

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

The Beach City Council met for a Regular Meeting May 27<sup>th</sup>, 2008 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Ray Smith

Douglas Walker

Vaughn Bercaw

Tommy Clayton – Absent.

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:09 P.M. Tuesday, May 27<sup>th</sup>, 2008.

**I. Administer the Oath of Office for recently elected Mayor and Alderman.**

City Attorney Jackson administered the Oath of Office to Mayor Guido Persiani as Mayor, Douglas Walker as Alderman, and Vaughn Bercaw as Alderman.

**II. Citizen's comments and report from TXDOT regarding the Cedar Gully Bridge and FM 2354 Pavement Overlay Projects.**

Mr. John Sudela, representing TXDOT stated that the Cedar Gully Bridge had been let to Lone Star Construction Company. They have several jobs going on for the County at this time and they are ahead of schedule on most of them... The work is supposed to start around the 15<sup>th</sup> of June and be finished in four months. The pavement overlay project will be later in the year.

Mr. Wiley Butler came back before Council to give an update on his problem with the Kiva Construction Company which supplies services to the offshore oil/gas companies and have relocated their operations next to Point Barrow on the Bay Subdivision. He has contacted County Commissioner Wallace who advised that he had no jurisdiction in the matter. The CLCND and they stated no jurisdiction. The State Land Office said they did not know what could be done and to contact the Corps of Engineers. Mr. John Davidson, Unit Leader of the Compliance Section at the Corps of Engineers advised that Kiva does not have a permit to dredge at Point Barrow but they say they are working under an old Exxon permit. Mr. Davidson said he would put it on his list but had no idea when he would be able to check it out. Mr. Butler brought the Mayor a petition signed by 12 residents of the immediate area. Mayor Persiani said he drove down to the facility they are leasing. He went on to say what they are referring to as a past permit might be that they can have a channel dredge and under a nation wide permit more than likely they can keep maintaining the permit.



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

No one present is representing this item. It is pending the County Engineers review of the drainage.

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

Mr. Evert Williams, Attorney was present to speak on this item. He thanked Council for letting him come to talk to them. He went on to say he knew about this property about 25 or 30 years ago. Years ago, before Beach City, they tried to get that road abandoned but the Commissioner on this side of the County didn't want to do anything about it. He brought 1927 Deed information and pointed out that the land was dedicated to the use of the public as a roadway. He also stated that it is not a road; it is a hundred foot easement. As an easement the City doesn't have to do anything. As long as it has been there it has only been used by those that own the land and if the easement is abandoned it would go back to the two landowners. Attorney Jackson said we have to understand it is a road easement. Tommy Morrison said his family has been out here many years and they would like to get the property if the City will have it appraised, they will pay for the appraisal and they will pay for the property. The City would get some income out of the property, right now it's not getting anything.

Mayor Persiani asked for a motion. No action taken. He then stated that it would remain as it is in its current state which would fall under this particular document as it terms the land is owned by the adjacent owners, they have to maintain it.

MOTION made that the Morrison's get an appraisal to understand what the value of the property is.

MOTION: Walker

SECONDED: Bercaw

Show of Hands

Affirmative: Walker, Bercaw

Opposed: Standridge, Smith

Abstain: Clayton *not present*

Mayor Persiani: Affirmative.

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

No one present.

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

Mr. Richard Davis was not present to address this item.

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

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Mr. Jefferson Way was present to discuss the abandonment of 60 feet of R.O.W. where the County stops maintenance. Mr. Way presented a map showing the area and explained the improvements he had done.

MOTION made to conduct a field visit to this location on June 3<sup>rd</sup>, 2008 before the Budget Work Session.

MOTION: Walker

SECONDED: Smith

Show of Hands  
Approved: 5 – 0

Attorney Jackson said he wanted to know who the owner is on the other side of the road because they are going to be involved in this also.

**XI. Environmental Services and Nuisance Mitigation**

**A. Review open items on the Environmental Complaints Log.** No action

**B. Review Beach City Response to TCEQ Audit.** No action.

**C. Review and act upon Environmental Service request for proposal.**  
No action taken.

**XII. Schedule FY 2008/2009 Budget Work Session**

The Budget Work session will be held Tuesday, June 3<sup>rd</sup>, 2008 at 6:00 P.M. at the Beach City Community Building.

**XIII. Council Member Comments**

Attorney Jackson read portions of a letter from the Attorney General in regards to the Cedar Bayou Navigation District. The general consensus of Council was to stay out of that issue.


Mayor Persiani reported that we had two vandalism incidents on Cedar Gully. The way he first heard it, there were about nine reports of incidents, but the actual incidents that they recorded that he got from Chambers County were two.

**XIV. Adjourn**

Mayor Persiani adjourned the meeting at 9:38 P.M. Tuesday May 27<sup>th</sup>, 2008.

ATTEST TO:

APPROVED BY:

  
Margaret Gainer  
City Secretary

  
Guido Persiani  
Mayor