

B) Approve a resolution approving the write-off of uncollectible water accounts - **Resolution 16 - 176**

Mayor Pro Tem Mouton moved to approve the Consent Agenda. Councilmember Getz seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

GENERAL BUSINESS

1. Consider an ordinance adopting the FY 2017 Budget by a record vote.

Article VI, Section 8 of the City Charter states that "the budget shall be adopted by the favorable votes of at least a majority of all members of the Council." Section 9 states that "the budget shall be finally adopted not later than the twenty-seventh (27th) day of the last month of the fiscal year. Should the Council take no final action on or prior to such day, the budget as submitted by the City Manager shall be deemed to have been finally adopted by the Council."

Section 102.007 of the Government Code requires the vote to adopt a budget to be a record vote. In addition, the adopted budget will contain a cover page that includes the statement on whether the budget will raise more, less or the same amount of property taxes as the prior year, the record vote of each member of council by name, property tax rates for the preceding and current fiscal years, the effective tax rate, the effective maintenance and operations rate, the rollback tax rate, and the debt rate, along with the amount of debt secured by property taxes. This information is required to be posted on the city's website and remain there for one year after adoption of the budget.

The FY 2017 Budget was submitted to Council on August 9, 2016, and reviewed during a work session on August 23, 2016. A public hearing was held on August 23, 2016, which met the requirements of the Charter and state law.

Approval of the ordinance.

RECORD VOTE:

Mayor Ames:	Yes	Councilmember Wright:	Yes
Mayor Pro Tem Mouton:	Yes	Councilmember Pate:	Yes
Councilmember Guidroz:	Yes	Councilmember Samuel:	Yes
Councilmember Getz:	Yes		

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE REFERRED TO AS THE "ANNUAL APPROPRIATION ORDINANCE" ADOPTING A BUDGET FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 IN ACCORDANCE WITH THE CHARTER OF THE CITY OF BEAUMONT; APPORTIONING THE FUNDS OF THE CITY OF BEAUMONT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR SEVERABILITY.** 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 - 041

2. Consider a resolution adopting the 2017 Capital Program.

Article VI, Section 20 states that "the Council shall, by resolution, adopt the Capital Program with or without amendment after the public hearing and on or before the twenty-seventh (27th) day of the last month of the current fiscal year."

The Capital Program was originally submitted to Council on May 13, 2016. It was submitted to Council on August 9, 2016 with the Budget, and reviewed during a work session on August 23, 2016. A public hearing was also held on August 23, 2016.

Approval of the resolution.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE FY 2017 CAPITAL PROGRAM IS HEREBY ADOPTED.** Councilmember Wright seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 - 177

3. Consider an ordinance accepting the tax roll and establishing the property tax rate for the tax year 2016 (FY 2017).

The Jefferson County Appraisal District submitted the Certified Tax Roll on July 25, 2016, in the amount of $7,209,192,016. Based on this taxable value, a property tax rate of $0.69/$100 valuation for the tax year 2016 (FY 2017) is proposed, which is the current rate. The tax rate would be apportioned $0.483809/$100 assessed valuation to the General Fund and $0.206191/$100 assessed valuation to the Debt Service Fund, which is a shift of $.003809 from the Debt Service Fund to the General Fund amounting to $264,000.

As required by Section 26.05 of the Tax Code:

"THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE".

Approval of the resolution.

RECORD VOTE

Mayor Ames:	Yes	Councilmember Wright:	Yes
Mayor Pro Tem Mouton:	Yes	Councilmember Pate:	Yes
Councilmember Guidroz:	Yes	Councilmember Samuel:	Yes
Councilmember Getz:	Yes		

Councilmember Getz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE ACCEPTING THE TAX ROLL FOR THE CITY OF BEAUMONT; ESTABLISHING A TAX RATE; PROVIDING FOR LEVYING, ASSESSING AND COLLECTING OF AD VALOREM TAXES FOR THE TAX YEAR 2016 (FY 2017); PROVIDING FOR SEVERABILITY AND PROVIDING FOR REPEAL.** Councilmember Guidroz seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Ordinance 16 – 042

4. Consider an ordinance ratifying the budgeted property tax increase reflected in the FY 2017 Budget.

Section 102 of the Local Government Code includes the following: "Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law."

Although the tax rate is remaining at $0.69 per $100 assessed valuation, the budgeted revenue from property taxes is expected to be $1,302,000 more than FY 2016. Of this amount, $452,163 is attributable to new property added to the tax roll this year.

Approval of the resolution.

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE RATIFYING THE BUDGETED PROPERTY TAX INCREASE REFLECTED IN THE FY 2017 BUDGET.** 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 – 043

5. Consider a resolution approving the write-off of uncollectible delinquent accounts.

This request is in accordance with the City's write-off policy as previously approved by City Council. The policy gives Council the final authority to write-off an individual account receivable identified as uncollectible when the balance due exceeds $1,000.00. Accounts included are for transactions prior to March of 2015 which have been sent to the collection agency and collection efforts have been unsuccessful for more than one year. A summary by receivable type is shown below.

Event Charges - $2,134.11
Original Charges date from 2015.

Weed Abatement Charges - $94,804.13
Original charge dates range from 2011 to 2015.

EMS Ambulance Charges - $1,046,681.11
These charges from ambulance transports include uninsured claims or co-pay and deductibles that the customer is responsible for. The original charge dates range from 2005 to 2014 and accounts have been uncollectible for at least one year.

Total to be written off - $1,143,619.35

All accounts remain with the collection agency for continued collection efforts. If at any time an account becomes collectible after having been written off, the receivable shall be adjusted accordingly. The balance of the account shall be reinstated and payments shall be applied to that balance.

Approval of resolution.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES, AS AN INTERNAL ACCOUNTING PROCEDURE, THE WRITE-OFF OF DELINQUENT ACCOUNTS TOTALING $1,143,619.35 FOR WHICH EACH INDIVIDUAL ACCOUNT EXCEEDS $1,000, AND THAT THESE DEBTS ARE NOT BEING EXTINGUISHED OR FORGIVEN AND IF, AT ANY TIME, AN ACCOUNT BECOMES COLLECTIBLE AFTER HAVING BEEN WRITTEN OFF, THE RECEIVABLE SHALL BE ADJUSTED ACCORDINGLY AND THE BALANCE OF THE ACCOUNT SHALL BE REINSTATED AND PAYMENTS SHALL BE APPLIED TO THAT BALANCE.** Councilmember Pate seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 – 178

6. Consider a resolution awarding annual contracts to multiple vendors for the purchase of traffic marking materials.

Bids were requested for an annual contract to supply signage, sign materials, hardware, and specialty paints and thermoplastic materials for use by the Transportation Division, and for purchase of various traffic control materials such as markers, portable signs and barricades for use by all City Departments.

Eleven (11) vendors were notified and six (6) responses were received. Specifications were divided into nine (9) material sections, and require that each be awarded to the lowest overall bidder who bids the entire section and complies with the required specifications. There are no local vendors supplying these materials.

Contracts are recommended as follows:

Section	Vendor	Est. Total Amount
1-Sign Blanks	Trantex, Inc., Houston	$32,294.25
2-Sign Faces	Osburn Associates, Logan, OH	$4,344.00
3-Finished Signs	Vulcan, Inc., Foley AL	$36,629.15
4-Sheet Material	Osburn Associates, Logan, OH	$37,620.00
5-Hardware	Allied Tube, Inc., Harvey, IL	$277,150.00
6-Marking Materials	Trantex, Inc., Houston	$16,242.50
7-Paint	Trantex, Inc., Houston	$49,259.70
8-Traffic Control Equipment	Trantex, Inc., Houston	$26,475.25
TOTAL		**$480,014.85**

Approval of resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE BIDS SUBMITTED BY THE VENDORS FOR ANNUAL CONTRACTS FOR THE PURCHASE OF TRAFFIC MARKING MATERIALS AND TRAFFIC CONTROL MATERIALS FOR ALL PURPOSES FOR AN ESTIMATED TOTAL OF $480,014.85 AND THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT WITH EACH OF THE VENDORS FOR THE PURPOSES DESCRIBED HEREIN.** 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 – 179

7. Consider a resolution approving the purchase of sodium hydroxide from DXI, Inc. for use by the Water Department Administration.

Sodium hydroxide is used to purify the City's water supply. The Water Utilities Department expects to purchase approximately five hundred (500) dry tons of this material during the term of this contract.

Formal bids were requested from nine (9) vendors for a six (6) month contract to supply sodium hydroxide. Six (6) bids were received. Low bid of $203,405 was submitted by DXI, Inc., of Houston. This represents an approximate eighteen percent (18%) increase in the price of this material over last contract. DXI, Inc., has previously held this contract. There are no local vendors of this commodity.

Approval of the resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY DXI, INC., OF HOUSTON, TEXAS, FOR A SIX (6) MONTH CONTRACT FOR THE PURCHASE OF SODIUM HYDROXIDE FOR AN ESTIMATED TOTAL EXPENDITURE OF $203,405.00 BE ACCEPTED BY THE CITY OF BEAUMONT AND THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT WITH DXI, INC.** Councilmember Getz seconded the motion.

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

NAYS: **NONE**

MOTION PASSED

Resolution 16 – 180

COMMENTS

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

COUNCILMEMBER COMMENTS

MAYOR PRO TEM MOUTON - CONGRATULATED THE NEWLY INSTALLED LIT PRESIDENT, DR. LONNIE HARMON, LOOKING FORWARD TO WORKING WITH HIM, IT'S ANOTHER GREAT DAY IN BEAUMONT

COUNCILMEMBER SAMUEL - NONE

COUNCILMEMBER PATE - COMMENTED ON LAMAR UNIVERSITY FOOTBALL HAVING A BYE THIS WEEK, ALSO COMMENTED ON LAMAR'S SOCCER TEAM PLAYING THIS WEEKEND, ENCOURAGED CITIZENS TO ATTEND

COUNCILMEMBER WRIGHT - STATED THAT SHE WAS ONE OF TEN PEOPLE WHO WON FOUR TICKETS TO THE LAMAR FOOTBALL GAME, ATTENDED THE SYMPHONY OF SOUTH EAST TEXAS, IT WAS A FULL HOUSE AND WAS GLAD THAT IT WAS WELL ATTENDED, STATED ON THURSDAY, SHE ATTENDED THE SERVICE AWARD WHERE TEMPLE EMANUEL HONORED THE MOST REVEREND CURTIS GUILLORY, ON SUNDAY, ATTENDED THE 50 YEAR ANNIVERSARY FOR THE CATHOLIC DIOCESES, ANNOUNCED THAT ON TONIGHT THE IEA BENS KIDS TOOLS FOR SUCCESS CELEBRATION WILL BE FROM 5:30 TO 7:30, 20 NORTH 11TH ST., ENCOURAGED CITIZENS TO COME OUT AND SUPPORT THEM

COUNCILMEMBER GETZ - THANKED COUNCILMEMBER WRIGHT FOR MENTIONING THE ROSSINGER HUMANITARIAN SERVICE DINNER WHERE THE GRANDSON OF MR. ROSENWALD WHO WAS THE FORMER CEO OF SEARS WAS THE GUEST SPEAKER, THANKED ALL OF THOSE ON CITY COUNCIL THAT ATTENDED, ANNOUNCED THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION WILL BE MEETING ON TUESDAY, SEPTEMBER 20, 2016, AT THE ROGERS PARK COMMUNITY CENTER, BEGINNING AT 6:00 P.M., CONGRATULATED THE CVB FOR ALL THAT THEY DO AND ALL THE AWARDS THAT THEY HAVE ACCOMPLISHED, ALSO STATED THAT THEY WILL BE OFFERING ANOTHER BEAUMONT DESTINATION TRAINING TOUR, ENCOURAGED ALL CITIZENS TO ATTEND THIS TRAINING TOUR, THIS IS A FREE TOUR

COUNCILMEMBER GUIDROZ - ANNOUNCED UPCOMING EVENTS, PRAY BEAUMONT DAY, THE FAST PITCH TOURNAMENT, THAT WILL HAVE TEAMS FROM ALL OVER PLAY HERE IN BEAUMONT, THE UNITED STATES TENNIS ASSOCIATION FOR THE 55+ WILL BE BACK IN BEAUMONT AGAIN, COMMENTED ON THE DINNER AT THE

EVENT CENTRE HOSTED BY TEMPLE EMANUEL, IT WAS AN AWESOME AND INSPIRING DINNER, COMMENTED ON A BOOK THAT HE IS READING CALLED "YOU NEED A SCHOOL HOUSE" ENCOURAGED EVERYONE TO GET THIS BOOK, IT'S A VERY INTERESTING READ

MAYOR AMES - CONGRATULATED DR. LONNIE HOWARD, WHO WAS INSTALLED AS THE NEW PRESIDENT OF LIT, THANKED RABBI JOSHUA TAUB AND TEMPLE EMANUEL FOR THE BEAUTIFUL PROGRAM AT THE EVENT CENTRE, ALONG WITH BISHOP GUILLORY AND HIS CELEBRATION AT FORD PARK, ALSO FATHER MICHAEL WITH ST. MICHAELS GREEK ORTHODOX CHURCH, SPONSORS THE MEDITERRANEAN FESTIVAL, DONATED $5,000 OF THE FUNDS RAISED FROM THE FESTIVAL TO CASA, ANNOUNCED THE 100 CLUB BANQUET TONIGHT THAT SUPPORTS OUR FIRST RESPONDERS, POLICE, FIRE AND EMS

CITY ATTORNEY COOPER - NONE

CITY MANAGER HAYES - NONE

Public Comments (Persons are limited to three minutes)

LaKeesha Wilson **4050 Hartel St.** **Beaumont TX**

Stated that she is the President of the Sickle Cell Warriors of South East Texas, they have been established since 2013, thanked Councilmember Samuel for giving them advice to become a 501(c)(3) organization back in 2015, invited Mayor and Council to attend their annual Bowling Event on October 1, 2016, at Star Lanes Bowling, 4180 Pinkston, from 4:00 p.m. to 7:00 p.m.

Larry Kratzer **1111 Church St.** **Beaumont TX**

Spoke to Council in regards to a house that he owns at 2695 Atlanta, stated that he is in a work program, but due to the weather, every time the contractor has come out to work the weather has always been bad, would like to see if he can get an extension on his work program, has already talked to the Building Codes Department and they expressed that he would not be able to get an extension, asked for any help that Council may be able to give him

Chris Cullather **1230 Shakespeare Dr.** **Beaumont TX**

Spoke to Council in regards to the City of Beaumont water bills, asked why the City didn't offer its citizens the option to have paperless water bills, stated that it could possibly save the City approximately $60,000 if not more, asked that Council give this some thought

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

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