

## BEACH CITY COUNCIL

### REGULAR MEETING MINUTES

The Beach City Council met for a Regular Meeting June 24<sup>th</sup>, 2008 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Douglas Walker

Tommy Clayton

Ray Smith – Absent

Vaughn Bercaw - Absent

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:11 P.M. Tuesday, June 24<sup>th</sup>, 2008.

**I. Public Hearing for comments regarding the FY 2008/2009 Budget.**

No comments made regarding the FY 2008/2009 Budget.

Public Hearing adjourned and Regular Session started at 7:12 P.M.

**II. Appoint Mayor Pro Tem.**

Mayor Guido asked for a motion.

MOTION made that Alderman Standridge remain Mayor Pro Tem.

MOTION: Clayton

SECONDED: Walker

Show of hands

APPROVED: Walker, Clayton

ABSTAIN: Standridge

**III. Review and consider approval of the Regular Meeting minutes of May 27<sup>th</sup>, 2008 and Special Session Meeting of June 3<sup>rd</sup>, 2008.**

Council reviewed the Minutes prior to the meeting.

MOTION made to approve the minutes as presented and amended.

MOTION: Standridge

SECONDED: Walker

APPROVED BY

SHOW OF HANDS: 3 - 0

Alderman Clayton stated that in the Regular Minutes, page 3, Item VII he is listed as abstaining on the motion. He was not present at the meeting.

On the Special Session Meeting page 2, Item 1V, Mayor Guido corrected the spelling of Gina Allen to Jeanna Allen. Also on page 2, paragraph 2, Alderman Walker asked that "The Beach City Volunteer Fire Department requested \$45,000.00" be added at the beginning of the paragraph.

**IV. Review and consider approval of the Statement of Revenues and Expenditures for 11 months ending May 31<sup>st</sup>, 2008.**

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

Mayor Persiana reported that for the month, revenues were over expenditures \$8,487.30 and year to date we are at \$30,748.39. The General Fund Balance is \$574,617.63. The Amegy Bank CD will mature on August 13, 2008.

Mayor Persiani introduced Jeanna Allen, President of Prosperity Bank in Mont Belvieu. She went over the banks current rates for Certificates of Deposits and Prosperpect Investment/ Money Market accounts. Mayor Persiani said TexPools rate through May have averaged 2.28%. He went on to say that he had given Jeanna a copy of our Investment Policy, not the guidelines. So in relationship with the policy our security is backed by FDIC or they have to be security backed to \$102%. He stated that we have one CD at Prosperity and if we put another one that would put us over the top with FDIC. She said that they could security back any amount over \$100.000. Mayor Persiani said we don't have to use Prosperity but if we did it today it would be for three years at 2.91%. Alderman Walker said his thoughts are that we should keep to our plan but do a one year CD or two one year CD's because interest rates are expected to go up in the short term. He would rather stick with TexPool with our cash recognizing it's not quite as good a return and the Prosperity Money Market. (at present we do not have a Money Market at Prosperity) Alderman Clayton said he did not have any problem with one year. He thinks it should be in an insured account. Alderman Standridge had no problem with using the security backed method if we had another one year CD with Prosperity. Mayor Persiani asked Alderman Walker if he said "a couple of one year". Alderman Walker said he thinks we should try to keep to that pattern of having them come due periodically and we distribute them in five CD's.

Mayor Persiani thanked Ms. Allen and said he appreciated her coming out.

MOTION made that we do two one year CD's and continue with Texpool as our Money Market plan. That we do enough research that we feel comfortable that Prosperity is comparative comparable on Interest rates. Keep fifteen percent of the funds in Texpool and divide the remainder into two CD's at Prosperity.

MOTION: Walker                      SECONDED: Clayton                      Show of hands  
APPROVED: 3 - 0

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

MOTION: Walker                      SECONDED: Standridge                      Show of hands  
APPROVED: 3 - 0

The Statement of Revenues and Expenditures as approved for May 31<sup>st</sup>, 2008 attached hereto and made a part of these minutes.

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

The proposed expenditures and investments were reviewed by Council prior to the meeting.

Mayor Persiani reported on the expenditures. He explained the Office Depot \$758.48 item. It consists of two items, one is expenditures for office supplies and the other item is based on our Budget Session for a Lap Top Computer for the City.

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It was \$624.99 and had a rebate of \$125.00 which kept it within the guidelines. The broad ban capability will be \$60.00

MOTION made for the approval of the expenditure authorization in the amount of \$4,982.81

MOTION: Standridge

SECONDED: Clayton

Show of hands  
APPROVED: 3 - 0

The Expenditure Authorization approved in the amount of \$4,982.81 by Council on June 24<sup>th</sup>, 2008 attached hereto and made a part of these minutes.

**VI. Review and consider approval of 2008/2009 budget.**

MOTION made to accept the F/Y 2008/2009 budget.

MOTION: Walker

SECONDED: Clayton

Show of hands  
APPROVED: 3 - 0

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

Mayor Persiani, in his research, found that Barrow Ranch had come to the City for a minor plat of three lots on FM 2354. Later Barrow Ranch came to us with Section II and wanted that larger section, now known as Reserve C of Barrow Ranch Sec. 2, and tried to do another minor plat of that section and Council said no, don't be asking for all of these minor plats. So Barrow Ranch took that parcel and included it with the main subdivision Section II.. So in that effort that is the way it is plotted originally. In Don Brandon's correspondence he recalled that Mr. Mitchell came to him and asked what he needed to do in order to subdivide and sell the corner he purchased (Reserve C of Barrow Ranch Sec. 2). Mr. Brandon reviewed it and advised him that he could subdivide it into less than 4 tracts and sell it by metes and bounds and it did not require platting because it was exempt by State Law. The Mayor said his discussion with Don was that it is not what our regulations say. Our regulations say that subdivision should be amended, however there is the ability to submit a minor plat to this very plot of ground. Don Brandon apologized for the mistake. Mayor Persiani did advise Ken that we cannot issue any more building permits, per that regulation, until that subdivision is done. Mayor Persiani went on to say this could be done, according to Don, with a minor plat or an amendment to the Subdivision plat.

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

The matter here that Mrs. Drye is wanting to hear is there an Appraiser that we, Beach City, recommend that they use for this purpose because they still intend to go and secure an appraisal. Attorney Jackson said what we want you to do is select a Certified Appraiser from the Appraiser Registry and have Evert call Attorney Jackson just so he can be sure he is approvable.

**IX. Review and act upon request for driveway repair and maintenance at 203 Carroll.**

Cndy Shipley introduced herself. She is here representing Richard Davis. Mayor Persiani said in the discussion he had with Mr. Davis he explained to Mr. Davis there is a right of way, apparently, there is some mapping that he can see where they are drawing right-of-ways but you can't tell if they are roads or just raw dirt. In her case there is a drive way coming off of Carroll Drive and he presumes that the right-of-way could be 80' to 100'. Originally he may have owned the right-of-way. Where there is a driveway that comes off of a maintained road, that's allowable. You can actually have a driveway coming off in that right-of-way. If the City puts a street in or the County puts a street in you can still use that ground. No body can come in there and build anything on that ground. That driveway is not the City's, its private owners. You can maintain it and others can use it but you can't build anything in that right-of-way. The Mayor went on to say because there is an overlying discussion that he related to Mr. Davis that Council at this point is acknowledging the fact that there are many right-of-ways out there but where a street has already been built and maintained that is what this City expects them to do. We do not have a tax structure and therefore we don't have a funding source to go and build roads.

No action taken.

**X. Review and act upon request to install street lights for early hour school bus stops along FM 2354**

Ms. Shipley explained again the problem of teenage school children having to wait in the dark while waiting for the school bus at the intersection of Carroll Drive and FM 2354... Mayor Persiani said the original request was just for that one location. Alderman Standridge said Council did not decide the placement of the lights. The The asked the Fire Department and the Emergency Services to do a survey to determine which intersection or street location had the greatest possibility of being a traffic hazard. It was their recommendation to have the number of street lights that we have. She said her subdivision has a street light but the owners pay for it. Her suggestion was, if they are worried about the safety of the children, and there are other parents that are very concerned, all chip in and pay for a street light. Mayor Persiani said there is a concern among other residents of Beach City of light polluting the area. Council tries to represent the whole City and that is the general consensus.

No action taken.

**XI. Review and act upon request to abandon Ocean Drive R.O.W. at Neyland.**

No representative present. Mayor Persiani stated that Council visited the area. He recommended that Council consider a general resolution that we will not abandon any right-of-way now or in the future. Attorney Jackson said you cannot include the future because you can't bind future Councils.

MOTION made not to grant this Ocean Drive at Neyland right-of-way.

MOTION: Walker

SECONDED: Standridge

Show of hands

APPROVED: 3 - 0

**XII. Environmental Services and Nuisance Mitigation**

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- A. Review open items on the Environmental Complaints Log.
- B. Review Beach City Response to TCEQ Audit.
- C. Review and act upon Environmental Service request for proposal.

Nothing new to report on these items.

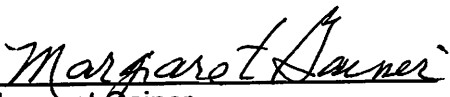
**XIII. Council Member Comments**

Mayor Persiani reported that the bridge is being worked on again. Alderman Walker said he read that the tolls on the Grand Parkway would be put off until the Fall and the tolls were going to be 15 cents a mile.

**XIV. Adjourn**

Mayor Persiani adjourned the meeting Tuesday June 24<sup>th</sup>, 2008 at 8:56 P.M.

ATTEST TO

  
Margaret Gainer  
City Secretary

APPROVED: BY

  
Guido Persiani  
Mayor