

STATE OF TEXAS  
COUNTY OF CHAMBERS

## **City of Beach City Regular Called City Council Meeting Minutes**

The City Council of the City of Beach City, Texas met in a Regular Session on **March 28, 2017** 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 Paul Newman, Alderman Ray Smith and Alderman Doug Walker

Members Arriving Late:

Members Absent: Alderman Dana 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 March 28, 2017 Mayor Combs announced enough members are present for a quorum and called the meeting to order at 6:07 pm.

### **2. Invocation and Pledge of Allegiance**

Mayor Combs offered prayer. Alderman Smith led the Pledge of Allegiance to the United States and Texas flags.

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

None

### **4. Hear report and update from Chambers County Commissioner, Rusty Senac**

TxDOT selected an engineering and construction company to begin construction, sometime this year, on the section of the Grand Parkway from I-10 to 59.

An abatement was approved for Vinmar International (a packaging company) who will invest approximately \$28 million dollars at the Cedar Port facility, on approximately to forty acres.

At last month's Council meeting, Alderman Colquitt asked Commissioner Senac if reflective tape could be added to some of the street signs around the City.

Commissioner Senac sent a request to TxDOT and to Chambers County Road &

Bridge, the tape should be added to street signs and stop signs in the future. The Commissioner sent a copy of the Beach City survey to TxDOT and Chambers County Road & Bridge asking them to look at the notable areas of concern involving the roads and let the Commissioner know if there is anything they see as an issue, from a safety stand point.

Commissioner Senac received a complaint on the smoke coming from the burn piles that TGS (Trans Global Services) has been burning on their property on TX 99. If Council receives any complaints about smoke coming from the TGS properties, please call the Commissioner or TCEQ.

The website for the Heavy Haul Road is now up and operational. This will allow trucks to carry gross vehicle weights up to 100,000 pounds along FM 565 and FM 1405. For a fee the County will issue the permit, which varies depending on the type of axle on the vehicle. The state allows the County to issue permits up to 100,000 pounds gross vehicle weight. The state roads labeled for heavy haul are: FM 565 south between FM 1405 and Grand Parkway; FM 1405 between the intersection of FM 565 and FM 2354.

#### **5. Hear report and update from Beach City Volunteer Fire Department (BCVFD)**

Chief McDonald thanked Mayor and Council for participating in the dedication of the new truck. The dedication was a complete success with approximately 50 people in attendance.

The Firemen need time to drive the new tanker – Engine 82 - (Chief stated they need wheel time), since it drives differently than the other trucks.

A timeframe for the BCVFD expansion has yet to be determined by the County.

Alderman Walker asked the length of time it will take to pay off Engine 82; the answer is fifteen years.

#### **6. Approval of Minutes for Regular Meeting of February 28<sup>th</sup>, 2017**

**Motion** to approve

**Motion:** Newman

**Second:** Lasater

**Approved:** 4-0

Discussion: Mayor Combs would like to add the words “in Austin” after Chambers County Day to Item 4.

#### **7. 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:** Walker

**Second:** Newman

**Approved:** 4-0

Discussion: Alderman Walker asked if the Gas franchise fee payments are a timing

issue. The answer is yes, it is a timing issue. A check has been received from CenterPoint Energy Gas and will show on the March Financials that are reviewed at the April meeting.

**8. Consider and approve CenterPoint Energy's 2017-2018 Franchise Fee Payment Calculation**

This year there is a monthly increase of \$148.51, which calculates to an approximate 2% overall increase.

**Motion** to approve

**Motion:** Lasater

**Second:** Walker

**Approved:** 4-0

**9. Discussion and possible action on the Public Utility Commission of Texas 2017 Consumer Price Index (CPI) Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates**

Each year the PUC sends the City the option to increase the adjusted maximum rate amounts, or to keep the default rates. The City has not raised the CPI for at least 8 years, to the best of our knowledge.

This access line rate determines the amount the Franchise Fee payment will be to the City.

Mayor Combs recommends that Council consider raising the CPI to bring in more revenue for the City. The approximate cost would be .85¢ per month for each residential telecommunications bill.

**Motion** to approve the Public Utility Commission of Texas 2017 Consumer Price Index Adjustment for the Municipal Telecommunications Right-of-Way Access Line Rates

**Motion:** Newman

**Second:** Smith

**Approved:** 3-1

Note: Alderman Walker feels this is too much like a tax increase, he voted against this motion.

**10. Discuss and consider action on recommendations by the Streetlight Committee, for additional streetlights within Beach City**

Alderman Newman noted at last month's Council meeting the committee recommended three new streetlights to be placed at:

1. McKinney and FM 2354
2. Carroll and FM 2354
3. Leon and McCollum Park Road

There are existing poles at each location.

Chief McDonald does not feel the BCVFD would benefit from a streetlight on Leon and McCollum Park Road. Note: A bus driver with BHISD did make a

recommendation for a light at this corner when asked by the City for their input. Also,

the streetlight committee would like to wait for any additional streetlight placements until this can be discussed and possibly added to the budget in a few months.

**Motion** to approve the three streetlights as outlined in last month's meeting at these locations: McCollum Park Road and Leon; FM 2354 and McKinney; FM 2354 and Carroll.

**Motion:** Walker

**Second:** Lasater

**Approve:** 3-0

For the record: Alderman Smith was not at the table for this vote

## **11. Hear report and recommendations from the City Survey committee**

Alderman Walker and Mayor Pro Tem Lasater presented a spreadsheet of the survey responses for Council and Mayor to review. The proposals for action items from this committee are as follows:

1. Keep a list of those residents needing special assistance during emergency evacuation (develop plan to evacuate)

Action: The City Secretary will send the names/list over to the CCOEM, (Chambers County Office of Emergency Management) Roy Turner and follow up with him to ensure these names have been added to his list.

2. Host an Emergency Preparedness Workshop every three years

Action: Work toward setting a date for this workshop in May or June with CCOEM, Roy Turner.

RECESS: 6:50 P.M. to change batteries in the audio recorder

RECONVENE: 6:52 P.M.

3. Work/follow up with the HOA's (Homeowners Association) to address a Neighborhood Watch Program

Action: Email the survey to the HOA's that we have contact information for.

4. Investigate ways to improve upon our TV/Internet availability

Action: Mayor Combs and Commissioner Senac will speak to BJ Simon with West Chambers County Economic Development Foundation (EDF) and to Comcast.

5. Improve US mail delivery service – meet with the Postmaster

Action: Alderman Walker and Mayor Combs will deliver a City survey to the Baytown Post Master.

6. Continue to improve traffic on FM 3180 traffic safety

Action: Mayor Combs will send a copy of this survey and a sincere Thank You to Omar de Leon and the District Engineer at the TxDot Beaumont office.

7. Streetlight improvements

Action: This issue is currently being addressed

8. Annual City Celebration

Action: Alderman Colquitt & Assistant Secretary Bercaw will head up this committee and present ideas to Council. Any approved ideas could be added for consideration to the Budget workshop in June.

## **12. Possible action of recommendations from the City Survey committee**

Action Items are listed above in Item 11.

## **13. Hear report and update on Beach City Water Control & Improvement District (WCID)**

Chambers County Commissioners Court unanimously approved the Beach City WCID on March 14, 2017. The Court appointed an interim board of five directors until elections are held in November. The November election will ratify the formation of the district, approve an issuance of debt and elect an official board of directors.

After a successful election, the WCID may then issue debt and the board can vote to go with Revenue Bonds or Tax Bonds.

After this meeting, the monthly updates on this subject will be discontinued.

The City will continue to follow this district and assist them as needed.

Alderman Smith asked if someone on the Board can give an update/progress report to Council quarterly. Secretary Donnelly will call Sharon Smith (interim board member) and ask her to speak to the Board about this request.

## **14. Update and discussion from the citizen's committee evaluating the need of a Sales & Use Tax for Beach City**

Sharon Pantin is one of the local business owners who came to the Sales & Use Tax Committee meeting in February to meet with Aldermen Newman and Smith, Mayor Combs and several other area business owners. Mrs. Pantin researched whether a company doing business in our City (i.e. A/C company, swimming pool repairs, home repair company, etc.) is charging Beach City residents 8.25% tax rate or the local rate of 6.75%. Currently, the State allows for a maximum of 8.25% sales tax; to which Beach City's tax rate is 6.75% (the State gets 6.25% and Chambers County Health District gets .50%). It appears that the companies are charging the tax rate based on where their offices are located (i.e. LaPorte, Baytown, Houston, etc.), not the City in which they are conducting business. Technically since Beach City does not have a Sales & Use Tax, we should not pay a city tax. The State Comptroller's office notes that when cities share a zip code, it makes it harder to separate the tax properly.

Action: follow up with the committee soon and get a determination on putting this item up for a vote.

## **15. Discussion and possible action on an Ordinance regulating Billboards within Beach City**

Council discussed various segments of this ordinance. Mayor Combs offered to sit down with Alderman Walker and assist him with making any changes to the ordinance that he would like to see occur.

## **16. Update and discussion on non-compliance to City ordinances regarding On-Site Sewage Facilities (OSSF's)**

No issues to report

**17. Hear report and update on the preliminary results of the TCEQ (TX Commission on Environmental Quality) OSSF (On-Site Sewage Facility) audit from March 08, 2017**

The TCEQ audit on March 8, 2017 went very well. There were only three things that were noted on the preliminary report:

1. Add building square footage to the application.
2. The D.R. (Designated Representative) must include his/her checklist with the NOA (Notice of Approval) for each approved OSSF.

The City Secretary will have to look up the third item and report back to Council. All in all, the audit went very well.

**18. Report and update from Mayor Combs**

1. The dedication ceremony for Engine 82 went very well.
2. Commissioner Nelson is now the Chairman of the board for H-GAC (Houston Galveston Area Council).
3. Commissioner Senac serves on two H-GAC committees and is the Vice-Chair of the H-GAC Transportation Planning Committee.
4. Ryan Holzapfel left the City of Baytown and is now back with Chambers County.
5. Bay Area Turning Point Inc. works with victims of sexual assault and has asked the City to officially proclaim April 2017 as Sexual Assault Awareness Month in Beach City. Bay Area Turning Point will also host a workshop for sexual assault awareness in our City, if asked by Mayor or Council.
6. The City's easement in Walker Parkview Subdivision has been appraised and Mr. Lisenbee will be on the April agenda to speak to Council
7. We received a thank you letter from Fredell Rosen with the BACPA for the City's \$1,000 contribution to the Ike Dike video.
8. April 14<sup>th</sup> is Good Friday and April 16<sup>th</sup> is Easter.

**19. Council Comments**

None

**20. Adjourn**

**Motion** to adjourn at 8:29 p.m.

**Motion:** Newman

**Second:** Walker

**Approved:** 4-0

Minutes Approved on **April 25, 2017**

  
\_\_\_\_\_  
Billy Combs, Mayor

Attest:

  
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Evonne Donnelly, City Secretary

