

**BEACH CITY COUNCIL**  
**REGULAR MEETING MINUTES**

The Beach City Council met for a Regular Meeting July 22, 2008 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge – Absent

ALDERMAN: Tommy Clayton                      Douglas Walker                      Vaughn Bercaw  
                    Ray Smith - Absent

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:22 P.M. Tuesday, July 22<sup>nd</sup>, 2008.

**I. Review and consider approval of the Regular Meeting minutes of June 24<sup>th</sup>, 2008.**

Council reviewed the minutes prior to the meeting.

MOTION made to accept the Minutes as stated.

MOTION: Walker                      SECONDED: Clayton                      Show of Hands: 3 - 0

**II. Review and consider approval of the Statement of Revenues and Expenditures for 12 months ending June 30<sup>th</sup>, 2008.**

Mayor Persiani said in summary Year to date revenues were \$122,418.06 and Expenditures were \$93,698.37 for a total net positive \$28,719.69. He stated that the interest rate at TexPool on July 21<sup>st</sup>, 2008 was 2.2195%. There is a CD at Amegy maturing August 13<sup>th</sup>, 2008. Mayor Persiani reported that he is in the process of setting up two CD's each in the amount of \$65,000.00 an interest rate of 2.75%, one for nine months and one for one year. Ms. Allen did send him the security pledge report that he will have to review with her because he wasn't sure what he was looking at.

MOTION made to accept the Statement of Revenues and Expenditures for 12 months ending June 30, 2008.

MOTION: Walker                      SECONDED: Clayton                      Show of Hands: 3 - 0

The Statement of Revenues and Expenditures as approved for June 30<sup>th</sup>, 2008 attached hereto and made a part of these minutes.

**III. Review and consider approval of the proposed expenditures and investments.**

Council reviewed the proposed expenditures and investments prior to the meeting.

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Mayor Persiani said we have two checks that were issued in March that have not cleared the bank. The City Secretary will talk to Prosperity Bank about canceling them and we will re-issue them next month to Attorney Jackson in the amount of \$300.00 and D.R. Reggie Nalley in the amount of \$200.00.

The City Secretary reported that the Verizon bill was received and check #1378 will be in the amount of \$99.75 and total expenditures will be \$7,778.20.

MOTION made to approve the expenditures as presented and amended.  
MOTION: Walker                      SECONDED: Clayton                      Show of Hands: 3 – 0

The Expenditure Authorization approved in the amount of \$7,778.20 by Council on July 22<sup>nd</sup>, 2008 attached hereto and made a part of these minutes.

**IV. Review and act upon request by Natural Gas Company to extend pipeline down McCollum Park Road.**

No one was present to present this item. Mayor Persiani explained the information he had received from County Engineer Don Brandon. Motion to approve was delayed until we have more information.

**V. Review and act upon Service Provider Agreements.**

**A. Beach City Volunteer Fire Department**

Council reviewed the Fire Department Service Provider Agreement. No changes were made from last year. The City Secretary stated that the money held in reserve for the Fire Department was not included in the agreement. Mayor Persiani said we budgeted the reserve and it's not in the contract but if they come to us to tap into the reserves it would have to be approved by Council

**B. Trinity Bay Emergency Medical Services**

Council reviewed the Service Agreement for Trinity Bay Emergency Medical Services. No changes were made.

MOTION made to accept the Service Provider Agreements for the Beach City Volunteer Fire Department for the amount of \$45,000.00 and Trinity Bay Emergency Medical Services for the amount of \$4,000.00..

MOTION: Walker                      SECONDED: Clayton                      Show of Hands: 3 - 0

**VI. Review and act upon minor plat of 5.005 acres in Barrow Ranch Subdivision Section II – Restricted Reserve C.**

Mr. Kenneth Mitchell, current owner of the plat, was not present. Mayor Stated that any further permits would be pending until that land plat is done and he will confirm that in a letter to Mr. Mitchell.

**VII. Review and act upon abandonment of access to Trinity Bay from Morrison Street R.O.W.**

Mayor Persiani reported that a certified appraiser had contacted Attorney Jackson. Ms. Dyre said they were going on with the appraisal. She was

concerned about what had changed about the mood of Council. The Mayor told her that Council had not changed at all; they are not willing to abandon right-of-ways. No action taken.

**VIII. Review and act upon Proposed Building Permit Ordinance No. 2008-3**

Mayor to have proposed Building Permit Ordinance No. 2008-3 ready to submit at the next meeting.

**IX. Review and act upon Resolution No. 2008-2 adopting building permit Fees.**

Mayor Guido handed out copies of Resolution No. 2008-2. He went on to say that we had never created a resolution after we took the fee structure out of the last OSSF Ordinance. We never did anything about the rates. Now we have added swimming pool language into the latest subdivision plat and he has to capture that language. The bottom line is you have to get a registered sanitarian and submit a building permit if you are going to put in a swimming pool. His initial thoughts were he would need a Building Permit Ordinance to organize all of that. But in working this out, as long as he lines up with the OSSF rules he feels it would be covered under the latest OSSF Ordinance # 2004-1. Attorney Jackson said an Ordinance would be needed to define the rules where you would need a permit. After further discussion Mayor Persiani said that for the next meeting he will submit a proposed Building Permit Ordinance No. 2008-3 and Resolution No. 2008-2 Building Permit Fees that have been reviewed and modified, for review and action.

**X. Environmental Services and Nuisance Mitigation**

**A. Review open items on the Environmental Complaints Log.**

Mayor Persiani said a woman had asked him about a home in Bayridge that the bank had taken over and it was in very bad condition, right on the water. He said he told her to take it to their home owner's organization. Also Warren Lisinbee, who lives in the Walker Subdivision reporting that there are high weeds at 123 Leon street. This is the property that has changed hands several times only to find out that there is not enough land to put a well and OSSF. The Mayor said in our discussion with the public nuisance ordinance it is very specific to transmission of human disease. He told Mr. Lisinbee that our ordinance does not cover that. He went on to say this particular site has a cyclone fence, the vegetation is certainly taller than needed but at that intersection it really isn't a problem.

**B. Review Beach City Response to TCEQ Audit.**

Nothing to report.

**C. Review and act upon Environmental Service request for proposal.**

Nothing to report.

**XI. Council Member Comments**

1. Mayor Persiani reported that he sat on the County Coastal Impact Assistance Program Committee last year. They are looking for names for this committee and he didn't think it was too late to submit a name for this

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year. There is \$250,000,000.00 annually that comes out of the Coastal Impact Assistance Program that goes to the six energy producing coastal states during fiscal years 2007 through 2010. They are Texas, Louisiana, Mississippi, Alabama, Alaska and California. Chambers County share of this money would be \$690,649.50. No action taken.

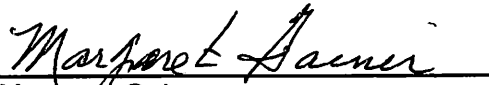
2. Alderman Bercaw reported that he had talked to Becky Nelson, Transportation office at Barber Hill School. He got information on FM 2354 from Cedar Gully and South. There are five or six stops and he did a quick assessment and the school stops do not have telephone poles. Alderman Walker stated that at the last meeting the City Council was not for putting lights in but require the School System to find a way to make it safe and every stop.
3. Alderman Walker asked where we stand with Reggie Nalley. Mayor Persiani said things seemed to have calmed down. If we get an agent through TCEQ to explain how we can use an outside agent then he is going to use out side resources because he is not going to put Reggie in that position again because we don't understand what he can do and all of sudden we're disappointed or concerned that we are not being as investigative as we feel we should. Reggie does well in the area that he has been servicing.

## XII. Adjourn

Mayor Persiani adjourned the meeting at 8:50 P.M., Tuesday, July 22<sup>nd</sup>. 2008.

ATTEST TO:

APPROVED BY:

  
\_\_\_\_\_  
Margaret Gainer  
City Secretary

  
\_\_\_\_\_  
Guido Persiani  
Mayor