



CITY OF BELLAIRE TEXAS

BOARD OF ADJUSTMENT

JANUARY 21, 2016

Council Chamber

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

1. CALL TO ORDER

Chairman Ligh called the meeting to order at 7:13 PM.

2. PLEDGE TO THE FLAG (US AND TEXAS)

Texas Pledge: (Honor the Texas Flag: I pledge allegiance to thee, Texas one state under God, one and indivisible).

Chairman Ligh led the public and the Board in the pledges to both flags.

3. CERTIFICATION OF A QUORUM

Chairman Ligh certified that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
Patty McGinty	Board Member	Present	
Amar Raval	Vice Chairman	Present	
Tom Ligh	Chairman	Present	
Debbie Karakowsky	Board Member	Present	
Samir Sinha	Board Member	Present	
William Stone	Board Member	Absent	
Seth A. Miller	Board Member	Present	
Alan P. Petrov	City Attorney	Present	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	
Gus E. Pappas	Council Member	Absent	

4. APPROVAL OF MINUTES

1. Board of Adjustment - Regular Session - Dec 17, 2015 7:00 PM

Chairman Ligh pointed out a few scrivener's errors.

RESULT:	APPROVED AS CORRECTED [UNANIMOUS]
MOVER:	Amar Raval, Vice Chairman
SECONDER:	Debbie Karakowsky, Board Member
AYES:	McGinty, Raval, Ligh, Karakowsky, Sinha, Miller
ABSENT:	Stone

5. REPORTS FROM OFFICERS, COMMITTEES, SUB-COMMITTEES AND COMMUNICATIONS BOARD MEMBERS HAVE HAD OUTSIDE THE MEETING

There were no reports.

6. UNFINISHED BUSINESS

1. Discussion, consideration, and possible action on the Board of Adjustment's 2015-2016 Rules of Procedure.

The Board voted to keep the Rules of Procedure tabled due to Board Member Stone's absence.

RESULT:	TABLED [UNANIMOUS]	Next: 5/19/2016 7:00 PM
MOVER:	Seth A. Miller, Board Member	
SECONDER:	Amar Raval, Vice Chairman	
AYES:	McGinty, Raval, Ligh, Karakowsky, Sinha, Miller	
ABSENT:	Stone	

7. READING OF THE STANDARDS FROM SECTION 24-704, BELLAIRE CODE OF ORDINANCES

Chairman Ligh explained that there were no applications before the Board, therefore, the standards did not need to be read.

8. NEW BUSINESS

1. Approval of the Board of Adjustment's 2015 Annual Report to City Council.

Chairman Ligh explained that the first draft of the report did not address the questions listed in Section 2-104 of the Code of Ordinances, and therefore he had revised it after the packet was sent out. He mentioned that he also added a paragraph regarding the Texas Local Government Code's quorum requirements versus the City's quorum requirements, and how Council may want to look into changing the City's language to match that of the Texas Local Government Code.

Motion: a motion was made by Board Member Miller and seconded by Board Member Sinha to table the Annual Report until after item 8. 2., Quorum Requirements, had been discussed.

Vote: the motion carried on a unanimous vote of 6-0.

After voting on item 8.2, a motion was made by Board Member Miller and seconded by Board Member McGinty to take the Annual Report off the table.

Vote: the motion carried on a unanimous vote of 6-0.

The board members asked that the last paragraph of the report be amended to specifically identify the provision of the Texas Local Government Code that Bellaire's Code of Ordinances needs to mimic.

Motion: a motion was made by Vice Chairman Raval and seconded by Board Member Miller to approve the report as amended.

Vote: the motion carried on a unanimous vote of 6-0.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Amar Raval, Vice Chairman
SECONDER:	Seth A. Miller, Board Member
AYES:	McGinty, Raval, Ligh, Karakowsky, Sinha, Miller
ABSENT:	Stone

2. Discussion of Section 2-112, Board of Adjustment, (g) Quorum, of the City of Bellaire Code of Ordinances.

Chairman Ligh explained that the City's quorum requirements for the Board are more stringent than the Texas Local Government Code. He added that under the City's code the Board may not call the meeting to order or vote on the Annual Report without 6 members of the Board present. Chairman Ligh suggested that the City language be changed to mimic that of the Texas Local Government Code in order to give the Board more flexibility with regard to simple business.

Vice Chairman Raval asked for clarification that this amendment would allow the Board to meet and transact regular business with 4 members rather than 6.

Mr. McDonald confirmed this, and explained that he would go ahead and schedule it for Council action if the Board would like to move forward with the amendment.

Attorney Petrov pointed out that it would be a fairly simple change to the City code to modify the language for that section to track the statutory language of the Texas Local Government Code.

Board Member Miller asked what provision it is under the Texas Local Government Code.

Attorney Petrov stated that it is 211-008(d).

Motion: a motion was made by Vice Chairman Raval and seconded by Board Member McGinty to ask City Council to amend the language in Section 2-112(g) of the City of Bellaire Code of Ordinances to mimic that of Section 211.008(d) of the Texas Local Government Code.

Vote: the motion carried on a unanimous vote of 6-0.

9. GENERAL COMMENTS

(Limitations: Six (6) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board Members present).

There were no general comments.

10. GENERAL COMMENTS FROM BOARD MEMBERS

There were no comments or announcements from Board Members.

11. ANNOUNCEMENTS

Mr. McDonald reminded the Board that there is a Parliamentary Training Session taking place in La Porte that the Board is invited to attend. He asked that board members RSVP to City Staff, and mentioned that a City van could be taken if there was anyone who wished to

car pool. Mr. McDonald also stated that there will most likely be general board training on an upcoming agenda of the Board.

12.ADJOURNMENT

Motion: a motion was made by Board Member Miller and seconded by Board member McGinty to adjourn the Regular Meeting.

Vote: the motion was carried on a unanimous vote of 6-0.

The meeting was adjourned at 7:37 PM.