

BEACH CITY COUNCIL

REGULAR MEETING

The Beach City Council met for a Regular Meeting Tuesday, December 18th, 2007 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Ray Smith

Tommy Clayton

Vaughn Bercaw

Douglas Walker

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:12 P.M. Tuesday December 18th, 2007.

- I. **Review and consider approval of the Regular Meeting minutes of November 27th, 2007. Will be reviewed and considered next month.**

No action taken.

- II. **Review and consider approval of the Statement of Revenues and Expenditures for 4 months ending November 30th, 2007.**

Statement of Revenues and Expenditures for November 30th, 2007 reviewed prior to the meeting.

Mayor Persiani explained the change he made in Bank Account Balances pertaining to TexPool Interest. It changed the Book x Yield from 4.75% to 4.63%.

MOTION made to approve the Statement of Revenues and Expenditures.

MOTION: Standridge

SECONDED: Smith

APPROVED: 5 - 0

- III. **Review and authorize payment of the proposed expenditures and investments.**

The City Secretary reviewed the amended copy of the Expenditure Authorization. Total proposed expenditures are \$7,196.58.

MOTION made to accept the proposed expenditures as stated in the amount of \$7,196.58.

MOTION: Walker

SECONDED: Clayton

APPROVED: 5 - 0

- IV. **Tabled - Review and act upon request for abandonment and sale of Morrison Street Right-of-Way**

Mayor Persiani stated that because the item is Tabled it will have to stay on the agenda until a motion is made and seconded for it to come back on the floor for discussion. The Dryes' still have the same request in place. The Dryes' could

change the motion and bring the subjects back in a different way. Then it would be put on the agenda again. No action taken.

V. Review and act upon Re-plat of Houston Oaks Subdivision

No one present representing Houston Oaks Subdivision.

VI. Request to speak about Recycling from Ms. Beverly Badgley.

Ms. Beverly Badgley thanked the Mayor and Council for giving her the time to speak. She said she is sure we are aware that something is going on with our climate. She talked about recycling and knows it's not possible for the City to have curb side pick-up. Something is going to have to be done and the City Leaders should take the lead here. She suggested containers could be put on the Fire Department property, be made accessible and kept clear. Any money generated would go to the fire department. Exxon would give matching funds to the fire department. The City may apply for grants. She is asking Council to deal with this problem. Mayor Persiani said there is a light at the end of the tunnel a bit but you have to help me out by being the one in charge. We belong to "Keep Texas Beautiful" where he keeps in touch with the information. The Mayor said where he works he has some responsibility regarding their recycling status. He has had discussions with the County as far as setting up more recycling capabilities at the collection site they have now. We could get a grant and buy the bins and they would put them out there. We don't have the staff to go hunt grant money. To survive he and Ms. Badgley could talk about this to see if they can take it another step. They might unite very well with a citizen coming forward.

VII. Review and act upon nominees for West Chambers County Chamber of Commerce Citizen of the year nomination.

Alderman Standridge sent an e-mail to council members stating that she would like to nominate Pat McDonald for the Beach City Citizen for the year of 2007. She gave a good resume as to why he should be considered.

Mayor Persiani said there was another suggestion at the last meeting. He said we could vote on the one from the last meeting or the one Alderman Standridge nominated. When the voting started the City Secretary said she knew what was going on; as she was on vacation for the November meeting. She said she would rather honor Pat McDonald, she feels he really deserves it. Pat McDonald will be the Beach City Citizen of 2007.

VIII. Nuisance Mitigation

A. Review Current Environmental Complaints.

Nothing new to report on the Jordan complaint, waiting for Charlie Burgess, Installer to notify us when he will be putting the system in.

Nothing new to report on the Troxells' complaint. The Mayor said he was going ahead and use a third party investigator to work on that. Our third

party Service Agreement is now null and void with TCEQ because we cannot use someone, even if it is a third party investigation because it is considered a conflict of interest. TCEQ has its rules; the installer cannot do any OSSF work for the City if they are an installer. Attorney Jackson said we need to void the agreement. Mayor Guido said we have closed about all the complaints at Bayridge except one that was a sanitary issue, as reported it was sewer water coming out of a storm sewer in the middle of the street on Bayridge Drive.. DR Reggie Nalley came in and Mayor Guido asked him about that. He said he went out there and he didn't see anything. He asked if that was our problem. The Mayor said it's not the City's problem directly it's the fact that we are an authorized agent so we would have to take action, we would have to issue a notice of violation for them to correct. He went on to say the Homeowners Association is still in existence and Gulf Utilities is their provider.

B. Review TCEQ Audit Dated November 28th, 2007.

Mayor Persiani read the certified letter, dated November 28, 2007, Re: On-Site Sewage Facility Program Compliance Review from Stephen L. Smith, Water Section Manager, Houston region Office. He then went over the Action Item List. There were 7 action items in the Administrative Review. The letter concluded that because of the apparent seriousness and reoccurring nature of the items in the "Action Item" list that this agency, must make a determination whether to continue the City of Beach City's designation as an Authorized Agent. An action plan must be developed to address the "Action Item list and submitted to their office within 45 days of receipt to the letter. DR Reggie Nalley was present and he gave an explanation for them. He said he talked to Darla Branch, TCEQ Region 12 Office Representative the day after he received his letter. Reggie said he would prepare a response and get it to the Mayor by the end of next week.

C. Review and act upon Designated Representative Service Agreement TCEQ Designated Representative.

Nothing to report.

IX. Review and act upon Financial Audit for Period Covering July 1, 2006 to June 30, 2007.

Mayor Persiani said essentially we are finished with it just a matter of giving a report on the action items. There will not be any more review by the Board, it will be Him and Margaret giving an update of the ones that need attention.

The Mayor stated that we did not do our Public Funds training this current year but will probably be able to attend one in May, which probably would be closer.

X. Council members' comments, citizens' comments and input.

Mr. Warren Lisenbee was present, he introduced his wife Delores and said he lives in the Walker Subdivision. He has an issue with hunters discharging guns

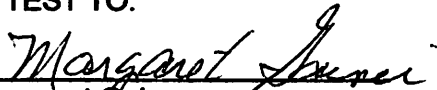
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around the Walker Subdivisions and outside of the City boundary. Mayor Persiani told him we had heard his comments and if he would like he could bring this forward at the next meeting which is January 15th, 2008.


XI. Adjourn

Mayor Persiani adjourned the meeting at 8:51 P.M. Tuesday December 18, 2007.

ATTEST TO:


Margaret Gainer
City Secretary

APPROVED BY:


Guido Persiani
Mayor