



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

NOVEMBER 2, 2015

Council Chamber and Council Conference Room
6:00 PM

Special Session and Regular Session

7008 S. RICE AVENUE
BELLAIRE, TX 77401

I. SPECIAL SESSION (EXECUTIVE SESSION) - 6:00 P.M.

A. Call to Order and Announcement of a Quorum - Dr. Philip L. Nauert, Mayor.

Dr. Philip L. Nauert, Mayor, called the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, to order at 6:01 p.m. on Monday, November 2, 2015. He announced that a quorum was present consisting of all members of City Council as set forth in the table below.

Member Name	Title	Status	Arrived
Dr. Philip L. Nauert	Mayor	Present	
Dr. Roman F. Reed	Mayor Pro Tem	Present	
Dr. Gus E. Reed	Councilman	Present	
Dr. Avioli Sr.	Councilman	Present	
Dr. Pappas	Councilman	Present	
Dr. McLaughlan	Councilman	Present	
Dr. S. Friedberg	Councilman	Present	
Dr. Hofmann	City Manager	Present	
Dr. Petrov	City Attorney	Present	
Dr. Dutton	City Clerk	Present	

B. Convene in Executive Session:

Convene in Executive Session (Closed Session to be held in the Council Conference Room) under the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters, to deliberate the evaluation of the City Attorney of the City of Bellaire, Texas.

Motion:

To convene in Executive Session under the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters, to deliberate the evaluation of the City Attorney of the City of Bellaire, Texas.

RESULT:	APPROVED [7 TO 0]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Gus E. Pappas, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	None

{The Bellaire City Council convened in the Council Conference Room located directly

behind the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, for the purpose of conducting the referenced closed session at 6:02 p.m. on Monday, November 2, 2015.}

C. Reconvene in Open Session:

Reconvene in Open Session in the Council Chamber and consider taking action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing Alan P. Petrov as the City Attorney of the City of Bellaire, Texas, for a one-year period of time commencing on December 1, 2015, and remaining in effect month to month thereafter and authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Legal Service Agreement with Johnson Petrov LLP for legal services.

{The Bellaire City Council reconvened in open session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, at 6:48 p.m. on Monday, November 2, 2015.}

Dr. Philip L. Nauert, Mayor, advised that the City Council had reviewed the City Attorney's performance and a proposal that the City Attorney's firm had submitted to the City of Bellaire to continue said services for another year.

Motion:

To adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Alan P. Petrov as the City Attorney of the City of Bellaire, Texas, for a one-year period of time commencing on December 1, 2015, and remaining in effect month to month thereafter and authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Legal Service Agreement* dated November 2, 2015, with Johnson Petrov LLP for legal services.

***Andrew S. Friedberg, Councilman,** advised that the Legal Service Agreement was the same in all material respects as the agreement in effect for the prior year with the exception of the flat monthly fee. Going forward, the flat monthly fee would be \$7,245.00 plus out-of-pocket expenses not to exceed \$1,000.00 per expenditure.

RESULT:	ADOPTED [7 TO 0]
MOVER:	Andrew S. Friedberg, Councilman
SECONDER:	Roman F. Reed, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	None

D. Adjourn.

Motion:

To adjourn the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, at 6:51 p.m. on Monday, November 2, 2015.

RESULT:	APPROVED [7 TO 0]
MOVER:	Roman F. Reed, Councilman

SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	None

II. REGULAR SESSION - 7:00 P.M.

A. Call to Order and Announcement of a Quorum - Dr. Philip L. Nauert, Mayor.

Dr. Philip L. Nauert, Mayor, called the Regular Session of the City Council of the City of Bellaire, Texas, to order at 7:00 p.m. on Monday, November 2, 2015. He announced that a quorum was present consisting of all members of City Council as set forth in the table below.

Name	Title	Status
Dr. Philip L. Nauert	Mayor	Present
Amanda B. Nathan	Mayor Pro Tem	Present
Roman F. Reed	Councilman	Present
James P. Avioli, Sr.	Councilman	Present
Gus E. Pappas	Councilman	Present
Pat B. McLaughlan	Councilman	Present
Andrew S. Friedberg	Councilman	Present
Paul A. Hofmann	City Manager	Present
Alan P. Petrov	City Attorney	Present
Tracy L. Dutton	City Clerk	Present

B. Inspirational Reading and/or Invocation - James P. Avioli, Sr., Councilman.

James P. Avioli, Sr., Councilman, provided the inspirational reading for the evening.

C. Pledges to the Flags - James P. Avioli, Sr., Councilman.

James P. Avioli, Sr., Councilman, led the members of City Council and audience in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. Recognition of Proclamations:

1. Issuance of a proclamation by Dr. Philip L. Nauert, Mayor, in recognition of Tyler Blinn Duffey for his accomplishments in the field of baseball beginning in high school to the major leagues as a starting pitcher for the Minnesota Twins in 2015; as well as for the outstanding role model he presents to the youth of Bellaire - Requested by Roman F. Reed, Councilman.

Dr. Philip L. Nauert, Mayor, asked Roman F. Reed, Councilman, to introduce the first proclamation to be issued this evening.

Roman F. Reed, Councilman, began his introduction of Tyler Duffey by noting that Tyler was a man who did not seek attention or praise. He was an humble, hardworking man from humble, hardworking parents and grandparents. Tyler Duffey's fiancée, Sarah Hutchins, was introduced by Councilman Reed. He advised that that Tyler and Sarah would be married in December. In closing, Councilman Reed stated that the words "trust," "honor," and "integrity"

exemplified Tyler Duffey.

Dr. Philip L. Nauert, Mayor, read the proclamation he had issued in recognition of Tyler Blinn Duffey for his accomplishments in the field of baseball, as well as for the outstanding role model Tyler presented to the youth of Bellaire.

Tyler Blinn Duffey accepted his proclamation. He stated that he was not big on attention; however, the proclamation was truly an honor for him. Tyler stated further that he was very appreciative of the support that the City of Bellaire had given him.

2. Issuance of a proclamation by Dr. Philip L. Nauert, Mayor, to the AORN of Greater Houston proclaiming the week of November 8-14, 2015, as Perioperative Nurse Week in the City of Bellaire in recognition of the contributions perioperative nurses make to patient safety - Requested by Tracy L. Dutton, City Clerk; Presented to Joanne D. Oliver, BSN, RN, CNOR, Past President of the AORN of Greater Houston.

Dr. Philip L. Nauert, Mayor, read the proclamation he had issued to the AORN of Greater Houston proclaiming the week of November 8-14, 2015, as "Perioperative Nurse Week" in the City of Bellaire in recognition of the contributions perioperative nurses made to patient safety.

The proclamation was accepted on behalf of the AORN of Greater Houston by **Joanne D. Oliver**, BSN, RN, CNOR, Past President of the AORN of Greater Houston and **NaKeisha Archer**, President-Elect, AORN of Greater Houston.

Ms. Oliver briefly discussed the role of a perioperative nurse and thanked the City of Bellaire for recognizing Perioperative Nurse Week this year.

E. Approval or Correction of Minutes:

Minutes of the Special Session (Public Hearing) and Regular Session held on October 5, 2015:

Consideration of and possible action on the adoption of the minutes of the Special Session (Public Hearing) and Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 5, 2015.

Mayor and Council - Public Hearing and Regular Session - Oct 5, 2015 6:00 PM

Motion:

To approve the minutes of the Special Session (Public Hearing) and Regular Session held on Monday, October 5, 2015.

Reference was made to a scrivener's error that appeared on page 13 of the minutes. The corrected page 13 had been placed at the dais for each member of City Council. Councilman Friedberg noted that the purpose of the correction was to change his vote to reflect an abstention rather than an absence.

RESULT:	APPROVED AS CORRECTED [6 TO 0]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Gus E. Pappas, Councilman
AYES:	Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
ABSTAIN:	Nauert

F. Personal/Audience Comments.

Jana Bedi:

Ms. Bedi addressed City Council regarding Diwali Day. She indicated that Diwali Day was the equivalent of Christmas for most from the Indian subcontinent. She invited the City Council and residents to join in the Diwali Day celebration at the Bellaire Civic Center on November 7th.

Ms. Bedi closed and indicated that some of the Bellaire police officers would be recognized and honored during the celebration.

Robert Riquelmy:

Mr. Riquelmy addressed City Council and advised that many who had paid attention over the last few months had heard him suggest improvements for accessibility and transparency of City government to the residents of Bellaire.

Mr. Riquelmy read a portion of an article from the Houston Chronicle related to Bellaire expenditures that he knew nothing about and assumed that 99.9% of the residents of Bellaire knew nothing about either. A portion of the article, dated October 20, 2015, was read into the record by Mr. Riquelmy as follows:

Bellaire's legal tab mounts in Tolan civil suit. The city of Bellaire's last bill for legal services related to the Robbie Tolan shooting and his family's civil rights lawsuit was \$74,612 records released Monday show.

That brings the total cost for the municipality's representation in the matter to more than \$450,000. Last month, the city agreed to pay \$110,000 to resolve the Tolans' remaining claims against Lt. Jeffrey Cotton.

Payments to police liability lawyers who represented the city and the officer over nearly six years added up to four times as much as the settlement.

Bellaire officials hired Bill Helfand and Norman Giles with the Chamberlain Hrdlicka firm to defend the lawsuit filed in 2009 by Tolan, his parents and his cousin

"We do not anticipate any further billing for this matter," Helfand said in an email on Monday.

Upon learning about the preliminary cost of the city's legal bills, a tally exceeding \$370,000 by late September, Tolan family lawyer Daryl Washington said: "The taxpayers are getting hit on cases that should settle."

Even though the claims against Bellaire were thrown out before trial, the city, which is self-insured, paid the settlement.

The agreement states that the city and Cotton "have consistently denied liability in this matter" but that the municipality is paying the money "in compromise and settlement of a disputed claim to avoid further expense of litigation and disruption of public service."

Unlike other unarmed black men shot by police in recent high-profile incidents that sparked street demonstrations, motivated national movements and inspired feature films, Tolan lived to tell his story. His settlement is miniscule compared with multi-million dollar payouts in recent months to survivors of black men killed by police in Baltimore, Cleveland, New York City, and North Charleston, S.C.

Tolan, his parents, Bobby and Marian Tolan, and his cousin, Anthony Cooper, alleged that their civil rights were violated on Dec. 31, 2008, in an incident that began with a traffic stop outside the Tolans' home and ended with Cotton shooting Robbie Tolan. The lawsuit said that Tolan and Cooper, who are black, came under suspicion because the Bellaire police Department has a history of racially profiling people of color.

Now, the family has turned its attention to the Robbie Tolan Foundation to assist others impacted by police use-of-force incidents.

Mr. Riquelmy stated that if the people of Bellaire known what had been going on, they might have been able to intervene and save the City \$500,000. He urged residents to vote for him for Mayor and to help him put a shackle on the attorneys.

Lynn McBee:

Ms. McBee addressed City Council and stated that if proclamations were intended to be issued by the elected body, she felt that the City should balance them out. For example, for every sport or professional award, the City might consider an academic one, such as merit scholars.

Amongst the many reports and ordinances on the City's agenda, one item took ten pages to discuss at length. That item related to a recommendation by the City Staff to hire a construction manager, Horizon+Christensen, a joint venture, for preconstruction and construction services for what was deemed to be the "Municipal Facilities Project." Ms. McBee advised that she could only assume that the City was considering Option A.

Although she believed it was a good idea, Ms. McBee did not understand why the City needed to do this now. She hoped that the construction manager would talk with the community and not just the City Staff or City Council. She stated that her concern related to a member of the firm that served as an outstanding Chair of the Building and Standards Commission, Laura Thurmond. The award of a contract to that Chair's firm seemed a bit of a conflict in Ms. McBee's opinion. She urged Ms. Thurmond to step down from her voluntary service as a member of a City board.

In closing, Ms. McBee indicated that she did not understand the City's ranking of the firms that submitted proposals for the Municipal Facilities Project. She urged City Staff to include a key in future documents related to rankings.

Susan Downs:

Ms. Downs addressed City Council regarding her campaign for a position on City Council. She had recently been asked what she had learned from campaigning and whether or not it had been fun.

Ms. Downs advised that she had learned several things about herself. For example she

was a hard worker and enjoyed talking to people. She had a tendency to interrupt and sometimes talked too much. Ms. Downs was kind and curious and had a very supportive, patient husband.

From the voters, Ms. Downs learned a number of things while campaigning during the early voting period. Some of the issues of concern were infrastructure, loud concerts in the parks, lack of green space around Condit Elementary School, and more and better services for their tax dollar. Voters indicated that they wanted no more money for parks and the Holly Street renovation. Reference was made to the appearance that the City had no emergency plan as it related to the costly flooding of the Public Works Facility and vehicles. She heard from voters who wanted to give more money to the Police Department. Others expressed concern with racial profiling.

For the most part, voters loved living in Bellaire and were very happy with their neighborhoods. One resident asked Ms. Downs if she would maintain the small town feel of Bellaire, if elected. She advised that she would.

In closing, Ms. Downs advised that it was invigorating to talk with the citizens of Bellaire and to find out their concerns about the City. She stated that Bellaire had a great history and a promising future, and she hoped to play a part in Bellaire.

G. Report(s):

1. Report regarding Houston Community College's (HCC) West Loop Campus Bond Program project consisting of a parking garage (five-level) and a campus plaza - Presented by Charles Smith, Chief Facilities Officer, HCC, and Whit Robinson, Program Manager, Jacobs Engineering - Submitted by Tracy L. Dutton, City Clerk.

Charles Smith, Chief Facilities Officer, Houston Community College (HCC), addressed City Council regarding HCC's West Loop Campus Bond Program. Mr. Smith introduced Whit Robinson of Jacobs Engineering, Program Manager, and Christie Powers, HCC West Loop Campus. Mr. Smith advised that he and his colleagues were present at the request of their Board of Trustees and their Bond Oversight Committee to share some positive news about HCC.

Mr. Smith indicated that HCC had a significant presence and close proximity to the City of Bellaire. Nearly 10,000 students at two campuses (West Loop Campus and Gulfton Campus) were within a block of the Bellaire city limits. Another 700 HISD students attended HCC and were engaged in dual credit, middle college, or early college high school at the campuses.

In addition, the West Loop Campus was home to HCC's Center of Excellence in Digital and Information Technology, which provided training in industry credentialing in Microsoft, Cisco, Oracle, Linux, CompTIA, and other emerging technologies to meet the needs of more than 1,000 computer-related companies in Houston. Degrees were offered in eight different areas, including cyber security, geographic information sciences, digital gaming, and computer programming.

Mr. Smith indicated further that he wished to report on the status of the voter-approved 2013 bond originally planned as \$425 million, 15 buildings, 14 locations, and up to one million square feet. The program today had been reduced in square footage to approximately 850,000 square feet due to construction cost escalation. However, HCC was on budget and on task. Eleven of the buildings had broken ground and two were nearing completion. One of those buildings was the West Loop Campus parking garage and facelift. The

parking garage would be completed in December. Once the parking garage was completed, work would begin in earnest on the Loop face of the existing building, as well as the addition of some green space and student lounging areas in front of the building to create a campus feel.

Finally, Mr. Smith reminded City Council that HCC was being a good steward. The bond program was on budget. Most of the new buildings were LEED Silver. The Board of Trustees recently voted to increase homestead exemptions for those over 65 or disabled, providing relief to more than 87,000 homeowners within HCC's tax district. Also of note was the recognition HCC had recently received from the Government Finance Officers' Association, in the form of a "Certificate of Achievement for Excellence in Financial Reporting" from the Government Finance Officers' Association.

In closing, Mr. Smith indicated that he and his colleagues appreciated City Council's time this evening and were available to answer any questions City Council might have.

Dr. Philip L. Nauert, Mayor, after noting that there were no questions from members of City Council, called for a motion related to the HCC report.

Motion:

To accept the report presented by Charles Smith, Chief Facilities Officer, HCC, regarding the West Loop Campus Bond Program consisting of a parking garage and campus plaza, into the record.

RESULT:	ACCEPTED [7 TO 0]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	None

2. Presentation and update of Phase I beautification projects to be recommended by Citizens For A Beautiful Bellaire. Action will be requested on the projects on November 16, 2015 - Presented by John Monday; Submitted by Pat B. McLaughlan, Councilman, at the request of Citizens For A Beautiful Bellaire.

John F. Monday, Citizens For A Beautiful Bellaire, provided an update of Phase I Beautification Projects to be recommended by the Citizens For A Beautiful Bellaire (CFABB) on November 16, 2015, for possible City Council action. Mr. Monday advised that he was very proud of the three work groups comprising the CFABB.

Mr. Monday continued and referred to a City Beautiful movement that occurred in the 1890s and 1900s, and flourished in the 1900s. The movement promoted beauty within a city and created moral and civic virtue among urban populations.

The CFABB described beautification as the process of making something more appealing to the senses, improving the appearance of something, or adding something where nothing existed. Reference was made to the City's phrase "service level improvements." When combining that phrase with beautification initiatives, the result would be the enhancement of Bellaire's reputation.

Mr. Monday advised that the beautification efforts recommended by the CFABB were simply to make a more appealing community. Reference was made to a survey, entitled Community of the Soul, conducted by the Knight Foundation. According to the survey, the top three reasons that people were attached to a particular city were social offerings, openness, and aesthetics. The term "social offerings" was defined as vibrant night life, availability of arts and culture, social community events, places to meet each other, and a feeling that people in the community cared. The term "openness" was defined as a community being welcoming and seen as good for older people, minorities, families with young children, young talented college graduates looking for work, and young adults without children. The term aesthetics was defined to mean the physical beauty of the place and the availability of parks and open space.

It was noted that the CFABB had divided their work into three phases. Phase I would take the City through the end of the 2015 calendar year (December 31). Members of the CFABB were divided into three work groups: 1) Landscape Work Group; 2) Roadways Work Group, and 3) Image Work Group.

Landscape Work Group

The Landscape Work Group's recommendations flowed from the east side of the City to the west. The Landscape Work Group recommended that the City expend \$15,000 to enhance the railroad track area at Bellaire Boulevard. A second project related to Bissonnet Street east and west of Loop 610. The Landscape Work Group recommended adding a water source, native vegetation, some color, and turning up the volume in those important intersections by expending approximately \$15,000.

With respect to the South Rice Avenue esplanade from Bissonnet Street to Bellaire Boulevard, the Landscape Work Group recommended enhancing what was already in place. Items to be incorporated in the area totaled \$10,000. The Landscape Work Group also recommended expending \$50,000 on Paseo Park at South Rice Avenue to enhance the color for the trolley and clock tower, as well as the addition of seasonal banners in Paseo Park.

Recommendations for the esplanade at the intersections of Newcastle Street and Bellaire Boulevard and Newcastle Street and Avenue B included \$15,000 expenditures on each intersection to add color and improvements.

Improvements to traffic signal islands were recommended on South Rice Avenue at Bellaire Boulevard and Bissonnet Street by adding landscaping consisting of color, permanent plants, and Texas native plants.

The last recommendation from the Landscape Work Group was to spend approximately \$10,000 on the esplanades at Bellaire High School. One esplanade of solid concrete needed to be power washed, with improvements to be made to the other two esplanades in that area.

Mr. Monday advised that none of the Landscape Work Group projects had been designed, so the CFABB felt it was appropriate to add a modest design fee of \$6,000.

Roadways Work Group

The second work group, the Roadways Work Group, had four recommendations. The Roadways Work Group recommended an allocation of \$7,000 for painting and curb repair in the downtown area. The entity responsible for Loop 610 underpasses and brick wall surfaces along Loop 610 was not clear. The Roadways Work Group hoped to work with TXDOT to see TXDOT's schedule for replacement and repair.

The last project recommended by the Roadways Work Group in Phase I was a citywide project consisting of tree trimming, addressing overhangs, and addressing obstructions in the amount of \$30,000.

Image Work Group

Christopher Butler, CFABB, advised that everything discussed earlier in the presentation related to fixing and/or enhancing what was currently in place. The CFABB was also interested in projects that would come before City Council in one year, five years, and even ten years. Examples of such projects included wayfinding and entryway markers, logos, and marketing for the community.

The CFABB wanted to dredge up as much public involvement and sentiment as they could. The Image Work Group ultimately wished to determine Bellaire's product, market, and to define what made the community beautiful.

Reference was made to an online beautification survey. Mr. Butler advised that the survey had been online for awhile and was not a "scientific" survey. Seventy responses had been received thus far. The Image Work Group wanted to push the survey out to as many people as possible.

Mr. Butler advised that the Image Work Group hoped to give City Council an ideal design for a street, for a logo, and for a City Hall Facility inasmuch as the Image Work Group believed that the citizens could support that. It was hoped that the survey could be advertised through as many channels as possible, such as on City's website, with signage, banners, and posters, and with push cards. The estimated cost to promote the survey was approximately \$300.

Dr. Philip L. Nauert, Mayor, opened the floor for questions from City Council at this point in the meeting. At the conclusion of questions, City Council moved to agenda item G.3.

3. Presentation of an Interim Report from the Bellaire Public Works Department regarding the Public Works Facility Assessment - Presented by Brant Gary, Director of Public Works.

Brant Gary, Director of Public Works, presented an interim report to members of City Council from the Bellaire Public Works Department regarding the Public Works Facility Assessment.

Director Gary provided a snapshot of work currently underway and to be done in the future with the Public Works Service Center (Administration Building). He indicated that he was currently working with PGAL to finalize: (1) scopes for potential mitigation approaches and (2) to evaluate the scope and costs for Americans With Disabilities Act ("ADA") required improvements. Initial indications from the Federal Emergency Management Agency ("FEMA") included possible funding for the improvements.

Director Gary stated that a comprehensive report would be presented to City

Council on December 7, 2015, which would include an (1) update of the draft assessment for the existing Public Works Service Center and associated warehouses; (2) a determination as to the life expectancy of the buildings and key facility components; (3) a space analysis for the existing facilities; and (4) an update regarding the Capital Improvement Program (CIP) repair needs for the facilities.

Decision-making criteria for repair/replacement of the Public Works Service center and associated warehouses would be provided in the comprehensive report and would include (1) current flood damage; (2) costs to renovate; (3) costs to relocate to another location; (4) potential site-based flood mitigation solutions; and (5) projected timelines.

Director Gary advised that three scenarios were under consideration for the Public Works facilities. Brief overviews of the scenarios were provided by Director Gary.

Scenario 1: Repair Existing Facility

Identifiable repair project costs	\$260,000
Identifiable contents costs	\$100,000
Estimated ADA costs	\$150,000
Total repair costs	\$510,000

Funding for scenario one would consist of existing and projected insurance reimbursements and operating funds.

In order to floodproof the existing facility, FEMA would provide funding in an amount not to exceed \$500,000.

The following timeframe was cited for Scenario 1:

Repairs and contents replacement	4 to 6 Months
Floodproofing	2 to 3 Months
Total time to occupy building	6 to 9 Months

Pros associated with Scenario 1 included being able to continue as the department was currently operating; no temporary buildings would be necessary; funding was identified; and timeframe as compared to Scenarios 2 and 3 below was shorter.

Cons associated with Scenario 1 included long-term flooding concerns; long-term facility needs; lost opportunities for a long-term solution; and possible similar damage during the next flooding event.

Scenario 2: Short-Term Replacement

Design costs	\$100,000 - \$200,000
Demolition costs	\$50,000
Temporary office space	\$100,000 - \$150,000
New building cost	\$1,500,000 - \$2,500,000
New contents cost	\$200,000 - \$250,000
Total cost to occupy building	\$2,000,000 - \$3,150,000

Floodproofing would be addressed in Scenario 2 through the construction of the new building at a height above the base flood elevation of the area. ADA issues would also be addressed in the new construction.

With respect to funding, the City would utilize some of the existing/available funds, as follows:

Insurance proceeds	\$350,000
ADA repair costs	\$150,000
FEMA mitigation	\$500,000

Another possible source of funding included \$500,000-\$750,000 in unencumbered facilities reserve funds. Outstanding needs of \$500,000-\$1,250,000 could be provided by reallocating existing priorities or through new debt.

The following timeframe was cited for Scenario 2:

Design	2 to 3 Months
Construction	10 to 15 Months
Total time to occupy new building	12 to 18 Months

Pros associated with Scenario 2 included the replacement of an existing 30-year old building in a shorter timeframe; ability to place the new building outside of the flood plain; and allowed for funding to be identified.

Cons associated with Scenario 2 included long-term facility/space planning needs; the area surrounding the new building would still be flood-prone; and the project was limited to the Wastewater Treatment Plant and the existing site.

Scenario 3: Long-Term Replacement

Design costs	\$150,000 - \$250,000
Demolition costs	\$50,000
Temporary office space	\$150,000 - \$200,000
New building cost	\$2,500,000 - \$3,500,000
New contents cost	\$200,000 - \$500,000
Total cost	\$3,000,000 - \$4,500,000

*The cost of property acquisition was not included in the total costs.

Director Gary advised that floodproofing would be addressed through construction of the new building at a height above the base flood elevation of the area. ADA issues would also be addressed in the new construction.

With respect to funding, the City would utilize some of the existing/available funds, as follows:

Insurance proceeds	\$350,000
ADA repair costs	\$150,000

Total funding	\$500,000
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Outstanding needs of \$2,500,000-\$4,000,000 could be provided by reallocating existing priorities (\$500,000-\$750,000) and/or through new debt.

The following timeframe was cited for Scenario 3:

Time before bond sale	1 to 2 Years
Site selection	3 to 4 Months
Design	6 to 8 Months
Construction	10 to 15 Months
Total time to occupy new building	3 to 5 Years

Pros associated with Scenario 3 included the replacement of an existing 30-year old building; ability to place the new building outside of the flood plain; allowed for time to include all planning steps needed; funding via a bond sale could be planned out; and a new facility could include new site options to address current area flooding concerns relative to operations.

Cons associated with Scenario 3 included a long wait time to be back in a permanent facility; there would be no mitigation project to help fund reconstruction; possible escalation of costs over time; and possible new site selection and acquisition costs.

Summary of Scenarios

Scenario 1 - Repair Existing Facility:

Timeframe	6 to 9 Months
Estimated project budget	\$1,000,000

Scenario 2 - Short-Term Replacement:

Timeframe	12 to 18 Months
Estimated project budget	\$2,000,000 to \$3,000,000

Scenario 3 - Long-Term Replacement:

Timeframe	3 to 5 Years
Estimated project budget	\$3,000,000 - \$4,500,000

Summary of Potential Funding Sources

Rebuild Bellaire facilities cash	\$751,000
Insurance proceeds (on hand)	\$283,762
Insurance proceeds (TML)	\$59,872
Additional ADA cost (TML)	\$150,000
FEMA mitigation	\$500,000
Currently available potential resources	\$1,744,634
Funds from new debt (if necessary)	To be determined

Dr. Philip L. Nauert, Mayor, opened the floor for questions from City Council. Following questions and discussion among City Council, Mayor Nauert called for a motion to accept the interim Public Works Facility Assessment report into the record.

Motion:

To accept an interim report from the Director Brant Gary, Bellaire Public Works Department, regarding the Public Works Facility Assessment into the record.

RESULT:	UNANIMOUS [7 TO 0]
MOVER:	Gus E. Pappas, Councilman
SECONDER:	Pat B. McLaughlan, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	None

H. Adoption of Ordinance(s)/Resolution(s):

1. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute, and Public Works Administrative Manager to acknowledge, an Interlocal Agreement with Harris County, Texas, for the administration and implementation by Harris County, Texas, of a regional watershed protection education program on storm water quality impacts in the amount of \$8,933.15 for a term of one year commencing upon the execution of said agreement by Harris County, Texas - Submitted by Brant Gary, Director of Public Works.

Motion:

To adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute, and the Public Works Administrative Manager to acknowledge, an Interlocal Agreement with Harris County, Texas, for the administration and implementation by Harris County, Texas, of a regional watershed protection education program on storm water quality impacts in the amount of \$8,933.15 for a term of one year commencing upon the execution of said agreement by Harris County, Texas.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Avioli Sr., Councilman
SECONDER:	Andrew S. Friedberg, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg

2. Consideration of and possible action on a recommendation from the Bellaire Public Works Department to award Bid No. 15-007, FY2015 Street & Sidewalk Pavement Management Project, to AAA Asphalt Paving, Inc., in an amount not to exceed \$1,090,115.00 and authorization for the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with AAA Asphalt Paving, Inc., for said project in an amount not to exceed \$1,090,115.00 - Submitted by Brant Gary, Director of Public Works.

Motion:

To approve a recommendation from the Bellaire Public Works Department to award Bid No. 15-007, FY2015 Street & Sidewalk Pavement Management Project, to AAA Asphalt Paving, Inc., in an amount not to exceed \$1,090,115.00 and to adopt an ordinance authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with AAA Asphalt Paving, Inc., for said project in an amount not to exceed \$1,090,115.00.

Point of Order:

Andrew S. Friedberg, Councilman, raised a point of order regarding the ordinance associated with the agenda item. He stated that in the preamble of the ordinance, the City Manager and City Clerk were authorized to execute and attest, respectively, whereas in the body of the ordinance, the Mayor and City Clerk were authorized to execute and attest, respectively. **The suggestion was made that the preamble and the body of the ordinance authorize the City Manager and City Clerk to execute and attest, respectively. All members of City Council were in agreement with the point of order raised and with the suggested changes.**

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Pat B. McLaughlan, Councilman
SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	Reed

3. Consideration of and possible action on a recommendation from the Public Works Department to award Engineering Services to ARKK Engineers, LLC, for the FY2016 Street and Sidewalk Pavement Management Project in the amount of \$285,000 and authorization for the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for said services in an amount not exceed \$285,000 - Submitted by Brant Gary, Director of Public Works.

Motion:

To approve a recommendation from the Bellaire Public Works Department to award engineering services to ARKK Engineers, LLC, for the FY2016 Street & Sidewalk Management Project in the amount of \$285,000.00, and to adopt an ordinance authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for said services in an amount not to exceed \$285,000.00.

Discussion ensued among members of City Council and James Andrews, City Engineer, ARKK Engineers, LLC, related to the services to be provided. At the conclusion of questions, a point of order was raised by Andrew S. Friedberg, Councilman.

Point of Order:

Andrew S. Friedberg, Councilman, raised a point of order regarding the ordinance associated with the agenda item. He stated that in the preamble of the ordinance, the City Manager and City Clerk were authorized to execute and attest, respectively, whereas in the body of the ordinance, the Mayor and City Clerk were authorized to execute and attest, respectively. **The suggestion was made that the preamble and the body of the ordinance authorize the City Manager and City Clerk to execute and attest, respectively. All members of City Council were in agreement with the point of order raised and with the suggested changes.**

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Pat B. McLaughlan, Councilman
SECONDER:	James P. Avioli Sr., Councilman
AYES:	Nauert, Nathan, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	Reed

4. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, authorizing the City Manager to accept a contribution in an amount not to exceed \$177,105 from the Evelyn's Park Conservancy - Submitted by Michelle Jordan, Project Manager.

Dr. Philip L. Nauert, Mayor, read the background/summary for the agenda item related to the acceptance of a contribution from the Evelyn's Park Conservancy for Phase I of the Evelyn's Park project (set forth below).

During initial earthwork construction at Evelyn's Park, unsuitable soils were discovered across the site. After extensive review and discussion, the unsuitable soils were more clearly defined, and a solution was developed. In response to the additional expenses to the project, Evelyn's Park Conservancy ("EPC") has agreed to fund the change order(s).

The total not to exceed cost of the change order(s) is \$177,105.00. Due to the nature of the soil condition, there is no way to know the exact quantities and duration of this change order until the work is actually performed. Because of this, the City will approve an initial change order with the contractor in the amount of \$138,638, which EPC will fund. If during the course of the work,

additional quantities of unsuitable soils are discovered, EPC will promptly fund the additional cost of the work up to a maximum of \$177,105.00, after which the City will approve the additional change order(s).

In order to not delay construction, this resolution requests that the City accept the initial contribution of \$138,638.00 from the EPC and that the City Council authorize the City Manager to accept a future contribution(s), if needed, in an amount not to exceed the difference between \$177,105.00 and \$138,638.00, which is \$38,467.00. Under current policy the City Manager is only allowed to accept contributions up to \$25,000.00.

In addition, if this item passes, it will be recommended tonight on a subsequent agenda item to do the same if additional change order(s) are needed above the \$138,638.00 up to a maximum of \$177,105.00. The ordinance for the change order(s) associated with this item will request that City Council authorize the City Manager to execute any further change order(s), if needed, only upon receipt of further contributions from the EPC.

Motion:

To adopt a resolution of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to accept a contribution in an amount not to exceed \$177,105.00 from the Evelyn's Park Conservancy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg

5. Consideration and possible action on a recommendation to approve change order(s) in an amount not to exceed \$177,105 for the construction contract for Phase One of Evelyn's Park and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas authorizing the City Manager of the City of Bellaire, Texas to execute said change order(s). The change order(s) include the cost to relocate and/or remove unsuitable soils from the park site. The initial change order, 2A, will be executed only upon receipt of a contribution in an amount of \$138,638 from the Evelyn's Park Conservancy, and will be authorized for that same amount. Any additional change orders, if needed, will require the receipt of funds before execution of additional change orders up to a not to exceed amount of \$38,467, with a total not to exceed value of \$177,105. Submitted by Michelle Jordan, Project Manager.

Dr. Philip L. Nauert, Mayor, read the background/summary for the agenda item requesting the approval of a change order related to Phase I of the Evelyn's Park project (set forth below).

Upon notification about the subsurface conditions, several steps were taken to more clearly define the extent of the problem. Additional "potholes" were dug on the site and reviewed by multiple entities, and detailed drawings and maps were created to depict the problem areas. Professional review of the conditions was performed by Raba Kistner (geotechnical and material testing engineers), SWA Group (landscape architect), Linbeck (contractor), Joslin (subcontractor), along

with Evelyn's Park Conservancy members and representatives from the City of Bellaire (Karl Miller, Michelle Jordan, James Andrews).

After thorough review and discussions, a plan was created that would minimize the need to remove the unsuitable soils by relocating a portion of them onsite to appropriate areas. Some of the unsuitable soils will be used as backfill material in the hole created by the basement removal. (The Rubenstein family has generously agreed to remove the basement and fill material inside the basement at no cost to the EPC or the City). Other soils can be used underneath the berms on the site, which will still allow the plant material to grow. The limestone base material will be suitable for use underneath paving areas, such as the parking lot and concrete walkways. This plan has resulted in a substantial decrease in the amount of material that must be removed and disposed of offsite. As assured by the Landscape Architect, the planned use of soils will not prevent the plant material from growing and will not result in an increased maintenance burden.

The unsuitable soils were discovered onsite and the City was notified on July 23, 2015. Other work was able to continue onsite until August 24, 2015, at which point work ceased due to the soils condition. Between August 24 and now, accounting for ten weeks, the numerous site investigations and work sessions have happened and several iterations to the plans have been generated. The timeline for the proposed solution is estimated at four weeks from the date the work begins. Assuming Council approval and EPC funding occurs on November 2, 2015, the estimated start date would be November 9, 2015. The project will suffer from a 14-week delay at this point, although every effort will be made to mitigate the delay and make up for lost time.

The cost of this change order includes the cost for the work to be performed, as well as the costs associated with the general conditions and the scoping/pricing exercises. The amount of the change order that will be authorized between the City and the Contractor will be \$138,638.00 at this time. If, during the course of the work, additional work is needed, the attached ordinance authorizes the City Manager to execute additional change order(s) in an amount up to \$38,467.00 for a total amount, including the initial change order, not to exceed \$177,105.00. The previous resolution authorized the City Manager to receive additional funds from the Conservancy, if needed. The current contract value is \$6,378,090.00 and this change order(s) will increase the contract value to an amount not to exceed \$6,555,195.00.

Motion:

To approve a recommendation for a change order(s) in an amount not to exceed \$177,105.00 for the construction contract for Phase One of Evelyn's Park and to adopt an ordinance authorizing the City Manager of the City of Bellaire, Texas, to execute said change order(s). The change order(s) include the cost to relocate and/or remove unsuitable soils from the park site. The initial change order (identified as "2A") will be executed upon receipt of a contribution in an amount of \$138,638.00 from the Evelyn's Park Conservancy, and will be authorized for that same amount. Any additional change order(s), if needed, will require the receipt of funds before execution of additional change orders up to a not to exceed amount of \$38,467.00, with a total not to exceed value of \$177,105.00.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Pat B. McLaughlan, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg

6. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the FY 2016 Budget for the City of Bellaire, Texas, by \$77,218 for the purpose of increasing the appropriation of the Holly Street Esplanade Construction Project from \$149,919 to \$227,137 - Submitted by Diane K. White, Assistant City Manager.

Motion to Postpone:

To postpone consideration of the agenda item to increase the appropriation of the Holly Street Esplanade Construction Project indefinitely.

RESULT:	APPROVED [6 TO 1]
MOVER:	Andrew S. Friedberg, Councilman
SECONDER:	Philip L. Nauert, Mayor
AYES:	Nauert, Nathan, Avioli Sr., Pappas, McLaughlan, Friedberg
NAYS:	Reed

7. Consideration of and possible action to approve a change order to the construction contract for the Holly Street Esplanade Project to include additional planting and complete irrigation within identified medians, and on the adoption of an ordinance of the City of Bellaire authorizing the City Manager of the City of Bellaire, Texas to execute said change order in the amount of \$77,218 - Submitted by Michelle Jordan, Project Manager.

Motion:

To approve a change order to the construction contract for the Holly Street Esplanade Project to include additional planting and complete irrigation within identified medians and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to execute said change order in the amount of \$77,218.00.

Discussion ensued among members of City Council regarding the agenda item and motion on the floor. Following discussion, **Dr. Philip L. Nauert, Mayor**, called for a vote on the motion on the floor.

RESULT:	FAILED [1 TO 6]
MOVER:	Gus E. Pappas, Councilman
SECONDER:	Roman F. Reed, Councilman
AYES:	Reed
NAYS:	Nauert, Nathan, Avioli Sr., Pappas, McLaughlan, Friedberg

8. Consideration and possible action on a recommendation from the Department of Parks, Recreation and Facilities to award a contractual agreement to Horizon+Christensen, a Joint Venture, for pre-construction and construction services for the Municipal Facilities Project in an amount of \$10,000.00 and an amount not to exceed 2.75% of actual cost of work associated with the construction phase plus personnel and general conditions directly associated with the construction of the Municipal Facilities Project and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas to execute, for and on behalf of the City of Bellaire, Texas, the following contract, American Institute of Architects, AIA Document A133-2009, Standard Form of Agreement between Owner and Construction Manager as Constructor and AIA Document A201-2007 General Conditions of the Contract for Construction - Submitted by Karl Miller, Director of Parks, Recreation and Facilities.

Karl Miller, Director of Parks, Recreation and Facilities, introduced Jeff Gerber, President and Chief Executive Officer of PGAL. He indicated that Mr. Gerber would provide a brief summary of the agenda item before City Council to award a contractual agreement to Horizon+Christensen for pre-construction and construction services for the Municipal Facilities Project.

Jeff Gerber, President and Chief Executive Officer of PGAL, provided a flowchart for the design/construction process related to the City's Municipal Facilities Project. The design process consisted of two phases, schematic design and final design.

Within the schematic design process, which was estimated to take four months to complete, the following steps would be accomplished: (1) the program would be finalized (i.e., components); (2) the building configurations and blocking of each department within the various buildings would be developed; (3) the floor plans would be developed; (4) the details of the approved site plan (Alternate A) would be finalized; (5) building elevations would be developed; (6) building systems, structural systems, and materials for buildings would be identified; and (7) the City's LEED strategy would be identified. Decisions and input to be provided by the City during the schematic design process included equipment requirements in each space, programming, evaluation of the operational adjacencies of each of the departments knowing how each of the spaces worked; blocking; building systems, etc.

Assuming an October 2016 groundbreaking, the schematic design process would need to be completed by mid-February of 2016. Mr. Gerber indicated that PGAL was recommending that a construction manager be hired now. At a minimum, a City Council Workshop Session would need to be held in January to evaluate some concept designs.

Mr. Gerber advised that the construction manager had both a pre-construction role and a construction role. Pre-construction included all of the support that a construction manager would provide for a project before construction started up

to and including preparation of a guaranteed maximum price. Once the guaranteed maximum price was approved by City Council, the construction manager would be driving the construction of the project.

For example, the construction manager would: (1) provide cost estimating services for the project; (2) evaluate the design as it was being developed; (3) provide analysis on phasing and giving recommendations as to the most economical ways to phase the project; and (4) providing input related to some of the material and system choices for the project.

If City Council decided to keep going with the project, the construction manager would continue to provide cost estimates for the project; provide input as to constructability; evaluate the market with respect to materials costs, and recruit subcontractors in preparation of the guaranteed maximum price.

It was noted that the final design phase would take seven months to complete, followed by a construction period of approximately one year.

Decisions that would need to be made by City Council by February 15 included the approval of the cost estimate presented by the construction manager; choosing a phasing strategy, if necessary; deciding whether to proceed on into design development; deciding whether or not to issue bonds for any shortfall of funds, if necessary; and deciding whether or not to continue with a citizen committee and development of the committee's charge.

Karl Miller, Director of Parks, Recreation and Facilities, referred to May 5, 2014, wherein City Council supported the concept of using a construction manager at risk process for the Municipal Facilities Project. In December of 2014, the request for competitive sealed proposals were advertised. Seven submittals were received and reviewed by a committee consisting of Assistant City Manager Diane K. White, Director of Development Services John McDonald, Chief of Police Byron Holloway, and Karl Miller. Two rounds of interviews were conducted.

The committee recommended that City Council enter into a contract with Horizon+Christensen, a joint venture, to provide construction manager services. The approval this evening would only commit City Council to an expenditure of \$10,000 for pre-construction services at this time. The action would also lock in Horizon+Christensen at a rate of 2.75% for construction services, which was an excellent construction rate.

Before the construction manager could move forward with the construction process, a guaranteed maximum price would have to be developed and submitted to City Council for approval.

Director Miller asked that City Council enter into a contractual agreement with Horizon+Christensen for construction manager services for the Municipal Facilities Project.

Motion:

To approve a recommendation from the Parks, Recreation and Facilities Department to award a contractual agreement to Horizon+Christensen, a Joint Venture, for pre-construction and construction services for the Municipal Facilities Project in an amount of \$10,000.00 and an amount

not to exceed 2.75% of actual cost of work associated with the construction phase plus personnel and general conditions directly associated with the construction of the Municipal Facilities Project and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, the following contract: American Institute of Architects AIA Document A133-2009, Standard Form of Agreement between Owner and Construction Manager as Constructor and AIA Document A201-2007, General Conditions of the Contract for Construction.

Discussion ensued among members of City Council, Director Miller, and Mr. Gerber regarding the motion on the floor. Following discussion, **Dr. Philip L. Nauert, Mayor**, called for a vote on the motion on the floor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amanda B. Nathan, Mayor Pro Tem
SECONDER:	Roman F. Reed, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg

9. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, casting its ballot for the election of a person to the Board of Directors of the Harris County Appraisal District - Submitted by Tracy L. Dutton, City Clerk.

Motion:

To adopt a resolution of the City Council of the City of Bellaire, Texas, casting its ballot for the election of James P. Avioli, Sr., to the Board of Directors of the Harris County Appraisal District.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Pat B. McLaughlan, Councilman
SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Friedberg

I. Item(s) for Individual Consideration:

Consideration of and possible action on a request from Citizens For A Beautiful Bellaire for City Council to endorse the attached survey and to allow the Citizens For A Beautiful Bellaire to promote the attached survey through the City's website and social media sources. - Submitted by Pat B. McLaughlan, Councilman, at the request of Citizens For A Beautiful Bellaire.

Motion:

To approve a request from the Citizens For A Beautiful Bellaire for the Bellaire City Council's endorsement of a survey and to allow the Citizens For A Beautiful Bellaire to promote the survey through the City's website and social media sources.

{Moved by Pat B. McLaughlan, Councilman, and seconded by Dr. Philip L. Nauert, Mayor.}

Discussion ensued among members of City Council regarding the request and the relationship between Citizens For A Beautiful Bellaire and the City. At the conclusion of the discussion, a suggested restated motion was proposed by Andrew S. Friedberg, Councilman.

Restated Motion:

To approve the request from the Citizens For A Beautiful Bellaire for the promotion of a survey through the City's website, social media, and other sources, provided that it shall be done at no cost to the City.

The restated motion was accepted by the mover of the original motion, Councilman Pat B. McLaughlan, and the seconder of the original motion, Mayor Philip L. Nauert.

Mayor Nauert asked that the City's logo be removed from promotional materials. John F. Monday, representative of the Citizens For A Beautiful Bellaire, agreed to remove the City's logo from any promotional materials.

Mayor Nauert called for a vote on the restated motion on the floor and noted that Councilman James P. Avioli, Sr., had to leave the meeting at approximately 10:35 p.m. due to a personal matter. Councilman Avioli did not, therefore, participate in the vote on this particular agenda item.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat B. McLaughlan, Councilman
SECONDER:	Philip L. Nauert, Mayor
AYES:	Nauert, Nathan, Reed, Pappas, McLaughlan, Friedberg
ABSENT:	Avioli Sr.

J. Item(s) for Future Agendas; Community Interest Items from the Mayor and City Council.

Community interest items from the Mayor and City Council included reminders to vote in the City's General and Special Elections on Tuesday, November 3rd; to attend the City's Recycles Fest on November 7th; to attend Tents 'n Town on November 14th; to attend Diwali Day on Saturday, November 13th; and wishes of good luck to all of the City's candidates for office.

K. Adjourn.

Motion:

To adjourn the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, November 2, 2015, at 10:48 p.m.

RESULT:	UNANIMOUS [6 TO 0]
MOVER:	Roman F. Reed, Councilman
SECONDER:	Pat B. McLaughlan, Councilman

AYES:	Nauert, Nathan, Reed, Pappas, McLaughlan, Friedberg
NAYS:	None
ABSENT:	Avioli Sr.