

BEACH CITY COUNCIL

REGULAR MEETING

The Beach City met for a Regular Meeting Tuesday, March 27th, 2007 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Tommy Clayton

Ray Smith

Vaughn Bercaw

Douglas Walker

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:08 P.M. Tuesday March 27th, 2007.

I. Review and consider approval of the Regular Minutes of February 27, 2007 Regular Meeting,

Minutes reviewed by Council prior to the meeting.

MOTION made to approve the minutes as presented.

MOTION: Standridge

SECONDED: Walker

APPROVED: 5 - 0

II. Review and consider approval of the Statement of Revenues and Expenditures for 8 months ending February 28th, 2007.

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

The Mayor reported that Revenues for the month of February were \$5,175.74 and the expenditures were \$7,697.17; a difference of \$2,521.43 of expenditures over revenues received. On bank account balances, the Mayor said Wells Fargo will be maturing on June 8th, 2007 and we will have to move that one because Wells Fargo is a brokerage. Total assets are \$536,699.65 and the interest rate at TexPool as of March 26th was 5.28%.

MOTION made to approve the statement of revenues and expenditures as presented.

MOTION: Walker

SECONDED: Bercaw

APPROVED: 5 - 0

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

Proposed expenditures and investments reviewed prior to the meeting.

The City Secretary reported additions to the expenditure authorization. The \$6,000.00 for the BCVFD was contract funds that were being requested tonight was added as Ck. #1135. Also Ck. #1137 to VMSoft Products for upgrades and an on-site visit for the Safe program. The Secretary reported that Mr. Jon Denney came and installed the upgrades and explained the new format with the

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secretary, Reggie Nalley and Mayor Persiani. Mayor Persiani said in meeting with Mr. Denney he said our access program had to be upgraded. He recommended that we get the Micro Soft Office 2003 XP Office Professional. The Mayor said at Sam's the cost is \$283.00 and at Office Depot it was \$599.00. He could buy the access alone but said he has to check the computer, he has some questions on this before we go any further.

MOTION made to accept the March expenditures as presented as amended contingent upon council acceptance of \$6,000.00 payment for ISO consultant.
MOTION: Smith SECONDED: Walker APPROVED: 5 - 0
Discussion: Alderman Standridge asked if the \$6,000.00 was our regular contract and has nothing to do with the ISO. Mayor Persiani said the \$6,000.00 requested tonight is budgeted in Item #20 for the Fire Department as added expenses.

The Expenditure Authorization approved by Council on March 27, 2007 is attached hereto and made a part of these minutes.

IV. Review and act upon final plat of The Oaks of Houston Point.

Mr. Kelly Kessler was present representing the Oaks of Houston Point. He brought copies of the plat for council's review. Mayor Persiani said he did not bring a copy of it; but Don Brandon did review this and accepted it as the final plat of The Oaks of Houston Point.

MOTION made to approve as presented.
MOTION: Smith SECONDED: Clayton APPROVED: 5 - 0

V. Review and act upon Beach City Volunteer Fire Dept. request for contract funds associated with consulting services for ISO review.

Fire Chief Weston Davis was present representing the Beach City Volunteer Fire Department. Chief Davis stated the ISO contract with the insurance companies that formulate the Public Protection Classification (PPC) which is a classification of 1 to 10 to rate fire departments. Based on that number insurances companies base premiums and set insurance rates. Right now Beach City is a 9 with 10 being the worst, the closer you get to one the home owners insurance rate goes down. The consultant they used has been around for a long time. Alderman Standridge asked, for \$6,000.00 to \$8,000.00 how many ISO rating categories has this consultant changed? Chief Davis replied that everywhere that he has done one he has averaged and minimum of two. ISO also collects information on municipal fire-protection efforts in communities where the relevant data is analyzed by using the Fire Suppression Rating (FSRS). The FSRS recognizes fire-protection features only as they relate to suppression of fires in structures.

Alderman Smith said based on your conversation with the consultant, in summary, we're looking at going from a 9 to a 7, that's realistic. Chief Davis said optimistically the feels we can drop to a 6. Alderman Smith asks when would he be coming back to council with some recommendations. Chief Davis said when the Consultant comes out he will give them recommendations that

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will have to be met, then it's a matter of time and money when the fire department gets them done. The recommendations should include how to get all the way down to a one.

MOTION made to accept the request for contract funds in the amount of \$6,000.00.

MOTION: Walker SECONDED: Smith APPROVED: 5 - 0

Mayor Persiani said he did want to compliment Chief Davis for responding to his concerns, and council's concerns over the last month. He did the homework and his effort is well recognized here.

VI. Review and act upon Verizon's request to install cable in the McCollum Park Road right-of-way.

Mayor Persiani handed out information concerning this item. He stated that Verizon used the County rules and Don Brandon had already approved this. The Mayor has coached Don Brandon to please not approve these things in the future. Mayor Persiani explained the information with Council; an Application for Utility Construction in County Right-Of-Way, a map and two drawings.

MOTION made to accept the request for utility construction on the County right-of-way.

MOTION: Standridge SECONDED: Bercaw APPROVED: 5 - 0

VII. Review and act upon Barrow Ranch Subdivision Minor Plat Barrow Bay Estates. (Barrow Ranch Section III, 2 lots along McCollum Park Road)

Council reviewed copies of the minor plat for Barrow Bay Estates. Mayor Persiani stated that Don Brandon had reviewed the plat and recommended that the development could proceed.

MOTION made to accept the minor plat with the condition that the Home Owners Association from Barrow Ranch continues with these two properties.

MOTION: Walker SECONDED: Clayton APPROVED: 5 - 0

VIII. Cancellation of May 12th, 2007 City Election due to lack of opposition for positions and issues for referendum.

The City Secretary read the Certification of Unopposed Candidates document certifying that no proposition is to appear on the ballot, no person has made a declaration of write-in candidacy and all of the candidates are unopposed.

Mayor Persiani read Ordinance No. 2007-2, an Order of Cancellation of the Election and stating that Rita Standridge, Ray Smith and Tommy Clayton have been certified as unopposed and are hereby elected. A copy of the Order of Cancellation will be posted on Election Day at the polling place that would have been used in the election.

MOTION made to accept Ordinance No. 2007-2 canceling the May 12th, 2007 election.

MOTION: Standridge SECONDED: Walker APPROVED: 5 - 0

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IX. Review and act upon Resolution 2007-2 in support of modification to the Chambers County Cedar Bayou Navigation District.

This item was reviewed at the February 27th, 2007 meeting with no action being taken.

Mayor Persiani went over the Resolution discussing the changes that were needed.

Mayor Persiani said he had been invited by Representative Wayne Smith to make a statement before House Committee as to HB 3158. In the statement he went over the key points and concerns in the resolution that he would present. His statement ends by saying the City of Beach City supports in principle HB 3158 to shorten the District name to "Cedar Bayou Navigation District" and to expand the Board of Directors to include community representation, the City opposes the bill because it does not satisfactorily address the expansion of the District boundary or the de-annexation of lands lying approximately west of the Old & Lost Rivers, and east of Cedar Bayou within the Chambers Liberty County Navigation District as originally recommended by the Cedar Bayou Intermodal Task Force. It also does not provide equal representation on the expanded District Board for Beach City, where residents currently pay taxes for navigation channel maintenance and improvements associated with Cedar Bayou. For these reasons, we respectfully oppose this version of HB 3158.

MOTION made to accept Resolution No. 2007-2 as proposed by Mayor Persiani.

MOTION: Walker	SECONDED: Standridge	Vote by show of hands
		For: 5
		Against: 0

Attorney Jackson said for the purpose for which it was all committed he thinks that it should be mentioned the preservation of Cedar Bayou stream for recreational purposes.

X. Review and act upon proposed procedure to handle nuisance and environmental complaints.

Mayor Persiani said that he did not complete the procedure. The procedure is still working. The two situations are: Clark Lane, the owner has been having the septic system pumped out. It is a failed system and she has gone to a couple of companies trying to have a system designed. The Mayor heard of the potential of trying to sale the property. It's going to be a challenge for all parties concerned here. Mr. & Mrs. Seward, the complainants, were present and told council that before this property was sold to the Jordans, the Andersons, that own the property adjacent to the Jordan property told them that this property is owned by Shelia Johnson and she said that if there was any problem she would take full responsibility. This was about three years ago when the Andersons were questioning her about fixing up the house for rental or lease property. Mayor Persiani said we should be dealing with the owner. The other problem is

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the property on Lennie Lane. They have pumped out the system which is good but that does not solve the problem.

- XI. Executive Session Authorized by Chapter 551, Texas Government code, Section 551.072, to deliberate the purchase, exchange, lease, or value of real property.**

Council recessed for Executive Session at 8:55 P.M.

- XII. Consider action regarding the purchase, exchange, lease, or value of real property.**

Council reconvened at 9:15 P.M. No action.

- XIII. Report status of items on the FY 06/07 action list.**

Mayor Persiani said he still hasn't set a date for the Town Meeting.

- XIV. Report on (Open Meeting and Records Act) training.**

All reports in except Attorney Jackson's.

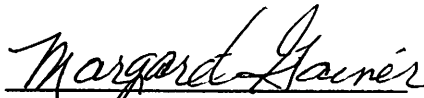
- XV. Council members' comments, citizens' comments and input.**

1. Alderman Standridge said she noticed that there was construction going on at the HL&P bridge and was wondering if they are planning on widening it. Alderman Clayton said he didn't think so, just lengthening the railing. Alderman Clayton said he would call TexDot and see what they are going to do and report back to Council next month.
2. Weston Davis thanked everyone for the ISO contract funds and gave a brief report on the Crayfish Boil project that the fire department put on.
3. Mayor Persiani read a letter from Carrell Communications stating that they will no longer be providing cable service to the Beach City area.

- XVI. Adjourn**

Mayor Persiani adjourned the meeting at 9:30 P.M. Tuesday March 27, 2007.

ATTEST TO: APPROVED BY:


Margaret Gainer
City Secretary


Guido Persiani
Mayor