



February 26, 2008

MOTION made to accept the Statement of Revenues and Expenditures for January 31<sup>st</sup>, 2008 as stated.

MOTION Walker

SECONDED: Clayton

Show of Hands  
Approved: 5 –0

The Statement of Revenues and Expenditures for January 31<sup>st</sup>, 2008 approved by Council on February 26<sup>th</sup>, 2008 attached hereto and made a part of these minutes.

**IV. Review and authorize payment of the proposed expenditures and investments.**

Proposed expenditures reviewed prior to the meeting.

MOTION made to approve the expenditure authorization as amended.

MOTION: Standridge      Seconded: Clayton      Show of Hands: Approved 5-0

There was one addition in the amount of \$29.23 for a recognition plaque and proclamation for Michael Elkison.

The Expenditure Authorization approved in the amount of \$8,086.63 by Council on February 26, 2008 attached hereto and made a part of these minutes.

**V. Review and act upon Final Plat of Barrow Ranch Subdivision, Section IV.**

Kenneth Jackson was present representing the Subdivision. Mayor Persiani said Don Brandon's comments are basically minor most of the deficiencies are of procedural nature and compliance is easily compliable. He went on to say we are expecting a re-submittal of the plat. The Mayor stated that back in the meeting when we reviewed the plat, we started the discussion about the problem with swimming pools. In the recent TCEQ Audit we have to have something that says we have to have something with TCEQ's perspective. Reggie Nalley, Beach City Designated Representative for TCEQ is OK with that and in the e-mail he said "the one thing I want to bring to Council's attention is the swimming pool issue. These homes would be hard pressed to install swimming pools and meet all the set back requirements on most of the lots". Mayor Persiani said that is no light statement and we do not want future property owners of these lots to not be aware of the situation. We had asked for a statement to be placed on the plat. He read what was on the plat that pertained to sewage facilities. The Mayor said we still need that statement that alerts the owner that they can not put a swimming pool without getting *it* redesigned.

No action taken.

**VI. Tabled - Request for abandonment and sale of Morrison Street Right-of-Way.**

No action, this item will be removed from the agenda.

**VII. Review and act upon request to maintain & improve bay access from Morrison St.**

Ms. Drye asked if she would have to come back to Council to get the tabled item back on the Agenda. Attorney Jackson told her she would have to get consent and access from at least a majority of the Council to agree that it should be replaced back upon the Agenda to be considered.

Ms. Drye went on to say if the City is not going to sell the property, she feels the City should maintain it. They've noticed more traffic of late. She asked about a lease and Attorney Jackson said the City could do that. Mayor Persiani asked Attorney Jackson what kind of responsibility for a right-of-way. He answered you don't have to do anything until such time you're ready to use it. We don't have any responsibility of maintenance at this time. At least you should post a sign saying "dangerous area, do not trespass", or something of that nature. In conclusion the general consensus was no boat ramp. Opinions on Leasing: Alderman Bercaw, no problem. Alderman Standridge, she would have to look at it, but she thinks it should be for a fair price, not a dollar ever five years. Alderman Smith, not in favor of anything, no vote. Alderman Clayton thinks a lease would be feasible, would consider it. Alderman Walker, not against the lease but he would think of alternatives. Alderman Standridge said it is a responsibility of Council to protect that property for the residents of Beach City. Mayor Persiani said there is no reason to change the current arrangement because it fulfills the requirements now. We could go so far as blocking the access to the water and still be within the rights of the City to restrict that to take away the safety problems at the waters edge. The Mayors recommendation is that we investigate a lease arrangement.

*He went on to say*

No motions made.

**VIII. Review and act upon new Flood Prevention Ordinance to replace Ordinance No.87-1 Flood Damage Prevention Ordinance No. 2007-4.**

Mayor Persiani said this Ordinance number will be changed to No. 2008-1. He went on to say the FEMA model ordinance was used.

MOTION made to accept the Flood Damage Prevention Ordinance No. 2008-1 as amended to repeal Ordinance No. 87-1

MOTION: Clayton

SECONDED: Standridge

Discussion: The Mayor said this is not really that big of a change from 87'. Fema won't cover flood insurance if this is not in place. There are a lot things we are suppose to be doing that we don't do. Council has appointed the Mayor to be the administrator of this ordinance.

Call for vote:

Show of Hands: For Standridge  
Bercaw, Walker, Clayton  
Abstain: Smith

**IX. Environmental Services and Nuisance Mitigation**

**A. Review and act upon interlocal agreement with Chambers County Food services.**

MOTION made to authorize Mayor Persiani to sign the Interlocal Agreement with Chambers County for food inspection services for one year.

MOTION: Walker            SECONDED:    Show of Hands: Approved: 5 - 0

**B. Review open items on the Environmental Complaints Log.**  
No word on Troxell complaint and all complaints at Bayridge are closed.

**C. Review Beach City response to TCEQ Audit.**  
Mayor Persiani stated that he was going to add a little bit more to Reggie's responses. He also asked Alderman Standridge for her notes. He still owes a letter back to TCEQ.

**D. Review and act upon request for Interlocal Agreement with Chambers County for nuisance mitigation service.**  
Mayor Persiani said that Robin Lee at Bayridge had asked that we have on the Agenda, and Sydney Lewis was going to come here with her, to request an Interlocal Agreement with Chambers County for nuisance mitigation service. No one present to present this item.

**E. Review and act upon Environmental Service request for proposal.**  
Mayor Persiani still working on this item.

**X. Review and act upon proposal to establish a Volunteer Council.**

Mayor Persiani handed out a Beach City Volunteer Council Proposal for Council's review. He read the proposal. The Mayor went on to say he believes there is a value to this in nurturing residents to work to be more civic minded. Only the Mayor and the residents would be meeting. Attorney Jackson said this would be a Public Body and would have to be posted. Mayor Persiani thinks that the energy that is lined up with volunteerism just makes things happen. Alderman Walker said he would be willing to help the Mayor in any way he could. He thinks it is a worth while activity. Myor Persiani said he would try to get it to the next layer of details.

**XI. Update of Financial Audit report for period covering July 1, 2006 to June 30, 2007.**

Mayor Persiani handed out the Final Financial Audit summary of 2007. He reported on the remaining Observations and Responses.

**XII. Authorize call for election notice of May 10<sup>th</sup>, 2008 City Election.**

Mayor Persiani read the Notice of City Election to elect a Mayor and two (2) Alderman. The Polls will be open from 7:00 AM to 7:00 PM. Saturday, May 10<sup>th</sup>, 2008.

February 26, 2008

**XIII. Review and act upon interlocal agreement with BHISD - election services.**

Mayor Persiani handed out copies of the Interlocal Agreement for a Joint Election with Barbers Hill Independent School District. He talked to Ms. Jean Smith who asked if we are having an election do we want to join them. She did play out that Item 11 states that if the City does not have an election because of uncontested races, the agreement become null and void. No action taken until the Mayor gets information about the cost.

**XIV. Council member's comments.**

*Eccleston*


1. Mayor Persiani read the Proclamation that will be given to Sgt. Michael Elkison, a past volunteer fire department member. He will be honored for his service to the country at Jim Josey's house.
2. Update of FM 2354 bridge. The contract has been turned over and they are getting another contractor but they have to go through the bonding agent.


**X. Adjourn.**

Mayor Persiani adjourned the meeting Tuesday February 26, 2008 at 9:30 P.M.

ATTEST TO:

APPROVED BY:

  
Margaret Gainer  
City Secretary

  
Guido Persiani  
Mayor