

# MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., Mayor Pro Tem  
Dr. Alan B. Coleman, Ward I  
Audwin Samuel, Ward III  
Tyrone E. Cooper, City Attorney

**BECKY AMES, MAYOR**  
CITY COUNCIL MEETING  
June 21, 2010  
Kyle Hayes, City Manager

Gethrel Williams-Wright, At Large  
Michael D. Getz, Ward II  
Jamie Smith, Ward IV  
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on June 21, 2010, 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 1:30 p.m.

Pastor Anjelita Dirden with Lamar University Wesley Student Center 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 Pate, Councilmembers Wright, Samuel and Smith. Absent: Councilmember Coleman. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

## Proclamations, Presentations, Recognitions

None

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

**Roberto Flores                                      2425 Buchanan                                      Beaumont TX**

Spoke on Item #1 on the Agenda; consider amending Section 2.03.075 of the Code of Ordinance related to the number of authorized positions in the Beaumont Police Department

**Alice Felix Ramsey                                      3440 Goliad St.                                      Beaumont TX**

Spoke on Item #1 on the Agenda; consider amending Section 2.03.075 of the Code of Ordinance related to the number of authorized positions in the Beaumont Police Department, asked that Council make a decision on what's best for the Citizens of Beaumont and not on what certain groups want

## CONSENT AGENDA

- \* Approval of minutes - **June 14, 2011**
- \* Confirmation of committee appointments - **None**
- A) Approve eminent domain proceedings to acquire properties needed for the Concord Road Pavement Widening Project (4495 Treadway, 5850 Eastex Freeway and 5852-5896 Eastex Freeway) – **Resolution 11 - 173**
- B) Approve a change order related to the Surface Water Treatment Plant Improvements Phase I Project – **Resolution 11 - 174**
- C) Authorize the acquisition of property adjacent to the Beaumont Municipal Airport – **Resolution 11 - 175**
- D) Authorize the City Manager to apply for and receive funding through the Edward Byrne Memorial Justice Assistance Grant program and to execute an inter-local agreement with the City of Port Arthur and Jefferson County in order to reallocate Justice Assistance Grant funds – **Resolution 11 - 176**
- E) Approve contracts to supply motor fuels during declared emergencies – **Resolution 11- 177**
- F) Authorize the City Manager to execute an Interlocal Agreement with Jefferson County Drainage District No. 6 for disposal of solid waste at the City landfill – **Resolution 11 - 178**
- G) Approve a contract for the purchase and delivery of motor fuels at various fuel sites located on city property – **Resolution 11 - 179**
- H) Authorize the City Attorney to bring suit to collect delinquent hotel occupancy taxes due the City of Beaumont by KJP Hospitality, L.L.C., Kevin Prendiville and Maria Anna d/b/a Candlewood Suites Hotel – **Removed**

Councilmember Samuel made a motion to approve the Consent Agenda excluding Item H. Councilmember Smith seconded the motion.

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

**NAYS: NONE**

**MOTION PASSED**

## GENERAL BUSINESS

1. Consider amending Section 2.03.075 of the Code of Ordinances related to the number of authorized positions in the Beaumont Police Department.

Administration recommended approval.

Over the past five years, the number of Lieutenant positions has fluctuated between 12 and 16. The Assistant Chief position was eliminated in 2009 so the Chief of Police would directly supervise the three Captains. There is a Captain over the Patrol Division, the Criminal Investigations Division and the Administrative Division. After a thorough review of the three divisions, it is recommended that there be 14 Lieutenant positions. The 14 Lieutenants will be assigned according to the attached information.

It is also recommended that the number of authorized Grade II Sergeant positions be increased from 42 to 44 and the number of Grade I officer positions be decreased from 204 to 198. The total number of authorized positions in the Police Department would be reduced by two to 259.

The proposed changes to the number of authorized positions would result in an annual added cost of approximately \$15,000 at full staffing. There are currently 12 vacant Grade I positions and the department intends to fill six of them pending background checks.

Mayor Pro Tem Pate made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2.03, DIVISION 2, SECTION 2.03.075 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS BY PRESCRIBING THE NUMBER OF AUTHORIZED POSITIONS IN THE BEAUMONT POLICE DEPARTMENT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR REPEAL.** Councilmember Getz seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM PATE, COUNCILMEMBERS GETZ, SAMUEL, AND SMITH**

**NAYS: COUNCILMEMBER WRIGHT**

**MOTION PASSED**

**Ordinance 11 - 041**

2. Consider approving an agreement for auditing services for the fiscal year ending September 30, 2011.

Administration recommended approving an agreement with Null-Lairson, PC, of Houston, for auditing services for the fiscal year ending September 30, 2011. This agreement may be extended on a year to year basis, for a period not to exceed three (3) additional years, upon mutual consent of both parties.

The Beaumont City Charter states "no auditor or firm of auditors shall serve as auditor for the City of Beaumont for more than four (4) consecutive years." Sanderson, Knox & Company audited the fiscal year 2010 financial statements, which was the fourth and final year of their agreement. City staff solicited, reviewed, and analyzed responses to requests for proposal (RFP) from eight (8) accounting firms. Proposals were evaluated based upon three sets of criteria: mandatory elements, technical qualifications, and audit approach. Null-Lairson met the criteria as set forth in the RFP to serve as auditor for the fiscal years of 2011, 2012, 2013 and 2014. Interim work is scheduled to begin in August and the audit reports are scheduled to be completed by January 24, 2012.

The contract amount including expenses will not be greater than \$84,500 for the first year. Funds will be available in the Finance Department's FY2012 budget for this expenditure. Fees for the audits of fiscal years 2012, 2013, and 2014 will be \$86,500, \$88,000, and \$89,000, respectively. Sanderson, Knox & Company were paid \$85,408 for auditing fiscal year 2009; final billing has not yet been received for auditing fiscal year 2010.

Councilmember Samuel made a motion to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE THE CONTRACT WITH THE FIRM NULL-LAIRSON, PC, OF HOUSTON, TEXAS, BE AND IT IS HEREBY DESIGNATED AS THE INDEPENDENT AUDITING FIRM FOR THE CITY OF BEAUMONT IN THE AMOUNT OF NO GREATER THAN \$84,500 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011 WITH AN OPTION TO RENEW ON A YEAR-TO-YEAR BASIS FOR A PERIOD NOT TO EXCEED THREE (3) ADDITIONAL YEARS, UPON MUTUAL CONSENT OF BOTH PARTIES. FEES FOR THE AUDITS OF FISCAL YEARS 2012, 2013, AND 2014 WILL BE \$86,500, \$88,000, AND \$89,000, RESPECTIVELY.** Councilmember Smith seconded the motion.

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

**NAYS: NONE**

**MOTION PASSED**

**Resolution 11 - 180**

**COUNCILMEMBER COMMENTS**

**COUNCILMEMBER COLEMAN - ABSENT**

**COUNCILMEMBER GETZ - EXPRESSED APPRECIATION TO ENTERGY FOR HOSTING A POVERTY SIMULATION SEMINAR, ALSO CONGRATULATED THE 7<sup>TH</sup> DAY ADVENTIST CHURCH ON THEIR 2<sup>ND</sup> ANNUAL INTERNATIONAL SABBATH DAY, AS WELL AS REGINA ROGERS AND THE GIFT OF LIFE PROGRAM AND THE WONDERFUL JOB THEY ARE DOING, ON THIS PAST WEEKEND THEY GAVE SCREENINGS FOR PROSTATE CANCER**

**COUNCILMEMBER WRIGHT - COMMENTED ON THE RIBBON CUTTING FOR THE BURGER BUN ON FANNETT, THE JUNETEENTH CELEBRATION AT TYRRELL PARK, AS WELL AS THE WATER UTILITIES DEPARTMENT AND A WONDERFUL JOB THAT DR. TOHME AND HIS STAFF DOES, COMMENTED ON A SENSITIVITY PROGRAM THAT WAS ONCE IN THE CITY WOULD LIKE TO SEE THIS PROGRAM COME BACK, GAVE CONDOLENCES TO THE FAMILY OF STATE REP. JOE DESHOTEL ON THE LOSS OF HIS MOTHER**

**MAYOR PRO TEM PATE - COMMENTED ON THE JUNETEENTH CELEBRATION, THANKED STACY LEWIS AND STAFF FOR THE WONDERFUL JOB THEY DID, ALSO COMMENTED ON GIVING INPUT TO YOUR**

NEIGHBORHOOD ASSOCIATION AND IF YOU ARE NOT A PART OF AN ASSOCIATION GET INVOLVED WITH ONE, ANNOUNCED THAT BABE DIDRIKSON ZAHARIAS' 100<sup>TH</sup> BIRTHDAY WILL BE ON SUNDAY, JUNE 25, 2011, ENCOURAGED EVERYONE TO VISIT THE MUSEUM

**COUNCILMEMBER SAMUEL -**

COMMENTED ON THE JUNETEENTH CELEBRATION AND THE MANY DIFFERENT LOCATIONS THAT THE CELEBRATION HAS BEEN, THIS IS BY FAR THE LARGEST CELEBRATION THAT HE HAS SEEN, THANKED STACY LEWIS AND HIS STAFF FOR A JOB WELL DONE, COMMENDED COUNCILMEMBER SMITH ON HIS EFFORTS TO MAKE THE EVENT A SUCCESS, THANKED REV. ROBERTS AND HIS ORGANIZATION SAVE THE CHILDREN ON THE SPECIAL EVENT THEY HAD FOR THE OZEN GIRLS BASKETBALL AND TRACK TEAM FOR WINNING THE STATE TRACK TITLE AND THE BASKETBALL TEAM FOR GOING TO THE STATE FINALS, COMMENTED ON A FUND RAISER THAT WAS DONE BY Ms. HORNSBY AND Ms. GILDER FOR A YOUNG MAN THAT WAS DROWNED IN THE CITY IN 2008, THERE IS A SCHOLARSHIP THAT WILL BE NAMED IN HONOR OF VAL HOARD, THANKED BOTH OF THEM FOR MAKING SURE THAT THE YOUNG MAN'S LIFE AND LEGACY GOES ON, ALSO THANKED THE WATER UTILITIES DEPARTMENT FOR ALL OF THEIR HARD WORK DURING THESE SUMMER MONTHS, THANKED THE CITY MANAGER IN REGARDS TO THE CITY AUDIT, ALSO THANKED LAURA CLARK AND STAFF FOR A JOB WELL DONE

**COUNCILMEMBER SMITH -**

THANKED STACY LEWIS AND HIS STAFF FOR THEIR HARD WORK FOR THE JUNTEENTH CELEBRATION, ALSO THANKED BISD TRUSTEE GWEN AMBRES, COUNCILMEMBER WRIGHT, STATE REP. JOE DESHOTEL, AND THE SWING OUT CIVIC CLUB FOR GETTING DEAN JAMES TO PERFORM AT THE CELEBRATION, THANKED THE CITY MANAGER FOR HIS SUPPORT

**CITY ATTORNEY COOPER -**

NONE

**CITY MANAGER HAYES -**

NONE

**MAYOR AMES -**

COMMENTED ON THE JUNETEENTH CELEBRATION, LOOKING FORWARD TO THIS SUMMER, STATED THAT THERE ARE SEVERAL THINGS THAT ARE GOING TO BE GOING ON EVERY SATURDAY, IF YOU ARE INTERESTED IN KNOWING WHAT EVENTS WILL BE GOING ON PLEASE CALL 311, COMMENDED REV. ROBERTS ON THE EVENT FOR OZEN BASKETBALL AND TRACK TEAM

**Public Comments (Persons are limited to three minutes)**

**Richard LeBlanc**                      **6550 Walden Rd.**                      **Beaumont TX**

General Manager of Drainage District No. 6; spoke in regards to Item F on the Consent Agenda, commented on the Interlocal Agreement that will allow DD6 to dispose of the solid waste collected inside the City limits at the City landfill at no charge. Drainage District No. 6 has also been able to secure several FEMA grants to perform storm drainage improvements which protect the interests of the citizens of Beaumont

**Louis Vaughn**                      **9615 Mapes**                      **Beaumont TX**

Commented on the proposed retention pond to be dug on the corner of 11<sup>th</sup> and Fannett near Theodore Johns Library, asked that when this comes before Council to reject this unanimously, that area as you know is to bring about new homes and to enhance that area, he spoke of two types of ponds, retention and detention

**Roberto Flores**                      **2425 Buchanan**                      **Beaumont TX**

Reminded City Council and all citizens of Beaumont that according to the last census the Hispanic community grew over 70%, the Asian community grew over 30% and of course we know that the African American population is almost half, no one has mentioned the fact that you take that into consideration, Beaumont has a minority population, and sometime groups that have the numbers still do not have the power, groups don't see what the population tells you, just wanted to remind Council of this

**Camille Briggs**                      **335 Greeves St.**                      **Beaumont TX**

Address Council on behalf of the kids that live in the neighborhood, commented on the sidewalks that were put in the neighborhood, stated that the sidewalk stops in a certain area and does not extend to Major Dr. asked that Council reconsider extending the sidewalks all the way to Major Dr. and get to the crossing and get to the school safely, the traffic on Greeves is very heavy something needs to be done about slowing the traffic down, also commented on the pot holes on Greeves, the holes are being patched and they really are need of repair

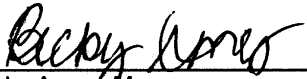
**EXECUTIVE SESSION - Cancelled**

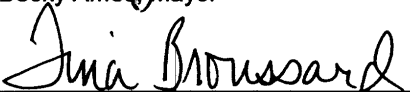
- \* Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

Lori Valdivia v. Crockett Street Development LTD and City of Beaumont; No. A-190,007

There being no Executive Session, Council adjourned at 2:31 p.m.

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

  
\_\_\_\_\_  
Becky Ames, Mayor

  
\_\_\_\_\_  
Tina Broussard, City Clerk

