

City of Beach City

COUNTY OF CHAMBERS
STATE OF TEXAS

City Council Regular Called Meeting

The City Council of the City of Beach City, Texas met in a **Regular Called Meeting** on **April 26, 2022** at the Beach City Community Building, 12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Pro Tem Dana Colquitt, Alderman Paul Newman, Alderman Ken Pantin, Alderman Doug Walker and Alderman Ray Smith

Members Absent: Mayor Ryan Dagley

Staff Present: City Secretary Evonne Donnelly

Legal Counsel Present: City Attorney Daniel Jackson Arrived at 6:14 P.M.

1. Call to order and announcement of quorum

On Tuesday, April 26, 2022 Mayor Pro Tem Colquitt called the Regular Called Council Meeting to order at 6:07 P.M.

2. Invocation and Pledge of Allegiance

Alderman Pantin offered prayer and Alderman Walker led the Pledge of Allegiance to the United States and Texas flags.

3. Public Comments (Limited to three minutes per person)

None

4. Hear report and update from Pct. 4 Chambers County Commissioner, Billy Combs

Chambers County Commissioner's Court finally approved an agreement with TGS (Trans-Global Solutions) and CCID #1 for a greenbelt. This greenbelt will be a minimum of one hundred feet (100 feet) but will average one hundred and seventy five feet (175 feet). It will run the full distance of the TGS property on FM 2354 and will be built in stages. This greenbelt will be an earthen berm that will incorporate hiking and walking and biking trails. It must create a sight, sound and light barrier/buffer from the residents.

Per TGS' request, another Fisher Road extension was also approved. As a part of this agreement, the vast majority of the TGS industrial park traffic will be routed through TGS' compound and back toward 99.

Commissioners Court signed a Resolution, that Commissioner Combs refers to as the Good Neighbor Resolution. This resolution states that the County will no longer give tax abatements based solely on the economic impact to the county but also on the company's desire to be a good neighbor. Protecting the quality of life and the safety of the residents in our communities and on our roads. This has been incorporated into the County's abatement policy.

In 2021 TGS began and completed over 10 million square feet under roof in Cedar Port.

KTN intends to add 20 million square feet, while AmeriPort is currently adding 3 million square feet.

City of Beach City

5. **Hear report and update from Beach City Volunteer Fire Department (BCVFD)**

No Report

6. **Approve Minutes for Regular Called Meeting of March 22nd, 2022**

Motion to approve minutes of the Regular Called Meeting of March 22nd, 2022

Motion: Walker

Second: Newman

Approved: 5-0

7. **Financial Consent Agenda** *(All financial consent agenda items are considered routine by Council and will be enacted by one motion. A Councilmember may request an item to be removed and considered separately.)*

(a) Review and approve the Financial Statement(s) for the previous month

(b) Review and approve Investment Update

(c) Review and approve Expenditures for the current month

(d) Review and approve Weekly Review of Accounts

Motion to approve the financial consent agenda

Motion: Newman

Second: Walker

Approved: 5-0

8. **Discussion and possible action regarding Capital Bank CD #164 and CD #165 maturing April 28th, 2022**

Mayor Pro Tem Colquitt noted that Mayor Dagley would like Council to consider combining the two CD's. Opening up one CD for \$240,000 while the rest of the funds will be added to the City's Money Market account.

Council left this decision up to Mayor Dagley.

9. **Discussion and possible action to accept CenterPoint Energy's FY 2022-2023 Franchise Fee Payment Calculation**

After a brief discussion, a motion was made.

Motion to accept CenterPoint Energy's franchise fee payment calculations

Motion: Pantin

Second: Smith

Approved: 5-0

10. **Discussion and possible action to approve an addendum to the Chambers County Drainage Study**

No action

11. **Discussion and possible action to consider a Replat of the Minor Replat of R. Barrow Estates, a Replat of Lot 2 of Minor Replat R. Barrow Estates**

Alderman Smith questioned the water well and septic placement on the one acre lot that is long and skinny. The Honorable Smith wanted to know if a septic installer or inspector has looked at this to determine if the setbacks will be met. Alderman Smith wants more information to make certain a potential buyer does not get stuck with something they cannot improve.

Secretary Donnelly referred to the City's permitting process and noted there have been homes with less acreage that have been approved for new construction.

Alderman Smith feels that they may need to specify where the slab needs to be and where it cannot be. Deanna with Wells Land Surveying referred to the building lines on the survey and she cannot show improvements on a plat when there is nothing there.

City of Beach City

Secretary Donnelly noted the City's Designated Representative (D.R.) will review all permitting applications. Mayor Pro Tem Colquitt agreed with Alderman Smith that someone buying this property may like to know of any issues.

Alderman Walker asked where the water will be coming from. Mr. Alvarado has spoken with Aqua Texas and they will allow these lots to tie into their system, which provides water to the Barrow Ranch community.

Alderman Pantin asked Attorney Jackson if this can be tabled until next month without a motion. Attorney Jackson replied, you need a motion to table.

Motion to table this until enough information to make this a valid purchase and improvement for someone to live on

Motion: Smith

Second: Walker

Approved: 5-0

Discussion: Because Lot 1 is so much narrower and based on the setbacks, Alderman Newman would like a clear description on where the house would go, the impervious property, and would it be an engineered drip system vs. a simple spray system. Understanding that under these conditions someone could buy this, improve it and be out of compliance.

Mr. Alvarado asked for clarification purposes if this would have to be a separate note within the survey itself for only Lot 1? Alderman Smith stated he is not an expert at this stuff and it would be up to his surveyor.

Deanna with Wells Land Surveying will visit with Brad Wilbur and Darla Branch at Chambers County for their input.

12. Discussion and possible action regarding CenterPoint Energy Houston Electric, LLC (CEHE) request for Approval to Amend its Distribution Cost Recovery Factor (DCRF)

Mayor Pro Tem Colquitt noted that Items 12, 13, and 14 all go together.

Alderman Pantin questioned if this line item would need to be denied in order to proceed to Items 13 and 14; to which Secretary Donnelly replied, yes, that's correct.

Motion to deny the request for Approval to Amend its Distribution Cost Recovery Factor from CenterPoint Energy Houston Electric

Motion: Newman

Second: Smith

Approved: 5-0

13. Discussion and possible action to adopt Resolution 2022-01 to join a Coalition of Cities for the DCRF proceedings relating to CenterPoint Energy Houston Electric, LLC's Application for Approval of a DCRF

Motion to join the coalition

Motion: Walker

Second: Pantin

Approved: 5-0

14. Discussion and possible action to adopt Ordinance 2022-01 Denying the Application of CenterPoint Energy Houston Electric, LLC For Approval To Amend Its Distribution Cost Recovery Factor (DCRF)

Motion to adopt Ordinance 2022-01 Denying the Application of CenterPoint Energy Houston Electric, LLC For Approval To Amend Its Distribution Cost Recovery Factor

Motion: Newman

Second: Walker

Approved: 5-0

Discussion: Alderman Walker noted that several years ago he and former Mayor Guido attended the City of Houston's coalition meeting and they were really well prepared to battle CenterPoint.

Alderman Newman added it makes a lot of sense to be a part of that coalition.

City of Beach City

15. Discussion and possible action to adopt Resolution 2022-02 In Connection With The City of Beach City's Participation In Federally Funded Projects Associated With The American Rescue Plan Act – Corona Virus Fiscal Recovery Fund (ARPA - CLFRF)

Alderman Newman asked if this is the Resolution that has six or seven different things with it? Secretary Donnelly replied, eleven documents are a part of this Resolution. Alderman Newman stated that he has so many questions about this it would take until midnight to go through this, paragraph by paragraph. He is very uncomfortable with the vast majority of these documents and the "how" that goes with them.

Alderman Pantin doesn't believe that we were all aware of the extent of requirements and the postings and the impact it will have on the City Secretary to get these things done.

Alderman Pantin would like our representative with PM Group, Aron, to come to the next meeting and walk Council through these documents.

Alderman Smith asked if Alderman Newman or Alderman Pantin would make a motion to table this until a special called meeting can be scheduled, so Council can get more information on this.

Motion to table this item to adopt this Resolution regarding the Corona Virus Fiscal Relief Recovery Fund until next month, in the meantime schedule a special called meeting with our fund manager, Aron, to discuss the details of giving these documents and these requirements of what those are

Motion: Newman

Second: Pantin

Approved: 5-0

16. Brought back from the March 22, 2022 Meeting: Discussion and possible action to use CoronaVirus Local Fiscal Recovery Funds (CLFRF) grant money for a generator backup required by TCEQ for the water system and new building in Bay Place Subdivision, per a Homeowner's Association request

Motion to table that until after we speak with Aron about our questions and get in writing some of the answers

Motion: Pantin

Second: Newman

Approved: 4-0

Alderman Walker recused himself

Discussion: Neil Ligertwood with the Bay Place Homeowner's Association (HOA) referred to the City delegating the responsibility of maintenance after the installation of the generator. Mr. Ligertwood stated he would like the costs of the repairs, maintenance and a monitoring system to be filtered back through the fund again. Mayor Pro Tem Colquitt questioned this statement. Mr. Ligertwood replied, this is something that needs to be worked out. Enough money needs to be put aside in this fund to anticipate this; we already have anticipated these numbers as well. Alderman Pantin noted that he did not see a maintenance package as part of the bid information submitted to Council. Mr. Ligertwood added that there is a warranty that comes with it, but the ongoing maintenance is a question that needs to be answered.

Mayor Pro Tem Colquitt asked if Bay Place is wanting the City to pay the entire cost of this. Mr. Ligertwood stated, they came in with the cost of the building and the generator; TCEQ is mandating the generator. They will take on the costs of the building. After a discussion amongst Council, it was determined that all questions will be directed to the project manager, Aron.

17. Brought back from the March 22, 2022 Meeting: Discussion and possible action to contract with an IT company, VC3, to service all five City computers on a yearly basis

Tabled until next meeting

Secretary Donnelly asked Attorney Jackson if a motion is needed to table this item, to which he responded no.

18. Brought back from the March 22, 2022 Meeting: Discussion and possible action regarding healthcare coverage for the City Secretary

Tabled until next meeting

Secretary Donnelly is looking at one more option.

City of Beach City

Alderman Smith suggested that the good Secretary contact Brice Fuselier and see if he can assist.

19. Discuss and consider a date for FY 2022-2023 Budget Workshop to be held in May or June

Secretary Donnelly has a few days on hold for the building.

After a discussion with Council on upcoming Council dates, June 7th was agreed upon for the Budget Workshop.

Alderman Walker will not be able to make a meeting during May 30th - June 13th.

20. Update and discussion on non-compliance to City ordinance(s) regarding On-Site Sewage Facilities (OSSF's)

No report

21. Report and update from the Mayor

a). Need to look into a new setup person for the Council meetings.

22. Council Comments

Alderman Newman spoke of the ongoing work at the barge dock on FM 1405 which creates a slick road when it rains. He encouraged residents to obey stop signs.

Alderman Smith also encouraged everyone to stop at all stop signs.

23. Adjourn

Meeting Adjourned at 7:46 PM

Minutes Approved: May 17th, 2022



Ryan Bagley, Mayor

ATTEST:



Evonne Donnelly, City Secretary