

PUBLIC NOTICE

REGULAR MEETING

The Beach City Council met for a Regular Meeting Tuesday, January 16th, 2007 at the Bach 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 - Absent

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:08 P.M. Tuesday, January 16th, 2007.

I. Review and consider approval of the Regular Minutes of December 19th, 2006.

Council reviewed the December 19th, 2006 minutes prior to the meeting.

MOTION made to approve the minutes with the correction to Item V.

MOTION: Standridge SECONDED: Walker APPROVED: 5 - 0

Alderman Bercaw stated that a correction should be made in Item V. Those approving the motion were Alderman Standridge, Smith, Clayton, and Bercaw and opposed to the motion was Alderman Walker.

II. Review and consider approval of the Statement of Revenues and Expenditures for 6 months ending December 31st, 2006.

Council reviewed the December Statement of Revenues and Expenditures prior to the meeting.

Mayor Persiani stated that revenues for the month were \$10,229.32 and year to date are \$76,349.05. For the year that would be \$152,698.10 and he was thinking, are we going to do that? He stated that up front CenterPoint sent a partial payment of the usual quarterly payment, now we are receiving monthly payments. We are going to see a more balanced numbering system going on here. He asked the City Secretary to show the current month income on the expenditure authorization sheet. Total assets were \$531,915.77 and the interest rate at TexPool as of January 15, 2007 was 5.2714%.

Mayor Persiani said he contacted Shirley Seals, that had talked to council at one time, just to get another opinion. She said everyone that does CD laddering is asking the same question. They are challenged with the inverted curve. Her advice was, that the principal is; you still stay the course.

MOTION made to accept the Statement of Revenues and Expenditures for December 2006 as stated.

MOTION: Walker

SECONDED: Bercaw

APPROVED: 5 - 0

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

Council viewed the proposed expenditure authorization prior to the meeting.

Mayor Persiani referred Council to the Reliant Energy – Street/Sentry Lights item saying he tried to get that price reduced by going to an outside source and the feed back he got was on street lighting you can't beat the price because there is no real kilowatt hour volume to go with it. You need to have your power plus your lights. They didn't even come back with a quote. The Mayor also challenged Commissioner Wallace as to having the County pick up a couple of lights that are outside the City and he said they don't do lights.

MOTION made to approve the expenditure authorization as stated.

MOTION: Standridge SECONDED: Clayton APPROVED: 5 – 0

The Expenditure Authorization approved by Council on January 16, 2007 is attached hereto and made a part of these minutes.

IV. Review and act upon RWJ Airpark request for additional road caution signs.

Alderman Bercaw stated the some of the property owners on Lakeview Drive contacted the Home Owners association and asked for these signs cautioning about the children in the area. Mr. Johnson bought two signs. Alderman Bercaw handed out maps to council showing the area and where the signs would be placed.

Mayor Persiani added to what Alderman Bercaw brought to council saying the reason they are coming before Council is because the County will not put the signs in without City Council Approval. The City should notify the County when City Council authorizes it.

MOTION made to approve the request for road signs on Lakeview Drive.

MOTION: Smith SECONDED: Standridge APPROVED: 5 - 0

Mayor Persiani said he would talk to Don Brandon, County Engineer.

V. Review Walker Subdivision complaint regarding duck hunting on adjacent property outside the City limits.

Mayor Persiani stated that Mr. Lisenby was to come and discuss this item. Mr. Lisenby was not present. The Mayor said we have addressed this before. The duck hunters are out there on property that is outside the city limits, it's not on CenterPoint Property, it is on Casey property. Duck hunters can come from the Bay, by permission or not permission, they can enter from the Walker subdivision, but they have to cross someone else's property, the Blaylock's , but because the Casey property is in such a landlock the access is across the Blaylock property. The Blaylock's don't give permission to cross but you can't stop someone from crossing because that is the access to the

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period. The city council must choose the two weekdays. (Sec. 85.005(d). The City Secretary said the period for early voting is from April 30th, 2007 until May 8th, 2007 at 5:00 P.M. Early voting 12-hour days will be May 2nd. and May 3rd. The City Secretary also said that the first day to file an application for a place on the ballot is Saturday February 10th. Being the office not being open on the 10th, 11th, and 12th. The first day to file for a place on the ballot is Feb. 13th, 2007. The last day to file for a place on the ballot is March 12th; also not a day the office is open. The last day to file for a place on the ballot will be extended to Tuesday, March 12th, until 5:00 PM.

VIII. Report status of items on the FY 06/07 action list.

C. Communication 1., DSL/Broadband Ser. Mayor Persiani said we did not get very far with our Congressman Ron Paul but they did give us some information that makes it sound like assuming a cell tower isn't all that costly, just that cell people don't want to put it in because there is no customer base. It is possible that a new tower will come with the 99 Loop. Another way is we put up our own tower and lease space to other companies, but it will take some research to do that. 2. Conduct Meeting – TX. Dept. of Insurance Meeting will be held at the Beach City Community Building, Tuesday, January 30th, 2007. Three speakers will be here and speak on windstorm insurance, homeowners & ISO rating. All the plans were completed.

IX. Report on (Open Meeting and Records Act) training.

The City Secretary reported that all certificates for the Open Meeting and Records Act training have been turned in to be filed with the exception of the City Attorney.

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

1. Mr. Edward Loreda came before Council to discuss a notice he got from the Railroad Commission regarding an application from Masters Resources, LLC, Filed October 6th, 2006 to expand the salt water disposal well from a private well, for their own produced waters, into a commercial well. He has noticed a huge increase of truck traffic going down McCollum Park Road and Point Barrow Road to Masters. As a neighbor he has also noticed a huge increase in the amount of sound coming from that place, especially at night. He received this in a non-descript basic envelope with no letter, just a copy of the application and a copy of the things they will inject. He went on to say he was a friend of big oil. He is indirectly in that field and he thinks there is a way to do things and trying to "rooky do" this though is not the way to do it because it say's it is not necessary to have a public hearing and the application can be approved in 15 days. He saw where they were supposed to notify the City or the County and they were supposed to publish it and he hasn't seen anything to that effect. Mr. Laredo said he thinks someone needs to look at this.

Alderman Standridge asked what does the permit say they are injecting, salt water? Mr. Loreda said that was what they had but they're saying this is an amendment to the permit, it's also changing into a commercial well, it's also

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saying that they can inject exploration and production waste. He read the list they had included and said some of this stuff is poisonous. Alderman Smith asked if this was a pressurized deep well. Mr. Loreda answered that they have a deep well. Alderman Smith, how deep is it? Mr. Loreda, 5,000 feet. He went on to say he is OK with them injecting it deep into the strata, if they do it right and if they have the proper safe guards. His concern is the noise, the increased traffic on Point Barrow and McCollum Park Road. Mayor Persiani said it is not within his expertise with regard to the Railroad Commission but we can certainly ask our Attorney to research this out and find out what the particulars are.

Mayor Persiani said even if they did everything right and they were authorized to turn into a commercial well, there's nothing that can stop them from having the additional trucks. We as a City do not have rules and regulations against it. If they didn't do something right then that's good, they can be held to that. If they did it all right or if they get the permit and the Railroad Commission looks at it and says it looks all right to them. Mr. Loreda asked what about the power of protest. It says they can have a public hearing if there is a protest. Mayor Persiani said we are always going to be in support of following the proper process and if they didn't do that they should be held to the letter of that. He also said once they are held to the letter of that and they survive all of that you could still have the same outcome.

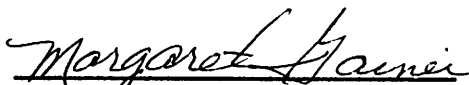
Mayor Persiani said he could put this on the agenda for next month as a review and act upon item and take it to another step if there is some step to be taken. He went on to say the more information that can be provided to the Council the better. This item will be on next month's agenda.

2. Jim Josey and Weston Davis, representatives of the Fire Department were present. Fire Chief Weston Davis announced that Jim Josey was now the president of the Fire Department. President Josey asked to be put on the mailing list for the agenda.

XI. Adjourn

Mayor Persiani adjourned the meeting at 8:50 P.M. Tuesday, January 16th, 2007

ATTEST TO:


Margaret Gainer
City Secretary

APPROVED BY:


Guido Persiani
Mayor