

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

The Beach City Council met for a Regular Meeting October 26, 2010 at the Beach City Community Building. Those present were.

MAYOR: Billy Combs

MAYOR PRO TEM: Jackey Lasater

ALDERMAN Vaughn Bercaw

Rita Standridge

Douglas Walker

Ray Smith – Arrived at 7:14 P.M.

CITY ATTORNEY: Daniel Jackson

CITY SECTETARY: Margaret Gainer

Mayor Combs called the meeting to order at 7:14 P.M. Tuesday, October 26, 2010. He offered prayer and led the Pledge of Allegiance to the U. S. flag and Texas flag.

**I. Citizen Comments.**

No comments

**II. Review and consider approval of the Regular Meeting Minutes of September 28th, 2010.**

Minutes reviewed prior to the meeting.

MOTION made for approval of the minutes as presented.

MOTION: Standridge

SECONDED: Lasater

APPROVED: 5 - 0

**III. Review and consider approval of the Financial Statements for month ending September 30, 2010.**

Mayor Combs pointed out that we found an error in Prosperity Bank CD # 610010266. It actually occurred back in July, 2009. It was an over statement of interest applied to that CD. by about \$2,400.00. We did back that out of the account. It did not affect this fiscal year but it did affect 2009/2010. The Mayor hopes in the coming months to audit every one of the CD's and reconcile them. Mayor Combs reviewed the Financial Statements with Council.

MOTION made to approve Financial Statements as presented.

MOTION: Walker

SECONDED: Standridge

APPROVE: 5 - 0

**A. Investment rate/security review and update**

Nothing more to add.

**B. Approve opening a new checking account for the SECO Grant.**

According to the SECO Grant Contract we will have to have a separate account to handle the funds for that Contract. The Mayor said he is going to try to avoid having to do that but if he can't, he would like to have Council Approval to open a second checking account so we can do a one time flow through for the SECO Grant.

MOTION made to authorize the Mayor to open a separate checking account for the SECO Grant.

MOTION: Walker

SECONDED: Bercaw

APPROVED: 5 - 0

**IV. Review and consider approval of Revenues and Expenditures for current Month.**

Revenues and Expenditures for the current month were reviewed by Council prior to the meeting.

MOTION made to approve the current month expenditures as stated.

MOTION: Walker

SECONDED: Lasater

APPROVED: 5 - 0

**V. Consider and adopt Ordinance 2010-5 denying CenterPoint Energy Rate Increase.**

Mayor stated that this Ordinance denies the rate increase that CenterPoint has applied for. He said CenterPoint will appeal to the Public Utility Commission. The Mayor assumes the City would still have an interest in it if they care to go before the Utility Commission.

MOTION made to adopt Ordinance 2010-5; denying CenterPoint Energy Rate Increase.

MOTION: Walker

SECONDED: Lasater

APPROVED: 5 - 0

**VI. Update and possible action on CenterPoint franchise payment calculation audit.**

Alderman Lasater reported that he had received models of the other three years from CenterPoint. Mayor Combs said he would like to thank Mr. Greenley for working with us, "he has provided some good help with information on the CenterPoint lines and what utilities are being connected on them. We found out that there is a utility operation here that we did not know about."

**VII. Update and possible action on audit for all Beach City franchise accounts.**

Alderman Smith said he has nothing to report. Mayor Combs said he met with Mr. Greenley because we heard in a previous meeting that Comcast was providing some cable and cell phone service to residents in Barrow Ranch. Mr. Greenley provided a map and Mayor Combs pointed out to Council that Comcast has 47 connected poles along McCollum Park Road and also on FM 2354 in front of RWJ Airpark Subdivision. The Mayor called Comcast and talked to them and he thinks they were just unaware that Beach City was an incorporated area. Comcast has not filed for a franchise yet; they are going to see what they have here and assured the Mayor that the City would be paid for any past and current money that is due.

**VIII. Discussion and possible action on City's Burn Ban policy and/or ordinance.**

Mayor Combs said he found out that since we are Incorporated, when the County issued their Burn Ban the Burn Ban does not apply to Beach City. He talked to the Mayor of Anahuac and she told him her Emergency Coordinator told her that the Burn Band supports Anahuac because Anahuac adopted the County Emergency Management Plan; therefore it is enforceable. He went on to say that TML said you cannot delegate the City's obligations, same thing that City Attorney Jackson had said. The Mayor checked with the County Attorney, County Judge and the Emergency Coordinator of the County and their conclusion was, if the proclamation was issued under a local disaster declaration under Code Section

418 of the Government Code, then any city within that County that has adopted the County's Emergency Plan and does not have its own burn ban ordinance, it is enforceable by the County's Deputy within that Incorporated City. He said he got that notice back tonight. Having said that he doesn't want to argue it any further. Mayor Combs also told Council that the County has bought the burn ban signs and got them a lot cheaper. They also got the State to wave a particular tape that they were going to use and saved a lot of money there. The signs should be in next week.

**IX. Update and possible action on application of T&I Taylor's Rate Increase Request.**

Mayor Combs said we have received a response, per e-mail, to our request to provide the information we ask for. He went on to say he forwarded that e-mail and other correspondence to TCEQ. The Mayor said Alderman Lasater suggested that we reduce what we are asking for. The Mayors' personal feeling is that we have already reduced what we were asking for. What we are asking for is what they are required to furnish to us per Chapter 13 of the Water Code. After discussion Council asked the Mayor to reduce the information we are asking for and ask T&I Taylor once again to provide it to Council.

**X. Review and act upon request for final acceptance of roads and ditches in Barrow Ranch, Section Three.**

Mayor Combs said he has received an e-mail from the Assistant County Engineer, Tommy Bridwell, stating all issues on the drainage ditches and roads in Barrow Ranch Section III have been resolved and recommended the City accept them.

MOTION made to accept the roads and ditches in Barrow Ranch, Section III.

MOTION: Lasater                      SECONDED Standridge                      APPROVED: 5 - 0

**XI. Update on SECO Grant Agreement.**

Mayor Combs reported that the air conditioner was installed in the Secretary's Office today. Ten of the twelve ceiling lights have been changed out and solar panels should be installed tomorrow.

**XII. Consider and approve contract renewal with Beach City VFD.**

Mayor Combs suggested that Item XII and XIII could be considered at the same time. Both Agreements are the same as they were last year.

MOTION made to approve the Service Agreement for the Beach City Volunteer Fire Dept. and also the Service Agreement for the Trinity Bay Emergency Medical Services for fiscal year 2010/2011.

MOTION: Standridge                      SECONDED: Bercaw                      APPROVED: 5 - 0

**XIII. Consider and approve contract renewal with Trinity Bay EMS.**

Considered with Item XII.

**XIV. Council Member Comments.**

October 16, 2010

1. Mayor Combs reported that the McCollum Park Road stop signs will be installed this week. The Park Project is proceeding and is anticipating a March/April finish.
2. Alderman Standridge reported that Anahuac has a new cell phone tower mounted on their Water Tank that gives excellent service for their customers. They also get \$1,300.00 a month in revenue.

**XV. Adjourn**

MOTION made to adjourn the meeting at 8:45 P.M. Tuesday, October, 26<sup>th</sup>, 2010.

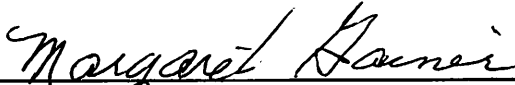
MOTION: Walker

SECONDED: Lasater

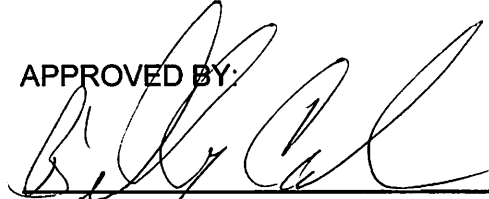
APPROVED: 5 - 0

ATTEST TO:

APPROVED BY:



Margaret Gainer  
City Secretary



Billy Combs  
Mayor