

CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

DECEMBER 21, 2015

Civic Center

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401



Mayor

Dr. Philip L. Nauert

Mayor Pro Tem

Amanda B. Nathan

Councilman

James P. Avioli Sr.

Councilman

Pat B. McLaughlan

Councilman

Roman F. Reed

Councilman

Gus E. Pappas

Councilman

Michael Fife

Mission Statement:

The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.

REGULAR SESSION - 7:00 P.M.

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

B. Inspirational Reading and/or Invocation - Pat B. McLaughlan, Councilman.

C. Pledges to the Flags - Pat B. McLaughlan, Councilman.

1. U.S. Pledge of Allegiance:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

2. Pledge to the Texas Flag:

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

D. Approval or Correction of Minutes:

1. Minutes of the Special Session (Official Canvass) - November 16, 2015:

Consideration of and possible action on the approval of the minutes of the Special Session (Official Canvass) of the City of Bellaire, Texas, held on Monday, November 16, 2015.

Mayor and Council - Official Canvass - Nov 16, 2015 6:30 PM

2. Minutes of the Regular Session - November 16, 2015:

Consideration of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, November 16, 2015.

Mayor and Council - Regular Session - Nov 16, 2015 7:00 PM

E. Personal/Audience Comments.

In order to address the City Council, please complete a "Speaker Form" (located at the entrance to the Council Chamber), and turn in the form to City Clerk Tracy L. Dutton prior to commencement of the meeting. Speakers are limited to five (5) minutes.

The purpose of this item is to allow citizens or other interested parties an opportunity to address City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy and legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (713) 662-8222 during business hours.

[Note: State law will not permit the City Council to fully discuss, debate, or consider items that are not on the agenda. Items that cannot be referred to the City Staff for action *may* be placed on the agenda of a future City Council Session.]

F. New Business:

Consideration of and possible action on a recommendation from the Bellaire Public Works Department to approve a Change Order (No. 1) with A Absolute Plumbing, Inc., to the contract for the 2015 Water Line Replacement Project in an amount of \$78,700.80; to authorize and approve a proposal for additional engineering services related to said Change Order (No. 1) from ARKK Engineers in an amount not to exceed \$5,500.00; and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager to execute, for and on behalf of the City of Bellaire, Texas, said Change Order (No. 1) with A Absolute Plumbing, Inc., to the contract for the 2015 Water Line Replacement Project - Requested by Brant Gary, Director of Public Works.

G. Items for Future Agendas; Community Interest Items from the Mayor and City Council.

[Note: It is the intent of this item to provide any member of City Council the opportunity to request to place new items on the agenda of the next Regular Meeting of City Council pursuant to Article 4, Order of Business, Section A, Agenda, of the Rules of Procedure of the City Council of the City of Bellaire, Texas, as of July 13, 2015, and/or to make a report about items of community interest. Community interest items may include expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognition of City officials, employees, or other citizens or entities; reminders of upcoming events sponsored by the City or another entity that is scheduled to be attended by a City official or City employee; and/or announcements involving an imminent threat to the public health and safety of the citizens of Bellaire that has arisen after the posting of the agenda.]

H. Adjourn.



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

NOVEMBER 16, 2015

Council Chamber

Official Canvass

6:30 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

SPECIAL SESSION (OFFICIAL CANVASS) - 6:30 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 (Official Canvass) of the City Council of the City of Bellaire, Texas, to order at 6:35 p.m. on Monday, November 16, 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	
Dr. Philip L. Nauert	Mayor	Present	
Dr. B. Nathan	Mayor Pro Tem	Present	
Dr. J. Reed	Councilman	Present	
Dr. J. Aviola Sr.	Councilman	Present	
Dr. J. Appas	Councilman	Present	
Dr. J. Laughlan	Councilman	Present	
Dr. S. Friedberg	Councilman	Present	
Dr. J. Hofmann	City Manager	Present	
Dr. J. Petrov	City Attorney	Present	
Dr. J. Dutton	City Clerk	Present	

B. Official Canvass:

Tabulation of the total number of votes received in each precinct (128, 182, 214, 215, and 268) and the sum of the precinct totals cast in the City of Bellaire, Texas, General Election held on the 3rd day of November, 2015, for the purpose of electing a Mayor, Councilman--Position No. 2, Councilman--Position No. 4, and Councilman--Position No. 6 and in the City of Bellaire, Texas, Special Election held on the 3rd day of November, 2015, for the purpose of electing a Councilman--Position No. 5 - Tabulation to be read by City Clerk Tracy L. Dutton and City Manager Paul A. Hofmann; tabulation prepared by the Elections Division of the Harris County Clerk's Office.

Tracy L. Dutton, City Clerk, and **Paul A. Hofmann, City Manager**, alternately read into the record the tabulation of the total number of votes received in each precinct and the sum of the precinct totals cast in the City of Bellaire, Texas, General Election and Special Election held on the 3rd day of November, 2015.

Set forth below are the results of the number of votes received by each candidate for office in the City of Bellaire, Texas, General Election and Special Election during early voting and on Election Day, as well as the sum of totals cast.

EARLY VOTING RESULTS BY PRECINCT:

Seven hundred forty-two (742) ballots were cast during early voting in the Bellaire General and Special Elections as follows:

GENERAL ELECTION:

Robert Riquelmy, Candidate for the Office of Mayor

Precinct 128	20
Precinct 182	20
Precinct 214	13
Precinct 215	14
Precinct 268	<u>14</u>
Total	<u>81</u>

Andrew S. Friedberg, Candidate for the Office of Mayor

Precinct 128	120
Precinct 182	151
Precinct 214	103
Precinct 215	112
Precinct 268	<u>104</u>
Total	<u>590</u>

Trisha S. Pollard, Candidate for the Office of Councilman—Position No. 2

Precinct 128	99
Precinct 182	120
Precinct 214	74
Precinct 215	71
Precinct 268	<u>79</u>
Total	<u>443</u>

Jill Bullard Almaguer, Candidate for the Office of Councilman—Position No. 2

Precinct 128	43
Precinct 182	49
Precinct 214	33
Precinct 215	47
Precinct 268	<u>36</u>
Total	<u>208</u>

Pat B. McLaughlan, Candidate for the Office of Councilman—Position No. 4

Precinct 128	117
Precinct 182	139

Minutes Acceptance: Minutes of Nov 16, 2015 6:30 PM (Minutes of the Special Session (Official Canvass) - November 16, 2015:)

Precinct 214	94
Precinct 215	105
Precinct 268	<u>106</u>
Total	<u>561</u>

David R. Montague, Candidate for the Office of Councilman—Position No. 6

Precinct 128	79
Precinct 182	91
Precinct 214	56
Precinct 215	71
Precinct 268	<u>70</u>
Total	<u>367</u>

Kevin Newman, Candidate for the Office of Councilman—Position No. 6

Precinct 128	48
Precinct 182	70
Precinct 214	42
Precinct 215	45
Precinct 268	<u>40</u>
Total	<u>245</u>

SPECIAL ELECTION:

Michael Fife, Candidate for the Office of Councilman—Position No. 5

Precinct 128	76
Precinct 182	100
Precinct 214	60
Precinct 215	88
Precinct 268	<u>67</u>
Total	<u>391</u>

Susan Downs, Candidate for the Office of Councilman—Position No. 5

Precinct 128	58
Precinct 182	62
Precinct 214	44
Precinct 215	31
Precinct 268	<u>48</u>
Total	<u>243</u>

ELECTION DAY RESULTS BY PRECINCT:

Two thousand four hundred twenty-six (2,426) ballots were cast on Election Day in the General and Special Election as follows:

GENERAL ELECTION:

Robert Riquelmy, Candidate for the Office of Mayor

Precinct 128	46
Precinct 182	53
Precinct 214	44
Precinct 215	62
Precinct 268	<u>35</u>
Total	<u>240</u>

Andrew S. Friedberg, Candidate for the Office of Mayor

Precinct 128	425
Precinct 182	484
Precinct 214	238
Precinct 215	359
Precinct 268	<u>405</u>
Total	<u>1,911</u>

Trisha S. Pollard, Candidate for the Office of Councilman—Position No. 2

Precinct 128	321
Precinct 182	383
Precinct 214	173
Precinct 215	290
Precinct 268	<u>318</u>
Total	<u>1,485</u>

Jill Bullard Almaguer, Candidate for the Office of Councilman—Position No. 2

Precinct 128	143
Precinct 182	133
Precinct 214	102
Precinct 215	109
Precinct 268	<u>111</u>
Total	<u>598</u>

Pat B. McLaughlan, Candidate for the Office of Councilman—Position No. 4

Precinct 128	375
Precinct 182	466

Precinct 214	239
Precinct 215	347
Precinct 268	<u>343</u>
Total	<u>1,770</u>

David R. Montague, Candidate for the Office of Councilman—Position No. 6

Precinct 128	289
Precinct 182	305
Precinct 214	163
Precinct 215	261
Precinct 268	<u>234</u>
Total	<u>1,252</u>

Kevin Newman, Candidate for the Office of Councilman—Position No. 6

Precinct 128	130
Precinct 182	173
Precinct 214	99
Precinct 215	126
Precinct 268	<u>132</u>
Total	<u>660</u>

SPECIAL ELECTION:

Michael Fife, Candidate for the Office of Councilman—Position No. 5

Precinct 128	281
Precinct 182	348
Precinct 214	141
Precinct 215	240
Precinct 268	<u>244</u>
Total	<u>1,254</u>

Susan Downs, Candidate for the Office of Councilman—Position No. 5

Precinct 128	161
Precinct 182	172
Precinct 214	122
Precinct 215	155
Precinct 268	<u>142</u>
Total	<u>752</u>

SUM OF PRECINCT TOTALS CAST:

Three thousand one hundred sixty-eight (3,168) ballots were cast during early

voting and on Election Day in the General and Special Election as follows:

GENERAL ELECTION:

Mayor:

Robert Riquelmy	321
Andrew S. Friedberg	2,501

{Under Votes = 345; Over Vote = 1}

Councilman—Position No. 2:

Trisha S. Pollard	1,928
Jill Bullard Almaguer	806

{Under Votes = 433; Over Vote = 1}

Councilman—Position No. 4:

Pat B. McLaughlan	2,331
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{Under Votes = 837}

Councilman—Position No. 6:

David R. Montague	1,619
Kevin Newman	905

{Under Votes = 643; Over Vote = 1}

SPECIAL ELECTION:

Councilman—Position No. 5:

Michael Fife	1,645
Susan Downs	995

{Under Votes = 527; Over Vote = 1}

C. Adoption of Ordinance Canvassing Returns and Declaring Results:

M: RR
S: GP

Vote: 7-0

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, canvassing the returns and declaring the results of a General Election held November 3, 2015, for the purpose of electing a Mayor, Councilman—Position No. 2, Councilman—Position No. 4, and Councilman—Position No. 6 for the City Council of the City of Bellaire, Texas, and canvassing the returns and declaring the results of a Special Election held November 3, 2015, for the purpose of electing a Councilman—Position No. 5 to fill a vacancy for the City Council of the City of Bellaire, Texas - Item submitted by Tracy L. Dutton, City Clerk.

Motion:

To adopt an ordinance of the City Council of the City of Bellaire, Texas, canvassing the returns and declaring the results of a General Election held November 3, 2015, for the purpose of electing a Mayor, Councilman-Position No. 2, Councilman-Position No. 4, and Councilman-Position No. 6 for the City Council of the City of Bellaire, Texas, and canvassing the returns and declaring the results of a Special Election held November 3, 2015, for the purpose of electing a Councilman-Position No. 5 to fill a vacancy for the City Council of the City of Bellaire, Texas.

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

D. Certificate of Election:

Issuance by Dr. Philip L. Nauert, Mayor, of a Certificate of Election to each candidate elected to the office of Mayor, Councilman—Position No. 2, Councilman—Position No. 4, Councilman—Position No. 6, and Councilman—Position No. 5 (Texas Election Code, Section 67.016) - Requested by Tracy L. Dutton, City Clerk.

Dr. Philip L. Nauert, Mayor, issued Certificates of Election to each candidate elected to the Office of Mayor, Councilman-Position No. 2, Councilman-Position No. 4, Councilman-Position No. 6, and Councilman-Position No. 5. {The purpose of the "Certificate of Election" was to verify the election of officials in compliance with Section 67.016 of the Texas Election Code.}

Andrew S. Friedberg received a Certificate of Election certifying that at a General Election held on the 3rd day of November, 2015, he was elected Mayor for a two-year term beginning the 4th day of January, 2016, and expiring the 8th day of January, 2018.

Trisha S. Pollard received a Certificate of Election certifying that at a General Election held on the 3rd day of November, 2015, she was elected Councilman—Position No. 2 for a four-year term beginning the 4th day of January, 2016, and expiring the 6th day of January, 2020.

Pat B. McLaughlan received a Certificate of Election certifying that at a General Election held on the 3rd day of November, 2015, he was elected Councilman—Position No. 4 for a four-year term beginning the 4th day of January, 2016, and expiring the 6th day of January, 2020.

David R. Montague received a Certificate of Election certifying that at a General Election held on the 3rd day of November, 2015, he was elected Councilman—Position No. 6 for a four-year term beginning the 4th day of January, 2016, and expiring the 6th day of January, 2020.

Michael Fife received a Certificate of Election certifying that at a Special Election held on the 3rd day of November, 2015, she was elected Councilman—Position No. 5 to fill an unexpired term commencing on the 16th day of November, 2015, and expiring on the 8th day of January, 2018.

E. Oath of Office:

1. Statement of Elected Officer - sworn to before Associate Judge Jerel Twyman, Bellaire Municipal Court, by the candidate elected to the office of Councilman - Position No. 5 for the City of Bellaire, Texas, as determined by the results of the Official Canvass - Submitted by Tracy L. Dutton, City Clerk.

Michael Fife, duly elected Councilman—Position No. 5, completed her first step of the swearing-in ceremony before Associate Judge Jerel Twyman, Bellaire Municipal Court. The document sworn to by Councilman Fife during this first step was the "Statement of Elected Officer."

2. Oath of Office - sworn to before Presiding Judge Lisa A. Wesely, Bellaire Municipal Court, by the candidate elected to the office of Councilman - Position No. 5 for the City of Bellaire, Texas, as determined by the results of the Official Canvass - Submitted by Tracy L. Dutton, City Clerk.

Michael Fife, duly elected Councilman—Position No. 5, completed her second step of the swearing-in ceremony before Presiding Judge Lisa A. Wesely, Bellaire Municipal Court. The document sworn to by Councilman Fife during this second step was the "Oath of Office."

F. Adjourn.

Dr. Philip L. Nauert, Mayor, announced that the Special Session (Official Canvass) of the City Council of the City of Bellaire, Texas, was adjourned at 6:57 p.m. on Monday, November 16, 2015.



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

NOVEMBER 16, 2015

Council Chamber

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

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 7:07 p.m. on Monday, November 16, 2015. He announced that a quorum consisting of all members of City Council was present as set forth in the table below.

Full Name	Title	Status	
Nauert	Mayor	Present	
B. Nathan	Mayor Pro Tem	Present	
J. Reed	Councilman	Present	
Avioli Sr.	Councilman	Present	
Pappas	Councilman	Present	
McLaughlan	Councilman	Present	
Wife	Councilman	Present	
Hofmann	City Manager	Present	
Metrov	City Attorney	Present	
Dutton	City Clerk	Present	

B. Inspirational Reading and/or Invocation - Gus E. Pappas, Councilman.

Gus E. Pappas, Councilman, provided the inspirational reading for the evening.

C. Pledges to The Flags - Gus E. Pappas, Councilman.

Gus E. Pappas, Councilman, led the audience and members of City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. Recognition of Proclamation(s):

Issuance of a proclamation by Dr. Philip L. Nauert, Mayor, in recognition of Nick Aring, Lifetime Member of the Bellaire Volunteer Fire Department, for his dedication and exemplary service to the City of Bellaire, Texas.

Dr. Philip L. Nauert, Mayor, read a proclamation he had issued in recognition of Nick Aring, Lifetime Member of the Bellaire Volunteer Fire Department, for his dedication and exemplary service to the City of Bellaire, Texas.

Fire Chief Darryl Anderson and honoree **Nick Aring** accepted the proclamation from Mayor Nauert. Fire Chief Anderson introduced Nick Aring and expressed the City's gratitude for Nick's service.

E. Approval or Correction of Minutes:**1. Minutes of the Special Session (Public Hearing) - October 12, 2015:**

Consideration of and possible action on the approval of the minutes of the Special Session (Public Hearing) before the City Council of the City of Bellaire, Texas, held on Monday, October 12, 2015 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Public Hearing - Oct 12, 2015 6:00 PM

Motion:

To approve the minutes of the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, held on Monday, October 12, 2015.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James P. Avioli Sr., Councilman
SECONDER:	Amanda B. Nathan, Mayor Pro Tem
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Fife

2. Minutes of the Regular Session - October 19, 2015:

Consideration of and possible action on the approval of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 19, 2015 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Regular Session - Oct 19, 2015 7:00 PM

Motion:

To approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 19, 2015.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Amanda B. Nathan, Mayor Pro Tem
SECONDER:	Gus E. Pappas, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Fife

F. Personal/Audience Comments.**Lynn McBee:**

Ms. McBee addressed City Council regarding election statistics she had collected since 1972. In looking over the statistics, Ms. McBee began to notice a pattern. She relayed some of those statistics to City Council by the decade related to increases and decreases in the number of registered voters as follows:

1977 to 1986	(114)
1985 to 1995	271
1995 to 2005	1,092
2005 to 2015	985

The total number of registered voters in 2015 was noted to be 12,204.

Ms. McBee next provided comments related to "Civics 101." She indicated that the City Manager, hired by the City Council, represented, ruled, and presided over approximately 185 City employees. Dedications by the City Staff were posted in the City Hall Lobby. The posting dwarfed the picture of City Council, which sent a message in Ms. McBee's opinion.

Further, Ms. McBee pointed out that City Council ruled and presided over the City Manager and that the City Council worked for the citizens. In her opinion, there was a big difference between the 17,000 citizens the City Council represented and the 185 employees the City Manager represented.

Also appointed by the City Council were the Municipal Court Judges. Although the Judges were compensated by City funds, they were independent of the City Council, the City Manager, and the citizens--a truly independent body governed by the State of Texas.

Ms. McBee noted that the citizens, under authority of their Home Rule Charter and the State of Texas, hired and fired the City Council by the right of referendum, initiative, and recall, most of which had been exercised in the City's 100-year history and could be exercised again.

She closed her observations with the fact that, as a municipality, the City of Bellaire was not partisan under the requirements of the Texas Constitution.

Before stepping down from the podium, Ms. McBee welcomed newly elected Councilwoman Fife to the dais.

G. Report(s):

1. Quarterly Report for the Evelyn's Park Conservancy - Presented by Patricia King-Ritter, President, Evelyn's Park Conservancy Board.

Patricia Ritter, President of the Evelyn's Park Conservancy Board ("Board"), presented the Board's Third Quarterly Report to members of City Council.

As a part of the Board's public relations campaign, President Ritter stated that donor recognition opportunities had been advertised, and that the cafe partnership with Zelko Concepts had raised awareness by creating a buzz in the air for Evelyn's Park. President Ritter referenced the Board's branding position statement: "A part of your every day." The Board's goal was for Evelyn's Park to become a routine for residents.

Core values adopted by the Board included family, community, and nature. The Board would connect families through creative programming and the event center. A sense of community would be fostered among neighbors, families, and friends through the use of Evelyn's Park as a gathering place. Finally, the nature setting of Evelyn's Park would give families the ability to go outside and play on five acres of property—a necessity for today's lifestyle.

President Ritter, on behalf of Debbie Lapin, Evelyn's Park Events Director, provided an overview of event goals for Evelyn's Park. President Ritter indicated that the purpose of the events included: raising awareness, informing and educating, connecting families, collaborating with community partners, and

increasing funding.

Examples of event venues from 2015 included the Bellaire Fall New Home Showcase, which raised \$11,100 in one weekend; a Wine, Dine, and Design Event, which raised \$70,000 in donations; and the upcoming "Burn the Bird" Event to be held on Friday at 8:00 a.m. in Bellaire Town Square.

Lou Waters, Vice President of the Board, referenced initial construction work that had begun on the Evelyn's Park site. He advised that several significant surprises were dealt with during the initial construction work on Evelyn's Park, which included multiple change orders. In addition, a business contract was executed between the Board and Zelko Concepts, the cafe provider.

With respect to total assets, Vice President Waters indicated that the Board had a little over \$1 million in cash and receivables. Over the course of year, the Board spent a little over \$1 million in design and construction.

With respect to activities, Vice President Waters stated that the third quarter had not been a big fundraising quarter for the Board. He indicated further that fundraising was not one of the Board's goals for the third quarter. The Board brought in \$850,000 over the year and expended \$1.9 million over the same period.

Questions:

At this point in the meeting, Vice President Lou Waters offered to answer any questions that City Council might have. Following a question from Mayor Philip L. Nauert, Vice President Waters recommenced his report with an overview of the Board's campaign planning.

Vice President Waters advised that the Board was currently moving from design and development to construction and operations. As a result, the messaging and branding for Evelyn's Park had evolved to the next stage. An overview of the levels of donor recognition were presented. Vice President Waters noted that over 300 donors had purchased a level of recognition. A large number of the donors were within a few hundred dollars of the next step or level. An opportunity would be offered to people to join in the recognition and/or move up to the next level. Levels of donor recognition were shown to members of City Council.

Initial levels of donor recognition included a bug and butterfly wall (constructed of tiles) and lighted glass pillars along the main entryway plaza. Donation levels of \$50,000 would include a series of path lighters around the park. The path lighters would be blended into the landscape and provide information about the native trees or fauna in a certain area. For foundation donors of \$100,000 and up, luminaries recognizing seven donors would be located in an area of Evelyn's Park referred to as oak tree alley. For donations of \$250,000 or more, outdoor living rooms would be constructed along the alley (bench area with flora and fauna). Donations of \$500,000 or more would be offered a lantern garden in the oak tree entryway out in front of the cafe.

After receiving favorable comments from **Councilman Roman F. Reed**, Mayor **Philip L. Nauert** thanked the Board for their quarterly report.

2. Fourth Quarterly Report (FY 2015 Final) for the City of Bellaire, Texas - Submitted by Diane K. White, Assistant City Manager.

Diane K. White, Assistant City Manager ("ACM"), provided the FY 2015 Fourth Quarter Report to members of City Council. She noted that the Enterprise Fund and General Fund ended the fiscal year within budget. ACM White indicated further that the City had nine new hires and five separations during the fourth quarter.

General Fund:

Ninety-eight percent of the City's General Fund budget was expended in FY 2015. ACM White advised that revenues had come in at \$15,512 more than projected and expenditures had come in under budget by \$357,979. In summary, the total fund balance increased by \$373,491 over the projected amount. After noting that the fund balance increase was a one-time source of funding, ACM White suggested future potential uses of the increase in fund balance. It was noted that such uses could include offsetting the projected deficit of the 60-day fund balance requirement in the fiscal forecast; reducing the "catchup" needed for the vehicle and equipment replacement plan; and/or increasing the contribution to the General Fund transfer from the Capital Improvement Program Fund.

ACM White provided explanatory comments to members of City Council regarding the reasons for variances between projected and actual expenditures (i.e., related to, but not limited to, salaries and benefits, professional services, contractual services, maintenance, and materials and supplies).

Enterprise Fund:

With respect to the Enterprise Fund, ACM White advised that the City expended 90% of the FY 2015 budget. Revenues were close to projections (\$35,000 less than projected) and expenditures came in under projections by \$294,000. The total ending fund balance increase (projections to actual) in the Enterprise Fund was \$259,649. Future potential uses of the increased fund balance were the same as those previously provided for the General Fund.

Explanatory comments regarding the increase in fund balance were similar to those provided for the General Fund (i.e., related to, but not limited to, salary and benefits, asset management, maintenance, and contractual services, and materials and supplies).

Capital Outlay:

It was noted that a small variance occurred in Capital Outlay as a result of the street sweeper purchased by the Public Works Department coming in below the amount budgeted.

Management Projects Update:

ACM White highlighted those projects that were completed in 2015. Completed projects included the compensation study, financial management policies, vehicle and equipment management plan, and the Comprehensive Plan Update.

Capital Improvement Plan Update:

It was noted that Rebuild Bellaire, Phase 5B, would be presented to City Council

on January 25, 2016. A neighborhood meeting was planned for Thursday at 6:30 p.m. on the 2015 Pavement Management Project. In addition, a regional mobility study would be presented to City Council on December 7, 2015, for consideration.

Mayor Philip L. Nauert opened the floor for questions from members of City Council. Following questions, Mayor Nauert called for a motion and vote to accept the City's Fourth Quarter Report for fiscal year 2015 into the record.

Motion:

To accept the FY 2015 Fourth Quarter Report for the City of Bellaire, Texas, as presented by Assistant City Manager Diane K. White, into the record.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Pat B. McLaughlan, Councilman
SECONDER:	Gus E. Pappas, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Fife

3. FY 2016 Management Projects and Capital Improvement Program for the City of Bellaire, Texas - Presented by Michelle Jordan, Project Manager.

Michelle Jordan, Project Manager, presented a report to members of City Council regarding the FY 2016 Management Projects and Capital Improvement Projects for the City of Bellaire, Texas.

Project Manager Jordan advised that the FY 2016 Management Projects had been summarized in the agenda packet. Detailed pages related to each project were included in the report and included such information as the team leader, the specific scope, and the proposed timeline for each project, as well as the City Council priority area that each project focused on.

Project Manager Jordan explained that each of the projects were previously presented to members of City Council either at the June budget planning session and/or the July budget presentation.

Following the individual management project sheets was a summary of the capital improvement projects for FY 2016. Project Manager Jordan advised that individual project sheets were included in the agenda packet. As with the FY 2016 Management Projects, Project Manager Jordan explained that those individual sheets provided a more detailed scope and tentative schedules. These Additionally, those projects were previously presented to City Council at the planning session and budget presentation, which occurred earlier in the year.

Project Manager Jordan highlighted a few of the Capital Improvement Projects. For example, the FY 2016 Pavement Management Program project included streets based on condition assessments performed in 2013. The scope included sidewalk repairs and filling in gaps.

Another project, the Storm Water Drainage Plan review, would identify potential improvements and funding sources to reduce the flood impact from 100-year storm events. The Public Works Facility Assessment Project was scheduled to appear on City Council's agenda on December 7, 2015. During that meeting, City

Council would be presented with the condition of the current Public Works Administration Building, as well as discussion and a matrix of decision making related to what could happen with the flooded building.

Phase 2 of the Citywide SCADA Systems Upgrade Project was scheduled to occur in fiscal year 2016. This phase would address Supervisory Control and Data Acquisition ("SCADA") connections to the three City water plants (Central, Feld Park, and Renwick), the three remote lift stations (Bellaire, Rice, and Wendell), and the City's Wastewater Treatment Plant.

At this point in the meeting, **Mayor Philip L. Nauert** opened the floor for questions from members of City Council. Following questions from the Mayor and City Council, Mayor Nauert called for a motion and action to accept the FY 2016 Management and Capital Improvement Projects report, as presented by Project Manager Michelle Jordan, into the record.

Motion:

To accept the FY 2016 Management and Capital Improvement Projects report, as presented by Michelle Jordan, Project Manager, into the record.

RESULT:	UNANIMOUS [7 TO 0]
MOVER:	Amanda B. Nathan, Mayor Pro Tem
SECONDER:	Michael Fife, Councilman
AYES:	Nauert, Nathan, Reed, Avioli Sr., Pappas, McLaughlan, Fife
NAYS:	None

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

Items for future agendas included favorable suggestions for a future item to consider re-establishing a citizen committee to help with the municipal facilities project design phase; and discussion and possible action, if needed, regarding the City of Bellaire's policy for filling gaps in sidewalks as a part of the City's sidewalk and pavement management project.

Community interest items from the Mayor and City Council included wishes of welcome to newly elected Councilman Michael Fife; expressions of appreciation for reports presented by City Staff during the meeting; wishes for a Happy Thanksgiving; reminder of the City Offices closure for the Thanksgiving holidays (November 26 and 27); and congratulations to the Patrons for Bellaire Parks for their hard work in rescheduling their Tents 'n Town event.

I. Adjourn.

Motion:

To adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:23 p.m. on Monday, November 16, 2015.

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

Mayor and Council

7008 S. Rice Avenue
Bellaire, TX 77401



Meeting: 12/21/15 07:00 PM
Department: Public Works
Category: Change Order
Department Head: Brant Gary
DOC ID: 1760

SCHEDULED**ACTION ITEM (ID # 1760)**

Item Title:

Consideration of and possible action on a recommendation from the Bellaire Public Works Department to approve a Change Order (No. 1) with A Absolute Plumbing, Inc., to the contract for the 2015 Water Line Replacement Project in an amount of \$78,700.80; to authorize and approve a proposal for additional engineering services related to said Change Order (No. 1) from ARKK Engineers in an amount not to exceed \$5,500.00; and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager to execute, for and on behalf of the City of Bellaire, Texas, said Change Order (No. 1) with A Absolute Plumbing, Inc., to the contract for the 2015 Water Line Replacement Project - Requested by Brant Gary, Director of Public Works.

Background/Summary:

On August 17, 2015, Council awarded the 2015 Water Line Replacement Project to A Absolute Plumbing, Inc. in the amount of \$382,960.00. The original project scope involved the replacement of 3,050 linear feet of 6-inch through 8-inch water lines along the following streets in the City of Bellaire:

- 4500 - 4600 Blocks of Oakdale
- 5300 Block of Patrick Henry

During recent work in the Rebuild Bellaire Phase 5A Reconstruction Project, the City experienced several water line failures on Grand Lake Street. It was determined that this would be a good time to replace a section of the Grand Lake water line through a change order to the existing contract.

The following street block has been designated for additional water line work:

- 5100 Block of Grand Lake: Replace and abandon the old 6" water line with 750' of new 8" water line

The cost of this water line work is \$84,200.80:

- Change Order to the Construction Contract: \$78,700.80
- Authorize additional funding to the Engineering Contract: \$5,500.00

The approved FY2015 CIP budget for this project was \$645,000. The original estimated cost for this project was \$621,950.00 (Engineering: \$49,450.00; Construction: \$570,000.00; Material Testing: \$2,500.00). The original Council approved contract was for \$434,910.00 (Engineering: \$49,450.00; Construction: \$382,960.00; Material Testing: \$2,500.00). With this proposed contract increase, the total cost of the project will be \$519,110.80 (Engineering: \$54,950.00; Construction: \$461,660.80; Material Testing: \$2,500.00).

The project also includes service line replacements, installation of new fire hydrants and valves and associated appurtenances. This contract increase will allow for the City to better utilize the funds originally allocated and benefit further from the extremely competitive contract pricing received for this project.

Source of Funding:

This project will be funded by the FY2015 CIP - Water and Sanitary Sewer Line Program, which has a remaining balance of approximately \$209,000 in unencumbered funds.

Remaining funding will be available to be used in future projects.

Recommendation:

The Director of Public Works and City Engineer recommend that the change order and additional engineering expenses be approved so that the allocation for this project is increased in an amount not to exceed \$84,200.80.

ATTACHMENTS:

- Proposal for Additional Engineering Services (PDF)
- Change Order No. 1 (PDF)
- Grand Lake Street Plan (PDF)
- Change Order No. 1 - Addition of Grand Lake Water Line to 2015 Water Line Replacement Project - A Absolute (DOC)

December 3, 2015

Mr. Brant Gary
Director of Public Works
City of Bellaire
4337 Edith Street
Bellaire, Texas 77401

Re: **2015 Water Line Replacement Project**
Proposal For Additional Engineering Services
City of Bellaire, Texas
ARKK Job No. 15-011

Dear Mr. Gary:

Recently during a planned offset connection for Rebuild Phase 5 the City experience several waterline failures on and around Grand Lake. The City of Bellaire & ARKK Engineers, LLC worked together determined that now was a good time to replace a section of Grand Lake. The additional work includes connecting to the offset that was performed as part of Rebuild Phase 5 and abandoning the old 6-inch water line along the South side of Grand Lake. This additional work includes the water line(s) listed below:

Water Line Repair List

The street blocks designated for water line repair are as follows:

- 5100 Block of Grand Lake – Replace the old 6-inch water line with 750-feet of new 8-inch water line.

ARKK Engineers, LLC negotiated with the contractor for the project, A Absolute Plumbing, Inc. and they agreed to complete the additional work utilizing current unit prices for bid items.

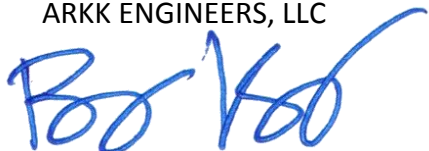
Fee for Services

Original FY2015 Water Line Budget Amount:	\$645,000.00
Engineering Services:	\$49,450.00
Material Testing:	\$2,500.00
Project Award Amount:	382,960.00
Underrun:	\$(210,090.00)
**Additional Engineering Services:	\$5,500.00
5100 Grand Lake Water Line Cost:	\$78,700.80
TOTAL BUDGET IMPACT:	\$84,200.80
TOTAL REMAINING BUDGET:	\$125,889.20

**This includes field work to collect data, design, construction administration and site inspection services for the additional work.

ARKK Engineers, LLC appreciates the opportunity to submit this proposal for additional services and to continue working for the City of Bellaire.

Sincerely,
ARKK ENGINEERS, LLC



Bobby Vasek
Designer

Cc: Todd Gross – City of Bellaire
James Andrews – ARKK Engineers, LLC

Attachment: Proposal for Additional Engineering Services (1760 : 2015 Water Line Replacement Project - Increase Allocation)

CITY OF BELLAIRE

CHANGE ORDER

CHANGE ORDER NO. 1

PROJECT: 2015 Water Line Replacement Project

PURCHASE ORDER NO. _____

PROJECT NO.: 15-011

TO: A Absolute Plumbing, Inc.

Contractor and 16495 S. Hwy 288B

Address for Written Notice Angleton, Texas 77515

ATTACHEMENTS: N/A

1.01 DESCRIPTION OF CHANGES

ITEM NO. 1 Scope:	DESCRIPTION	CONTRACT CHANGE	
		AMOUNT	TIME
	Installation of 8" water line on the 5100 Block of Grand Lake between 5 th Street and South Rice.	\$78,700.80	30

Item Description	Unit	Plan	Unit Price	Cost
6" PVC C-900, Class 150 Waterline by augered construction, all depths, Complete in Place, the Sum of:	LF	10	\$60.00	\$600.00
8" PVC C-900, Class 150 Waterline by augered construction, all depths, Complete in Place, the Sum of:	LF	750	\$70.00	\$52,500.00
8" Resilient seated gate valve with box, complete in place the sum of:	EA	1	\$1,200.00	\$1,200.00
Fire hydrant assembly installed on new water main, including gate valve and lead pipe, complete in place, the sum of:	EA	1	\$4,500.00	\$4,500.00
Abandon Valves and Remove and Dispose of Valve Box, complete in place, the sum of:	EA	2	\$200.00	\$400.00
Install short side service, complete in place, the sum of:	EA	12	\$700.00	\$8,400.00
Install long side service, complete in place, the sum of:	EA	10	\$900.00	\$9,000.00
6" wet connection, including coupling and appurtenances, complete in place, the sum of:	EA	1	\$1,000.00	\$1,000.00
8" wet connection, including coupling and appurtenances, complete in place, the sum of:	EA	1	\$1,100.00	\$1,100.00
Trench Safety System for all water mains, greater than 5-feet deep, complete in place, the sum of:	LF	80	\$0.01	\$0.80

ITEM No. 1 Justification: Recently during a planned offset connection for Rebuild Phase 5 the City experience several waterline failures on and around Grand Lake. It was determined that now was a good time to replace a section of Grand Lake to minimize these failures in the future.

TOTALS**\$78,700.80****30**

Attachment: Change Order No. 1 (1760 : 2015 Water Line Replacement Project - Increase Allocation)

PROJECT SUMMARY

1.02 CONTRACT PRICE SUMMARY

		DOLLAR AMOUNT	PERCENT
A.	Original Contract Price	\$ 382,960.00	100.00%
B.	Previous Change Orders	\$0.00	0.00%
C.	This Change Order	\$ 78,700.80	20.55%
D.	Final Contract Price	\$461,660.80	120.55%

1.03 CONTRACT TIME SUMMARY

		DURATION	COMPLETION DATE
A.	Original Contract Time	120 DAYS	September 14, 2015
B.	Previous Change Orders	0 DAYS	January 11, 2016
C.	This Change Order	30 DAYS	January 11, 2016
D.	Contract Time	150 DAYS	February 10, 2016

1.04 ACCEPTANCE BY CONTRACTOR

Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.

Contractor Signature and Title

Date

1.05 ACCEPTANCE BY THE CITY OF BELLAIRE

City Engineer

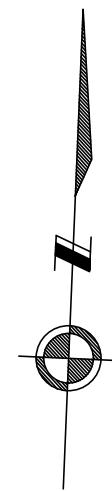
Date

City of Bellaire








Date

END OF DOCUMENT

Attachment: Change Order No. 1 (1760 : 2015 Water Line Replacement Project - Increase Allocation)



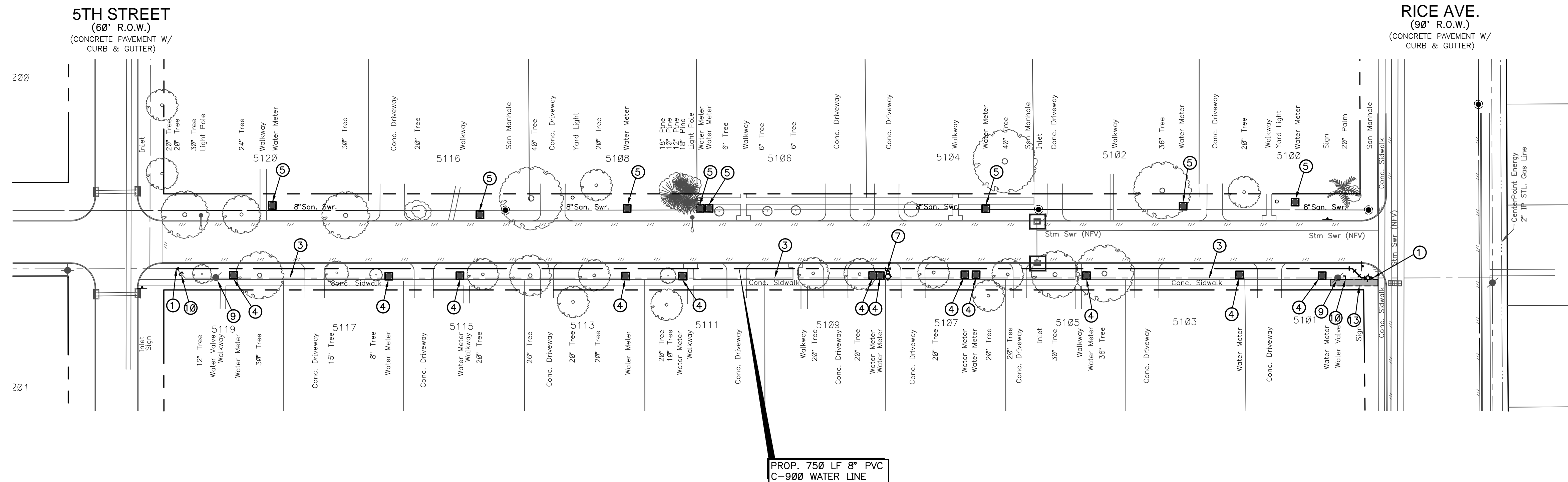
LEGEND

-  PROPOSED FIRE HYDRANT
-  PROPOSED GATE VALVE
-  PROPOSED TAPPING SLEEVE & VALVE
-  PROPOSED WATER LINE CONNECTION
-  PROPOSED METER & BOX
-  PROPOSED REDUCER
-  PROPOSED PLUG

 PAVEMENT REMOVAL AND REPLACEMENT LIMITS

- ① CONNECT PROPOSED WATER LINE TO EXISTING WITH WET CONNECTION OR TAPPING SLEEVE AND VALVE AS SHOWN ON PLAN.
- ② PLACE MINIMUM 10' JOINT OF PIPE BEYOND TEE OR VALVE PRIOR TO INSTALLING PLUG W/ TAP OR REDUCER FOR CONNECTION TO EXISTING WATER LINE.
- ③ ABANDON EXISTING WATER LINE.
- ④ PROP. SHORT SIDE WATER SERVICE REPLACEMENT.
- ⑤ PROP. LONG SIDE WATER SERVICE REPLACEMENT.
- ⑥ GENERAL UTILITY CROSSING (SEE CLEARANCE DETAIL SHEET 1A AND NOTES SHEET 2) (VERIFY CLEARANCES WITH EXIST. SAN SWR) PROPOSED FIRE HYDRANT ASSEMBLY.
- ⑦ REMOVE AND SALVAGE EXISTING F.H. ASSEMBLY AND VALVE.
- ⑧ ABANDON VALVE AND REMOVE AND DISPOSE OF VALVE BOX.
- ⑩ CUT & PLUG
- ⑪ PROP. REMOVE AND REPLACE WITH ASPHALT PAVEMENT.
- ⑫ PROP. REMOVE AND REPLACE WITH CONCRETE PAVEMENT.
- ⑬ PROP. REMOVE AND REPLACE SIDEWALK

 INLET PROTECTION BARRIER



PROP. 750 LF 8" PVC
C-900 WATER LINE

MK.	DESCRIPTION	DATE	DWN.	CHK.

This document is released for the purpose of review under the authority of James B. Andrews, P.E. 56062 on 11/20/2015. It is not to be used for construction purposes.



7322 Southwest Freeway, Suite 1040 • Houston, Texas 77074
(713) 400-2755 • www.arkkengineers.com • TX PE Firm No. 13872

City of Bellaire, Texas

Water Line Improvements

5100 Grand Lakes St.

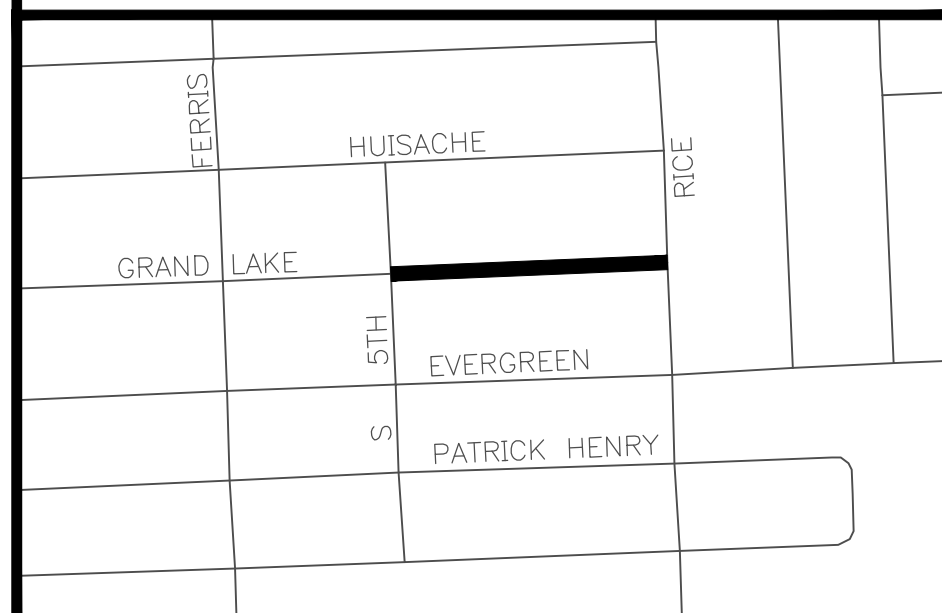
Job No.: 15-011	Scale:	SHEET
Date: June, 2015	FULL: 1"=40'	6A
Dwn By: D Fattig	HALF: N/A	
Chkd By: J Andrews		OF 11

CAUTION:
PIPELINES AND UTILITIES IN THE AREA,
(SEE GENERAL NOTES SHEET 2)

THESE DRAWINGS DO NOT REPRESENT THE ACTUAL LOCATION, DEPTH, SIZE AND EXISTENCE OF EXISTING UTILITIES AND PHYSICAL FEATURES IN THIS AREA. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND FIELD LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION.

NOTES:

- CONTRACTOR SHALL BE AWARE THAT WATER LINE CONSTRUCTION ACROSS ALL ROADWAYS, DRIVEWAYS, AND TREES (REGARDLESS OF WHETHER SHOWN ON PLAN DRAWINGS) AND ANY OTHER SPECIAL AREAS IDENTIFIED IN THE FIELD SHALL BE ACCOMPLISHED BY AUGER CONSTRUCTION. (SEE CONSTRUCTION NOTES, SHEET 2). OPEN CUT CONSTRUCTION MAY BE PERFORMED IN LOCATIONS IDENTIFIED AS AUGER IF APPROVED BY THE CITY AT NO ADDITIONAL COST TO THE PROJECT (INCLUDES SURFACE RESTORATION, PAVEMENT, DRIVEWAY, SIDEWALK, BEDDING AND BACKFILL).
- ALL WATER MAINS AND SERVICES LINES SHALL BE TESTED AND DISINFECTED AS PER THE SPECIFICATIONS. SERVICES ACROSS PAVED AREAS SHALL BE ACCOMPLISHED BY AUGER.
- THE LOCATIONS OF PROPOSED FIRE HYDRANTS AND VALVES SHOWN ON THE PLANS ARE APPROXIMATE AND SHALL BE VERIFIED PRIOR TO INSTALLATION. THE CONTRACTOR SHALL OBTAIN WRITTEN CONCURRENCE FROM THE FIELD REPRESENTATIVE PRIOR TO INSTALLATION OF FIRE HYDRANTS AND VALVES.
- THE CONTRACTOR SHALL BE AWARE THAT PIPELINES AND OTHER UTILITIES MAY BE LOCATED IN THE PROJECT AREA. THE CONTRACTOR SHALL CONTACT AND COORDINATE THE CONSTRUCTION WORK WITH THE PIPELINE COMPANY PRIOR TO COMMENCING CONSTRUCTION.
- ALL EXCAVATIONS 5-FEET DEEP OR GREATER REQUIRE A TRENCH SAFETY SYSTEM. PROTECTIVE SYSTEMS FOR TRENCHES SUCH AS SLOPING, SHORING, SHIELDING, ETC. AS APPROVED BY OSHA SHALL BE USED. SEE SPECIFICATION SECTION 01526.
- ALL WATER METERS & BOXES SHALL BE REMOVED AND REPLACED AS NEEDED UPON APPROVAL FROM CITY. THE CONTRACTOR MUST NOTIFY THE CITY PRIOR TO REMOVAL OF ANY EXISTING WATER METERS. CITY WILL PROVIDE WATER METERS FOR THE PROJECT.





ORDINANCE NO. 15-_____

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF BELLAIRE, TEXAS, TO EXECUTE *CHANGE ORDER (NO. 1)* WITH A ABSOLUTE PLUMBING, INC., IN A FORM AS ATTACHED HERETO AND MARKED "EXHIBIT A," TO A CONTRACT FOR THE 2015 WATER LINE REPLACEMENT PROJECT IN AN AMOUNT OF \$78,700.80.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:

THAT the City Manager of the City of Bellaire, Texas, is hereby authorized to execute, for and on behalf of the City of Bellaire, Texas, *Change Order (No. 1)* with A Absolute Plumbing, Inc., in a form as attached hereto and marked "**Exhibit A,**" to a contract for the 2015 Water Line Replacement Project in an amount of \$78,700.80.

PASSED and **APPROVED** this 21st day of December, 2015.

Dr. Philip L. Nauert, Mayor
City of Bellaire, Texas

ATTEST:

Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

APPROVED AS TO FORM:

Alan P. Petrov, City Attorney
City of Bellaire, Texas