

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Dr. Alan B. Coleman, Ward I
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
September 27, 2011
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
Jamie Smith, Mayor Pro Tem
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **September 27, 2011**, 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 5-12/Consent Agenda
- * Consent Agenda

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

Pastor Big Jim Selles of West End Baptist Church gave the invocation. Councilmember Pate led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Councilmember's Coleman, Getz, Wright and Pate. Absent: Mayor Pro Tem Smith and Councilmember Samuel. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Mayor Pro Tem Smith and Councilmember Samuel were absent due to work.

Proclamations, Presentations, Recognitions

"Breast Cancer Awareness Month" - October, 2011 - Proclamation read by Mayor Ames; accepted by Nell McCallum Morris and members of the Julie Rogers Gift of Life Program

Public Comment: Persons may speak on scheduled agenda items 5-12/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes – **September 20, 2011**
- * Confirmation of committee appointments - **None**
- A. Authorize the City Manager to execute an inter-local agreement allowing the City to participate in the Southeast Texas Government Employee Benefits Pool – **Resolution 11 - 279**

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- B. Approve a contract for electrical services – **Resolution 11 - 280**
 - C. Authorize the purchase of lighting fixtures for Riverfront Park – **Resolution 11 - 281**
 - D. Authorize the City Manager to assign fund balances for a specific purpose in accordance with GASB 54 – **Resolution 11 - 282**

Councilmember Pate made a motion to approve the Consent Agenda. Councilmember Coleman seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider a request for a zone change from RM-H (Residential Multiple Family Dwelling-Highest Density) District to GC-MD (General Commercial-Multiple Family Dwelling) District on property located on the east side of Eastex Freeway, between Chinn Lane and Lawrence Drive.

Administration recommended approval of the zone change.

Howard Nichols, the property owner, has applied for the zone change.

In April, 2009, City Council changed the zoning for 15.53 acres from LI to RM-H. The subject 3.22 acres was included in that zone change. The zoning was approved to allow for the construction of an apartment complex.

Mr. Nichols states that the apartment project is being reduced in size so that only 12.31 acres is required. Therefore, Mr. Nichols is requesting that the 3.22 acres of frontage along the Eastex Freeway be rezoned to GC-MD to allow for future commercial development.

At a Joint Public Hearing held September 19, 2011, the Planning Commission recommended approval 7:0 of the zone change.

Councilmember Wright 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 RM-H (RESIDENTIAL MULTIPLE FAMILY DWELLING-HIGHEST DENSITY) DISTRICT TO GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF EASTEX FREEWAY, BETWEEN CHINN LANE AND LAWRENCE DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY.** Councilmember Pate seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 072

2. Consider a request for a zone change from RS (Residential Single Family Dwelling) District to GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District and a specific use permit to allow the construction of a retail strip center/convenience store/gas station in a GC-MD-2 (General Commercial-Multiple Family Dwelling-2) District for property located on the east side of Abilene, approximately 200 feet north of the northeast corner of Abilene and Lucas.

Administration recommended approval subject to the following conditions:

- The most northerly driveway access on Abilene will be deleted.
- The owner shall provide the City with a joint access agreement.
- The owner shall be in full compliance with all codes and ordinances, including provision of sidewalks along E. Lucas.

Truong Charles Le, the property owner, has applied for the zone change and specific use permit.

In May, 2009, City Council approved a zone change to GC-MD-2 and a specific use permit to allow said use subject to there being no access onto Abilene and with the submittal of a joint access agreement. However, to allow for a drive-thru behind the building, a dumpster and the required landscaping/screening, an additional 30' of land is needed.

A revised site plan has been submitted showing two driveways onto Abilene. Staff has talked with the Fire Marshall and Transportation Engineer and both agree that the most southerly driveway should be allowed for improved on-site traffic flow for both fire trucks and large trucks servicing the shopping center.

Mr. Le will provide an 8' tall wood screening fence and a 10' wide landscape strip along the north side of the property.

At a Joint Public Hearing held September 19, 2011, the Planning Commission recommended approval 7:0 of the zone change and specific use permit subject to the following conditions:

- The most northerly driveway access on Abilene will be deleted.
- The owner shall provide the City with a joint access agreement.
- The owner shall be in full compliance with all codes and ordinances, including provision of sidewalks along E. Lucas.

Councilmember Getz made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OR 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 RS (RESIDENTIAL SINGLE FAMILY DWELLING) DISTRICT TO GC-MD-2 (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING-2) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF ABILENE, APPROXIMATELY 200 FEET NORTH OF THE NORTHEAST CORNER OF ABILENE AVENUE AND E. LUCAS DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY. Councilmember Coleman seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 073

Councilmember Wright made a motion to ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW THE CONSTRUCTION OF A RETAIL STRIP CENTER/CONVENIENCE STORE/GAS STATION IN A GC-MD-2 (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING-2) DISTRICT LOCATED ON THE EAST SIDE OF ABILENE AVENUE, APPROXIMATELY 200 FEET NORTH OF THE NORTHEAST CORNER OF ABILENE AVENUE AND E. LUCAS DIRVE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS. Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 074

3. Consider a request for a specific use permit to allow a tire repair and sales establishment in a NC (Neighborhood Commercial) District at 2795 Eastex Freeway.

Administration recommended approval subject to the following conditions:

- All inventory display and tire repair and installation shall be done within the confines of the existing building.
- No motor vehicle sales shall be permitted.
- Elimination of the eastern-most drive on Delaware, replacing it with a landscaped island and four (4) crepe myrtles trees.

Antonio Sipaque has applied for a specific use permit.

For many years, the property was the location of a service station. That business closed in the late 1990's. In June, 2005, City Council approved a specific use permit to allow an auto repair shop and car wash on the subject property. That business no longer exists. Mr. Sipaque would now like to use the property to sell and repair used tires.

It is the intent of Mr. Sipaque to display used tires along the south end of the property, in front of the building. While the property is of a commercial nature, used tire shops tend to display their wares in full view of the public which can detract from neighboring properties. The subject property as well as the freeway frontage both north and south of the subject property is zoned NC to protect the residential to the west and the school to the south from incompatible uses. A tire repair shop is only permitted within a NC District with a specific use permit so that conditions can be placed on such an establishment if City Council feels that the conditions are warranted.

In this case, the Planning Manager feels that requiring all inventory display and tire repair and installation be done within the confines of the building is justified.

At a Joint Public Hearing held September 19, 2011, the Planning Commission recommended approval 7:0 of the specific use permit subject to the following conditions:

- All inventory display and tire repair and installation shall be done within the confines of the existing building.
- No motor vehicle sales shall be permitted.
- Elimination of the eastern-most drive on Delaware, replacing it with a landscaped island and four (4) crepe myrtles trees.

Councilmember Pate made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A TIRE REPAIR AND SALES ESTABLISHMENT IN A NC (NEIGHBORHOOD COMMERCIAL) DISTRICT AT 2795 EASTEX FREEWAY WITH AN ADDITIONAL RECOMMENDATION OF A PRIVACY FENCE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Coleman seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 - 075

4. Consider a request for a specific use permit to allow a cell tower in a LI (Light Industrial) District at 1375 Averill.

Administration recommended approval of the specific use permit.

Global Tower Partners has applied for a specific use permit.

Global Tower Partners proposes to build a 120 foot tall tower with a supporting compound within a 2,500 sq. ft. lease space. Access to the cell tower site will be by a 20' wide access easement connecting the site with Averill St. Cricket will be the primary tenant and the tower will provide communications coverage along the Interstate 10 and Martin Luther King areas of Beaumont. The proposed facility will be engineered to allow for additional wireless tenants.

The subject property is located in an industrial area and immediately adjacent to a railroad yard. The nearest residentially zoned property is approximately 800 feet away.

At a Joint Public Hearing held September 19, 2011, the Planning Commission recommended approval 7:0 of the specific use permit.

Councilmember Wright made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A CELL TOWER IN A LI (LIGHT INDUSTRIAL) DISTRICT AT 1375 AVERILL STREET IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Pate seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 - 076

5. Consider the abandonment of a 5' utility easement on either side of an interior lot line between Lots 6 and 7, Block 3, Leroy Addition, Unit 2 located at 5360 Laverna Drive.

Administration recommended approval of the abandonment subject to the following condition:

- The street light and service line must be removed or relocated at the property owner's expense and with permission by the City.

Jeremy Mitchell with Faust Engineering and Surveying, Inc., representing the property owners, Walter and Judy Bettis, has applied for the abandonment.

Mr. Mitchell states that Walter and Judy Bettis purchased the two lots in 2008 with the intention of building a new home in the center of the two lots. Recently, after the completion of the design of the home, it was brought to the Bettis's attention that a 5' utility easement straddles the property line between the two lots. The easement is currently being used to bring power to a street light located between Lots 6 and 7.

The request was sent to all interested parties. Entergy states that it has an overhead service line in the easement that powers a street light at the street. The street light and service line can be removed or relocated at the property owner's expense and with permission by the City.

At a Regular Meeting held September 19, 2011, the Planning Commission recommended approval 7:0 of the abandonment.

Councilmember Coleman made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING A FIVE (5) FOOT UTILITY EASEMENT LOCATED AT 5360 LAVERNA DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 077

6. Consider the abandonment of the most southerly 626.81' of the most northerly 651.81' of various 15' wide utility easements out of Block 11, French Heights Addition and the southerly 626.81' of the most northerly 651.81' of the East 15' of the Replat of Block 11, French Heights Addition, located on the west side of Eastex Freeway, approximately 1,080 feet south of the intersection of Eastex Freeway and W. Lucas Drive

The Administration recommended approval of the abandonment.

Roane Ruddy, representing Classic Chevrolet, has applied for an abandonment of a portion of a utility easement and a utility/drainage easement.

The subject property is located next to Classic Chevrolet on what is commonly referred to as the "Old Wal-Mart Tract". According to Mr. Ruddy, the utility easements are no longer needed. They are being replaced by a new easement that is being dedicated.

The request was sent to all interested parties. Water Utilities states that an existing 8" sanitary sewer main in the easement will become private. Drainage District #6 has reviewed the request and agrees that the drainage easement can be abandoned. Mr. Ruddy has worked with Entergy to move electrical distribution lines into the new dedicated easements. Entergy, therefore, does not object.

At a Regular Meeting held September 19, 2011, the Planning Commission recommended approval 7:0 of the abandonment.

Councilmember Pate made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT LOCATED AT THE WEST SIDE OF EASTEX FREEWAY, APPROXIMATELY 1,080 FEET SOUTH OF THE INTERSECTION OF EASTEX FREEWAY AND W. LUCAS DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Coleman seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 078

7. Consider authorizing a grant budget adjustment between the Cartwright/Corley Drainage Improvements and the Riverfront Park Bank Stabilization projects.

The administration recommended the adjustment.

The Council authorized the acceptance of a grant through the Texas Department of Rural Affairs (TDRA) in November 2009 for Supplemental Disaster Recovery Non-Housing Activities. The approved projects to be funded through this grant are Cartwright/Corley Drainage Improvements and the Riverfront Park Bank Stabilization. Both projects are currently under construction.

The total funds awarded are as indicated below:

Total Grant Award	\$4,340,669
Less Engineering and Management Consulting Fees	<u>448,892</u>
Available Construction Funds	\$3,891,777

The Administration recommends that the excess funds from the Cartwright/Corley project be used for the Riverfront Park project. In order to transfer the excess grant funds from the Cartwright/Corley project to the Riverfront Park project, the City must execute a TDRA Budget Adjustment. The adjustment does not alter the total grant award of \$4,340,669.

The City will be responsible for the costs in excess of the grant award. The excess costs to be funded by the Capital Program are \$266,667.79.

Councilmember Coleman made a motion to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE A TEXAS DEPARTMENT OF RURAL AFFAIRS (TDRA) BUDGET ADJUSTMENT FOR THE PURPOSE OF TRANSFERRING EXCESS GRANT FUNDS FROM THE CARTWRIGHT/CORLEY DRAINAGE IMPROVEMENTS PROJECT TO THE RIVERFRONT PARK BANK STABILIZATION PROJECT.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Resolution 11 – 283

8. Consider amending Chapter 20, Article 20.01, General Provisions, Section 20.03.004 of the Code of Ordinances related to speed limits in school zones.

Administration recommended Council approve an ordinance amending Chapter 20, Article 20.01, General Provisions, Section 20.03.004. Speed limits in school zones of the Code of Ordinances that would update the locations and limits of school speed zones.

The Public Works Department/Transportation Division has recently completed a comprehensive review of all the school related traffic control devices citywide. As a part of this review all 85 school zones located within the city limits were reviewed for compliance with the latest criteria as set forth in the Texas Manual of Uniform Traffic Control devices. Changes in the manual's criteria, coupled with the modifications being implemented by the Beaumont Independent School District as a part of new school construction, have resulted in the need to alter the existing school speed zone boundaries, or add new zones, at approximately half of the school zones as set forth in the Code of Ordinances.

Councilmember Pate made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 20, SECTION 20.03.004 BY AMENDING SCHEDULES A, D AND E OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 079

9. Consider amending Chapter 22, Section 22.02.003 (b) and Section 22.02.005 (a) of the Code of Ordinances related to various fees for water and sewer services.

Administration recommends Council amend Chapter 22, Section 22.02.003 (b) of the Code of Ordinances to increase the service charges related to delinquent bills for water and sewer service and Section 22.02.005 (a) to increase the fee for testing a meter.

As discussed in a work session on September 20, 2011, the above referenced sections of the Code of Ordinances were last updated in December of 2003. Since that time the City has experienced increased fuel and labor costs associated with the activities for which the service charges relate. A survey was conducted to see how the City's service charges compare to that of other cities. The survey indicated that several of the fees including: the fee for a broken seal, meter removal, service kill at the main line, and the fee for a second trip to turn on service need to be increased. There are also proposed changes in the names of some of the fees. In addition, a new fee is proposed to charge a customer, who attempts to alter, tampers with, willfully breaks, destroys, steals or impairs a water meter. The proposed new fee will be a tampering fee of \$100.

An increase in these fees will allow the City to offset annual expenditures of approximately \$42,500 associated with delinquent water and sewer bills.

Councilmember Coleman made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.02.003 (B) FO THE CODE OF ORDINANCES OF BEAUMONT, TEXAS TO INCREASE THE SERVICE CHARGES RELATED TO DELINQUENT BILLS FOR WATER AND SEWER SERVICE AND ADDING A NEW TAMPERING FEE; AND, AMENDING SECTION 22.02.005 (A) TO INCREASE THE FEE FOR METER TESTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.** Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Ordinance 11 – 080

10. Consider authorizing the City Manager to increase the Cattail Marsh Constructed Wetland Rehabilitation Project amount.

The Administration recommends approval of increasing the contract with Brystar Contracting, Inc., of Beaumont for the Cattail Marsh Constructed Wetland Rehabilitation Project by the amount of \$54,128.40. The proposed changes to the contract will include the repair of the levee at Cell 4, design and installation of an elevated observation deck, and mowing of all levees in the constructed wetlands. The proposed extra work will represent an increase of 1.10% to the revised contract amount.

The wetlands have undergone major physical, chemical, and biological changes since they were built in 1990. These changes prohibit the wetlands from meeting the design criteria and discharge limits set by the Texas Commission on Environmental Quality (TCEQ). The Water Utilities Department has negotiated and agreed upon a 4.5-year waiver with the TCEQ regarding discharge limits provided the City rehabilitates the wetlands. The waiver protects the City from fines that can be issued by the TCEQ as a penalty for permit limit excursions. The change order proposed by the City does not compromise the agreement with the TCEQ nor the integrity of the design.

Previous actions include:

Resolution 07-369 in the amount of \$12,894,000.00 was passed by the City Council on November 6, 2007.

Resolution 07-369 in the amount of (\$3,212,387.72) was passed by City Council on November 6, 2007.

Resolution 11-053 in the amount of \$188,137.97 was passed by City Council on February 1, 2011.

Resolution 11-127 in the amount of \$40,353.00 was passed by City Council on April 12, 2011.

Funds for the project are provided by the Capital Program.

Councilmember Wright made a motion to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE CHANGE ORDER NO. 4 FOR ADDITIONAL WORK THEREBY INCREASING THE CONTRACT AMOUNT BY \$54,128.40 FOR A TOTAL CONTRACT AMOUNT OF \$9,964,231.65 FOR THE CATTAIL MARSH WETLAND REHABILITATION PROJECT. Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Resolution 11 – 284

11. Consider approving a bid for site work associated with the installation of a truck scale at the Beaumont Landfill.

Administration recommends the award of a contract to Brystar Contracting, Inc. of Beaumont in the amount of \$79,000.

The Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA) recommend that materials entering a landfill be measured by weight. The City's Landfill does not currently have a scale designed to weigh incoming materials and therefore materials are measured by volume.

On September 8, 2011, bids were received for the site work necessary to install a truck scale with a 70' x 10' weighing platform.

The 240,000 pound capacity scale was purchased directly from Fairbanks Scales. The manufacturer is responsible for installation after the site work is completed.

The City's standard specifications require a general contractor to perform or provide at least 50% of the labor, materials, and equipment. The apparent low bidder indicated that approximately 72% of the work would be provided by a subcontractor. Therefore, the apparent low bid has been rejected due to noncompliance with bid specifications.

Administration recommends awarding the contract to the second lowest bidder, Brystar Contracting, Inc. who meets all bid specifications and has indicated they intend to subcontract approximately 11% of the project. Additionally, Brystar will use materials with an estimated value of \$12,500, or 16% of the project, from Specialty Sales Company, an MBE certified vendor.

The project is expected to take ninety (90) days for completion.

Funding is available in the Solid Waste Management Fund.

Councilmember Pate made a motion to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY BRYSTAR CONTRACTING, INC., OF BEAUMONT, TEXAS, IN THE AMOUNT OF \$79,000 FOR SITE WORK ASSOCIATED WITH THE INSTALLATION OF A TRUCK SCALE AT THE BEAUMONT LANDFILL BE ACCEPTED BY THE CITY OF BEAUMONT.** Councilmember Coleman seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Resolution 11 – 285

12. Consider approving annual contracts for ready mix concrete and related heavy materials.

The Administration recommends award of a contract to Transit Mix, Inc., of Beaumont, in the estimated amount of \$555,950 for purchase of ready mix concrete, cement stabilized base, and miscellaneous heavy materials; and to Knife River, Inc., of Beaumont, in the estimated amount of \$21,000 for purchase of limestone base materials.

Bids were solicited from six (6) vendors, two (2) responded with valid bids. These materials are used by multiple City departments for general construction, street repair/replacement and water and sewer projects.

Funds for these expenditures are budgeted in the operating budgets of the several Departments using these materials.

Councilmember Coleman made a motion to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY TRANSIT MIX, INC., OF BEAUMONT, TEXAS, FOR READY-MIX CONCRETE, CEMENT STABILIZED BASE AND MISCELLANEOUS HEAVY MATERIALS IN THE ESTIMATED AMOUNT OF \$555,950 DELIVERED/\$434,700 PICKUP AND THE BID SUBMITTED BY KNIFE RIVER, OF BEAUMONT, TEXAS, FOR LIMESTONE BASE MATERIALS IN THE ESTIMATED AMOUNT OF \$21,000 DELIVERED/\$17,000 PICKUP BE ACCEPTED BY THE CITY OF BEAUMONT.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBER'S COLEMAN, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

Resolution 11 – 286

COUNCILMEMBER COMMENTS

MAYOR PRO TEM SMITH -	ABSENT
COUNCILMEMBER SAMUEL -	ABSENT
COUNCILMEMBER PATE -	COMMENTED ON THE PUBLIC HEARING HELD IN PORT ARTHUR REGARDING THE KEYSTONE XL PROJECT THAT DREW A CROWD OF ABOUT 500 CITIZENS WHICH WERE VERY SUPPORTIVE OF THE PROJECT, THIS PROJECT WILL BRING JOBS TO THE AREA
COUNCILMEMBER WRIGHT -	ALSO COMMENTED ON THE PUBLIC HEARING IN REGARDS TO THE KEYSTONE XL PROJECT, STATED THAT THE PIPEFITTERS LOCAL 195 ASKED THAT EVERYONE SUPPORT THIS PROJECT AND MAKE SURE THAT THE JOBS ARE GIVEN TO THE LOCAL PIPEFITTERS IN OUR AREA AND THAT THEY ARE GIVEN FAIR WAGES
COUNCILMEMBER GETZ -	COMMENTED ON THE GIFT OF LIFE PROGRAM AND WHAT THEY DO, ENCOURAGED EVERYONE TO TAKE PART IN THE JULIE RICHARDSON PROCTOR 5K RUN/WALK THIS WEEKEND
COUNCILMEMBER COLEMAN -	ENCOURAGED EVERYONE THAT HAS ALREADY SIGNED UP FOR THE JULIE RICHARDSON PROCTOR 5KRUN/WALK TO PICK UP THEIR PACKETS AT THE GIFT OF LIFE OFFICE ON DOWLEN, THERE HAS ALREADY BEEN OVER A 1,000 ENTRIES

SO FAR, THANKED EVERYONE THAT CAME OUT TO THE AMERICAN CANCER SOCIETY "BARK FOR LIFE", THERE WERE OVER 150 DOGS THAT SHOWED UP AND OVER \$12,000.00 RAISED, ALSO COMMENTED ON THE DOGTOBER FEST THAT WILL BE HELD DOWNTOWN NEXT WEEK, CONTINUE TO PRAY FOR PAM BESSER, PASTOR OF WESLEY UNITED METHODIST CHURCH

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

COMMENTED ON THE EVENTS THAT WILL BE TAKING PLACE IN OCTOBER AND NOVEMBER IN DOWNTOWN BEAUMONT, HOPES THAT EVERYONE WILL COME OUT AND ATTEND MANY OF THE EVENTS, CONGRATULATED TEX WHO WAS THE GRAND MARSHAL FOR THE AMERICAN CANCER SOCIETY BARK FOR LIFE, EXCITED THAT SO MUCH MONEY WAS RAISED FOR THE EVENT, ENCOURAGED EVERYONE TO COME OUT ON SATURDAY FOR THE JULIE RICHARDSON PROCTER 5KRUN/WALK

Public Comments (Persons are limited to three minutes)

None

There being no Executive Session, Council adjourned at 2:15 p.m.

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



Becky Ames, Mayor



Tina Broussard, City Clerk

