

City of Beach City Council Minutes for Regular Meeting & Public Hearing of Fiscal Year 2016-2017 Budget

The Beach City Council met for a Regular Meeting and Public Hearing on
June 28, 2016 beginning at approximately 6:00 P.M. at the
Beach City Community Building
12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Billy Combs (presiding), Mayor Pro Tem Jackey Lasater, Alderman Doug Walker and Alderman Paul Newman

Members Absent: Alderman Smith and Alderman Colquitt

Staff Present: City Secretary Evonne Donnelly and Assistant Secretary Marge Bercaw

Legal Counsel Present: City Attorney Daniel Jackson

1. Call to order and Announcement of Quorum

On Tuesday, June 28, 2016 Mayor Combs called the meeting to order at 6:19 pm and announced enough members are present for a quorum.

2. Invocation and Pledge of Allegiance

Mayor Combs offered prayer.

Alderman Walker led the Pledge of Allegiance to the United States and Texas flags.

3. Public Comments (Limited to five minutes per person)

None

4. Public Hearing for Citizens Comments concerning FY 2016-2017 Budget

Regular Meeting suspended at: 6:22 PM.

Public Hearing Commences: No objections to the City Budget, no residents in attendance.

Public Hearing Adjourned at: 6:22 PM.

Regular Meeting reconvenes.

5. Review and approve the City Budget for FY 2016-2017

Motion to approve

Motion: Newman

Second: Lasater

Approve: 3-0

6. Hear report and update from Chambers County Commissioner, Rusty Senac

Construction of the new 400 foot communications tower is under way.
This tower is a joint venture between Harris and Chambers Counties.
Chambers County authorized an Intergovernmental Contract with the City of Baytown for \$100,000.
The tower will greatly increase the area coverage for Baytown.
The new tower is a simulcast tower and will help anyone who needs emergency assistance whether they are fishing in the bay or boating along Cedar Bayou.
The equipment on the Fred Hartman Bridge is analog and Baytown has to block a lane of traffic when they are doing maintenance on this equipment.
Harris County is providing the equipment that will run the tower.
Chambers County will have the ability to lease or rent space on the tower.
Chambers County Commissioners Court approved an Interlocal Agreement with the BCFVD.
The funds from the BP/Deep Water Horizon Oil Spill should be allocated in July. Chambers County hopes to hear something regarding the County's allotment from the settlement at this time.

7. Hear report and update from Beach City Volunteer Fire Department (BCVFD)

None

8. Approval of Minutes for Regular Meeting of May 31st 2016 and Approval of Minutes of Special Called meeting and Public Hearing of June 7th, 2016

Motion to approve the minutes of May 31, 2016 and June 7, 2016

Motion: Newman

Second: Lasater

Approve:

Discussion: Mayor Combs noted several changes to the minutes:

Page 2, Item 4 of the Special Called Meeting and Public Hearing Minutes of June 7, 2016 should read the BCFVD will **pay** the \$15,000 towards the principal, not *add* it to the principal.

Page 2, Item 5 add this sentence to the paragraph: The status of the 501c3 does not change the need for the City to approve this purchase.

Page 3, Item 8, d). add this sentence to end the paragraph: The City always budgets the full amount of income but we do not always spend it; there has always been a fund balance.

Page 4, Item 14 of the May 31, 2016 Regular Meeting Minutes should read that PUC representative contacted the Mayor and stated that he **can** review the rates... not that he *did* review the rates.

Motion to approve the minutes as amended

Amended Motion: Newman

Amended Second: Lasater

Approve: 3-0

9. Financial Consent Agenda (All financial consent agenda items are considered routine by Council and will be enacted by one motion. A Councilmember may request an item to be removed and considered separately.)

(a) Review and approve the Financial Statements for previous month

(b) Review and approve Investment Update

(c) Review and approve Expenditures for the current month

Motion to approve the Financials

Motion: Newman

Second: Lasater

Approve: 3-0

Discussion: Alderman Walker questioned the items that are over 100% and when they need to be modified.

Mayor Combs answered; typically Council amends the ending year's budget in July.

10. EXECUTIVE SESSION: The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Texas Government code:

(a) Section 551.074 Texas Government Code concerning issues regarding City Attorney

(b) Section 551.074 Texas Government Code concerning salary matters of the City Secretary and Assistant Secretary

ADJOURN REGULAR SESSION AT 6:32 P.M. FOR EXECUTIVE SESSION

11. RECONVENE INTO REGULAR SESSION and consider action, IF ANY, from items discussed in Executive Session

RECOVENE INTO REGULAR SESSION AT 6:53 P.M.

Motion to increase the City Secretary and the Assistant City Secretary pay by 3.5% and the City Attorney retainer fee by \$75.00 per month.

Motion: Walker

Second: Lasater

Approve: 3-0

12. Consider and approve Service Provider Agreement with the Beach City Volunteer Fire Department (BCVFD) for FY 2016-2017

Motion to approve the agreement

Motion: Newman

Second: Lasater

Approve: 3-0

13. Discuss and consider Hurricane Evacuation and/or Natural Disaster preparedness for the City

Mayor Combs will meet with Chambers County Emergency Management Director Roy Turner in the near future. Council referred to the Interjurisdictional Mutual Aid Agreement on the table for their review. This is the same agreement that Council approved in 2015. The only change is the expiration date for the agreement will be December 31st of the year the agreement is approved.

Motion to approve

Motion: Newman

Second: Lasater

Approve: 3-0

- 14. This item was *tabled* at the June 7, 2016 Special Called Meeting and Public Hearing until the next Council meeting: **Discuss and consider an Ordinance ordering a Special Election to be held on November 8, 2016 to submit a proposition on the question of the adoption of a Local Sales & Use Tax within the City of Beach City, TX. at the rate of one and one-half percent (1.5%); approving a joint election contract with Chambers County; authorizing the City Secretary to execute said contract; providing for notice; fixing the time, place and manner of holding said election; and providing an effective date****

Mayor Combs noted that anytime an Agenda Item is tabled, it has to be brought back to the next Council meeting for discussion.

Mayor Combs wants to pull this item and have the committee working on it (Aldermen Newman and Smith) come up with a plan on how to educate the residents about this subject. The Committee needs to determine whether or not the City should host a Town Hall Meeting, Workshops, etc. There are concerns regarding adding the Local Sales & Use Tax to the November 2016 ballot in a Presidential Election year and not taking the time to speak with the citizens and educate them about this. Attorney Jackson reminded Alderman Newman that in your plan, you can educate but you do not advocate.

Alderman Lasater believes Council needs to check the pulse of the residents before the City spends money on an election. Mayor Combs concurred and added that the City's expenses are increasing at a much faster rate than our income.

15. Discuss and approve an adjustment to the City office hours

Council agreed at the June 7th Budget Workshop Meeting to add four hours to the City Secretary's schedule, for a total of 30 hours per week.

Mayor Combs discussed the options of altering the office hours:

- a). not opening the office to the public until 10:00 A.M on Tuesday-Thursday
- b). work extra hours on Monday
- c). or both

Secretary Donnelly stated that having the flexibility to stay late on Mondays, come in early and/or stay late Tuesday-Thursday would be better for her.

Alderman Newman added, in this office it would probably be best to experiment with the hours and see how it works out for the Secretary. Mayor Combs agreed and asked Council if they have any issues with testing the hours and seeing what works best for this office; no opposition was verbalized.

16. Discuss and consider proposing improvements to the Beach City Community Building and City office expansion

Alderman Smith is a draftsman and will be working on a drawing to submit to Chambers County for the proposed expansion of the Beach City office.

Commissioner Senac stated that Chambers County will decide the 2017 budget in September. He also stated that costs over \$50,000 will require the building to come into ADA compliance.

17. Discuss and consider City takeover of the Utilities in Bayridge & Oaks at Houston Point Subdivisions

A resident in Bayridge asked if the City will consider taking over their Utility District. Mayor Combs notified the resident that this item has been added to the June agenda for discussion. Alderman Newman and Alderman Walker both strongly oppose the idea of the City taking over this Utility District. Council took no action on this item.

18. Discussion and possible action on the possible formation of a Utility District for areas served by Nerro Supply, LLC/Gulf Utility, within the corporate limits of Beach City

Mayor Combs, Alderman Newman, Alderman Walker, Financial Advisor Bill Blitch and Engineer Mark Adam, along with members of the Utility District committee (residents from Bayridge & Oaks at Houston Point Subdivisions), recently met with representatives of Nerro Supply.

Nerro Supply will sell the utility district -water and sewer- along with the CCN's (Certificate of Convenience and Necessity), equipment, etc. for \$500,000. An independent appraisal should be a part of the purchase agreement.

After a discussion on the difference in revenue and tax bonds led by Mr. Blitch, the residents on the committee seemed to prefer the idea of revenue bonds. Instead of paying Nerro Supply the full amount all at once, the residents have the option of an installment plan. Monthly rates would be similar to what the residents are paying now and they would be in control of their own destiny.

19. Discuss and consider creation of the City of Beach City Cultural Education Facilities Finance Corporation (CEFFC)

No report. Aldermen Colquitt and Walker have not had time to meet on this item.

20. Discussion and possible action on an Ordinance regulating Billboards within Beach City

Alderman Walker and Mayor Pro Tem Lasater will work with Attorney Jackson on the billboard ordinance.

21. Update on legal action for non compliance to City ordinances

No update

22. Report and update from Mayor Combs

1. Street light has not been installed at Jordan and FM 2354 due to CNP needing Competitive Installer Form from Reliant - the City's provider.
2. Comcast completed a ROW application for 10031 Walker Lane, for a new coaxial cable.
3. Request from the PUC (Public Utility Commission) for more information on Nerro Supply rate increase. Apparently some residents have appealed the City's rate increase with PUC.

4. Sea Grant Texas - will host a Resiliency Program in Anahuac on July 21, 2016 at White's Park.
5. Marge will work with Evonne twice a week for awhile to help out in the office.
6. July 23, 2016 begins the thirty day period to apply for a place on the ballot for the available positions of: Mayor and two Aldermen. Mayor Combs, Alderman Walker and Alderman Colquitt's terms are up this year. Last day to apply is August 22, 2016.
7. Very few power dips have been experienced since CenterPoint's Jeffery Hulon looked into this matter, per Mayor Combs' request.

23. Council Comments

Alderman Lasater asked if the City Secretary revise the presentation of the amended Expenditures for Council. This will make it clear that the approved Expenditures are the most current.

Alderman Newman spoke of the issues with the large trucks at FM 2354 and FM 1405; drivers are running the stop signs.

24. Adjourn

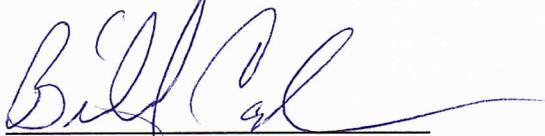
Motion to adjourn at 8:17 pm

Motion: Newman

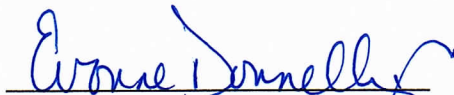
Second: Lasater

Approve: 3-0

Date Minutes Approved: **July 26, 2016**


Billy Combs, **Mayor**

Attest:


Evonne Donnelly, **City Secretary**