

## ***City of Beach City Council Regular Meeting Minutes***

The Beach City Council met for a Regular Meeting on Tuesday, July 23, 2013 at the Beach City Community Building.

Those present were:

**MAYOR:** Billy Combs

**MAYOR PRO TEM:** Jackey Lasater

**ALDERMEN:** Doug Walker; Dana Colquitt

Ray Smith arrived late at 6:08

**Absent:** Paul Newman

**CITY ATTORNEY:** Daniel Jackson

**CITY SECRETARY:** Evonne Donnelly

### **I. Call to order:**

Mayor Combs called the meeting to order Tuesday July 23, 2013 at 6:03 pm. Mayor Combs offered prayer and led the Pledge of Allegiance to the United States and Texas flags.

### **II. Citizens Comments:**

None

### **III. Hear report and update from Chambers County Commissioner, Rusty Senac:**

Commissioner Senac commented on the three nuisance complaints that Chambers County has been working on for many months. One of the homes on Ocean Drive has continued to comply with the County.

The home located at 8521 Ocean Drive has not complied with the County's request to clean up the property, but the home is close to being sold.

The Enderli home, in Walker subdivision is attempting to clean up their property.

Commissioner Senac informed Council of Mayor Combs and Secretary Donnelly's request for the County to repaint the outside of the community building, the City office and the Fire Station. The City Office will also get new flooring; the beautification project is scheduled for sometime in August.

Mayor Combs asked the Commissioner, if the City will purchase

lights to illuminate the flag pole, will the County install the lights? Commissioner Senac replied yes to the Mayor's question. Commissioner Senac also spoke of security measures that have been discussed between Secretary Donnelly and two officers of the Chambers County Sheriff's department, in a recent meeting. A mirror across the hall from the office door was mentioned as a way to view who is walking into the building when the office door is open. A pass through window was mentioned, similar to the one the City of Old River/Winfree had installed several years ago by the County. Bayridge Subdivision had a recent septic issue due to the rain, which caused the septic to overflow and toilet paper to come out of the pipe and onto the ground. Commissioner Senac stated that he has encouraged all the residents who have called him regarding this matter, to contact TCEQ -Texas Commission on Environmental Quality.

Aqua Texas Inc. has sent letters to approximately fourteen hundred residents of West Chambers County, regarding their intentions to file a proposed rate increase with TCEQ. The rate increase would help to pay for Capital Expenditures that Aqua Texas. Inc. has incurred. Tentatively a meeting is scheduled for August 5, 2013 at the Cove Community Building.

To date, Aqua Texas, Inc. has not filed a rate increase request with the City of Beach City.

According to Commissioner Senac, Senate Bill 567 (SB-567) was adopted by the legislature earlier this year. While the Commissioner has not read SB-567 in its entirety, it appears that the reasoning behind the bill is to transfer some of the rate issues from the Texas Commission on Environmental Quality- TCEQ, over to the Public Utilities Commission -PUC. The Bill is expected to become effective sometime in September, 2013. Also, Aqua Texas Inc. expects their rate increase request to still be heard by TCEQ since they are filing their proposed rate increase prior to SB-567's effective date.

Commissioner Senac reviewed with Council the "Galveston Bay Estuary Fish Consumption Advisory" that was released in June. Alderman Smith asked the purpose of the new left turn lane on FM 3180 as you are approaching I-10. Commissioner Senac suggested that it could help the ingress and egress for oversized refraction units that are being hauled to Cedar Bayou. The other answer is that he simply has no idea.

#### **IV. Approval of Minutes from Special Called Meeting of June 20, 2013:**

Mayor Combs asked Council to combine the approval of Minutes to include both Items IV & V.

**V. Approval of Minutes from Regular Meeting & Public Hearing of June 25, 2013:**

**Motion to approve the minutes:**

**Motion: Lasater                      Second: Walker                      Approved: 5-0**

**VI. Financial Consent Agenda:**

- a) Review and approve the Financial Statements for previous month.**
- b) Review and approve Investment Update**
- c) Review and approve Expenditures for the current month**

Mayor Combs reminded Council that the quarterly 941-IRS payment, and the Texas Municipal League dues are a part of this month's expenditures.

**Motion to accept the financials:**

**Motion: Walker                      Second: Lasater                      Approved: 5-0**

**VII. Fiscal year 2012-2013 Year End Financial Report:**

- a) Receive and hear report for the Financial Statements for Fiscal Year 2012-2013**
- b) Review and approve the Financial Statements for Fiscal Year 2012-2013**
- c) Review and approve Revised Budget for Fiscal Year 2012-2013**

Mayor Combs reviewed the year end financial report with Council.

**Motion to approve the Year End Financial Report:**

**Motion: Walker                      Second: Lasater                      Approved: 5-0**

**VIII. November 5, 2013 City Election:**

- a) Authorize Order of Election and Notice of Election for November 5, 2013.**
- b) Appoint Election Committee**

Mayor Combs asked Secretary Donnelly to update Council on the Election counseling she recently received from County Clerk Heather Hawthorne. Secretary Donnelly stated the dates to accept applications for Candidates begins July 29, 2013 and the last day to accept applications is August 26, 2013.

in a discussion regarding the Election Committee. Alderman Jackson stated it is his understanding that the Council Members are not allowed to serve on the Election Committee. Mayor Combs suggested that Secretary Connolly serve as the Chairman for the Election Committee. Assistant City Secretary Michele Barow and Nick Barow were also discussed as potential candidates for the Election Committee. Alderman Jackson asked if we are required to post the Notice of the Election to the website. Attorney Jackson said it is not required, it's just another avenue to get the information out to the public.

motion to approve the Election Committee as discussed.  
 Alderman Jackson Second: Smith  
 Approved: 5-0

X. Executive Session Authorized by Chapter 891 of the Texas Government Code:  
 (a) Section 891.011, Consult with Attorney concerning legal issues with The Natural Gas Company;

Executive Session Ends: 7:38  
 Executive Session Begins: 7:03 pm  
 Faces of Regular Meeting: 6:57pm

XI. Discussion and possible action on performance concerns and customer charges from The Natural Gas Company;

Mayor Combs informed Council that a meeting is scheduled at Attorney Daniel Jackson's office on Wednesday, July 24, 2013 at 9:00pm. Attendees of said meeting are to be: Attorney Daniel Jackson, Mayor Combs, Alderman Jackson, Mike Lannou of The Natural Gas Company, and his Attorney, Allan Hall. Mike Lannou asked if there was an agenda for the meeting. Mayor Combs responded there are three items of discussion-the three items that they have discussed previously: Cost, What gets passed through and how, how to prevent this from happening again, and the Gas Quality issue.

XII. Approve Service Agreement with Beach City VFD for FY 2013-2014;

motion to approve the Service Agreement  
 Alderman Copitt Second: Walker  
 Approved: 5-0

XIII. Discussion and possible action on Security Lights;



In a discussion regarding the Election Committee, Alderman Lasater stated it is his understanding that the Council Members are not allowed to serve on the Election Committee.

Mayor Combs suggested that Secretary Donnelly serve as the Chairman for the Election Committee. Assistant City Secretary Marjorie Bercaw and Nick Bercaw were also discussed as potential candidates for the Election Committee.

Alderman Lasater asked if we are required to post the Notice of the Election to the website. Attorney Jackson said, it is not required, it's just another avenue to get the information out to the public.

**Motion to approve the Election Committee as discussed:**

**Motion:** Lasater                      **Second:** Smith                      **Approved:** 5-0

**IX. Executive Session Authorized by Chapter 551 of the Texas Government code:**

**a) Section 551.071, Consult with Attorney concerning legal issues with The Natural Gas Company:**

Recess of Regular Meeting: 6:57pm

Executive Session Begins: 7:03 pm

Executive Session Ends: 7:38

**X. Discussion and possible action on performance concerns and customer charges from The Natural Gas Company:**

Mayor Combs informed Council that a meeting is scheduled at Attorney Daniel Jackson's office on Wednesday, July 24, 2013 at 5:00pm. Attendee's of said meeting are to be: Attorney Daniel Jackson, Mayor Combs, Alderman Lasater, Mike Lannou of The Natural Gas Company, and his Attorney, Alton Hall.

Mike Lannou asked if there was an agenda for the meeting. Mayor Combs responded there are three items of discussion-the three items that they have discussed previously: Cost: What gets passed through and how; How to prevent this from happening again; and the Gas Quality issue.

**XI. Approve Service Agreement with Beach City VFD for FY 2013-2014:**

**Motion to approve the Service Agreement:**

**Motion:** Colquitt                      **Second:** Walker                      **Approved:** 5-0

**XII. Discussion and possible action on Security Lights:**

Mayor Combs stated that several years ago Beach City Council voted to put up several security lights throughout the City. One of the lights on the Southside of FM 2354 and Fishers Road was removed by CenterPoint several months ago and was never reinstalled. Secretary Donnelly stated that during a discussion with a member of CenterPoint she was told that the light was only lighting up the ditch and appeared to have no effect on lighting up the road. The option on the table is to replace the light or leave it down.

**Motion** to leave the light down and not replace it:

**Motion:** Colquitt

**Second:** Walker

**Approved:** 5-0

**XIII. Hear report and updates from the Mayor:**

Mayor Combs has shirts for the Council to look over after the meeting if Council is interested in purchasing shirts with the City Logo. Mayor Combs reviewed the septic permit report for the month. Mayor Combs has appointed Chambers County Emergency Management Coordinator, Ryan Holzaepfel as the Emergency Management Coordinator for the City of Beach City. The Texas General Land Office has invited Mayor Combs to a Coastal Issues Forum on July 31st. Alderman Smith asked if the Mayor would be able to discuss the Ike Dike. Mayor Combs added that would be the forum to discuss this issue. Also, there are paint samples in the office for the Council to review. Alderman Colquitt stated that she would like any color Secretary Donnelly likes. Alderman Smith concurred.

**XIV. Council Member Comments:**

Alderman Colquitt gave an update on the benefit for city resident Fred Keese, that was held on July 20<sup>th</sup> at Tri-Cities Beach Grocery. The benefit was a huge success raising \$20,370.00. Alderman Colquitt stated that after paying for the food, a donation was made to Fred Keese in the amount of \$16,640.00. Alderman Lasater asked if Alderman Colquitt could make a list of all those who helped so they could be recognized. Alderman Colquitt said she would put together a list for the Mayor and Alderman Lasater.

**XV. Adjournment:**

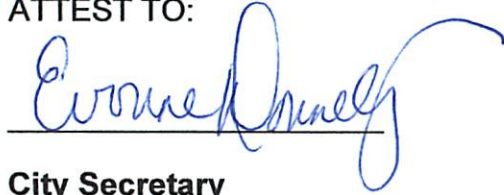
**Motion** made to adjourn at 8:03pm:

**Motion:** Smith

**Second:** Colquitt

**Approved:** 5- 0

ATTEST TO:



A handwritten signature in blue ink, appearing to read "Evonne Donnelly", written over a horizontal line.

**City Secretary**  
Evonne Donnelly

APPROVED BY:



A handwritten signature in blue ink, appearing to read "Billy Combs", written over a horizontal line. A small yellow mark is visible to the left of the signature.

**Mayor**  
Billy Combs